

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
FEBRUARY 16, 2017
APPROVED: MARCH 16, 2017**

Vice Chairman Don Ritchie called the meeting to order at 7:03pm in the Town Hall 13 Ayer Road under MGL Chapter 131 §40 The Wetland Protection Act and The Code of the Town of Harvard Chapter 119 the Wetland Protection Bylaw

Members Present: Wendy Sisson, Jim Breslauer, Don Ritchie, Charlie Gorss, Jaye Waldron, and Joanne Ward

Others Present: Liz Allard (LUB Admin), David Outman (HCT), Peter Dorward (HCT), Jim Lee (HCT), Marty Green (Harvard Press), Jim & Lorelei Galeski, Matt Adams (Boy Scouts), Dylan (Boy Scouts), Carl Warren and Adam Hughes

Discuss Interest in Purchasing Smith Land – Littleton County Road (Map 14 Parcel 56)

Liz Allard had previously distributed to the members an email from Ashley Davies from the Sudbury Valley Trustees (SVT) in regards to a 12.79 acre parcel of land in Harvard. The parcel is currently owned by the Estate of Edith Boyd Smith, and contains a conservation restriction (CR), which is held by the Littleton Conservation Trust. SVT is seeking input from the Harvard Conservation Commission (ConCom) as to whether or not the ConCom has any interest in purchasing the property. Ms. Davies indicated the associated cost for the parcel would be about \$3000 an acre. Wendy Sisson was interested in knowing how SVT is involved. Ms. Sisson is not sure of the going rate for backland lots in Harvard. Jim Breslauer stated regardless of the going rate, the ConCom has no money. Ms. Sisson would be interested in finding out more information as this parcel is an access point to Black Pond; therefore, if money was not an issue it would be a good site to obtain. The CR will need to be reviewed to determine whether access to the property is allowed. Ms. Sisson will look further into the request of SVT.

Licensing of Conservation Land Update

Joanne Ward has not completed her review of the documents at this time. This item will be included on the next agenda for further discussion.

Board of Selectmen Meeting Update: Conservation Fund Warrant Article

Members of the Commission attended a recent Board of Selectmen (BOS) meeting to discuss the request of the Commission for \$200,000 for the Conservation Fund as a warrant article for the annual town meeting. The Finance Committee (FinCom) has voted to recommend \$20,000. The BOS did not agree to an increase of the amount recommended by FinCom. The BOS did however vote to research and determine a funding source for the Conservation Fund for the annual town meeting in 2018.

Members discussed making a friendly amendment on the floor of town meeting. Jim Breslauer made a motion to increase the recommendation of the Finance Committee of \$20,000 for the Conservation Fund, to \$50,000 on the floor at town meeting. Wendy Sisson made a friendly amendment to the motion to include an itemized list of the types of expenditures from the Conservation Fund as a hand-out at town meeting. Mr. Breslauer accepted the amendment as friendly. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Funding for updates to State & Local Open Space Parcels

Liz Allard explained the need for funding is not necessary as the updates to the Town of Harvard's GIS program is now included in the price the Town pays for this service through the assessing department. The information has also been sent to the State for inclusion on the MassGIS website. Ms. Allard has not heard back from the State; she will follow up to be certain the proper information was received.

Approve Minutes

Wendy Sisson made a motion to approve the minutes of January 19, 2017 and February 2, 2017 as amended. Jim Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Approve Invoices

Wendy Sisson made a motion to approve the invoice for Mark J. Lanza in the amount of \$68.00. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Jim Breslauer made a motion to approve the allocation of \$460.00 for the attendance of three members and the Conservation Agent at the Massachusetts Association of Conservation Commissioners Annual Environmental Conference on March 4th. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Request for Determination of Applicability Hearing – James & Lorelei Galeski, 28 Shaker Road, Harvard#0117-02. Opened at 7:30pm

Proposed Harvard Snowmobile Club Protocol

The draft protocol is still under development.

Land & Water Conservation Fund Grant Application

As part of the grant application process a public meeting will take place on March 2nd to gather any input from the general public in regards to the protection of the top of Dean's Hill. Peter Dorward will draft a PowerPoint© presentation for this event. The required appraisal should be available prior to this presentation allowing for the Commission to determine an asking price for the property. The realtor and the Davis' will be notified of this meeting.

The drafted conservation restriction (CR) needs to be reviewed to determine what uses should be allowed and what should not be allowed. The first draft of the CR needs to be updated with the highlighted areas to be addressed by the Commission.

Update on Gifts of Land

- Stone Cutter's Path – Nothing new to report
- Still River Road – Nothing new to report
- Maxant, Willard Lane – Wendy Sisson was unable to locate the bounds and has requested those bounds be marked prior to accepting the gift of land.

Executive Session

Jim Breslauer made a motion to go into Executive Session to discuss the possible purchase of real property, the public discussion of which could have detrimental effects on the negotiating position, only to adjourn the public meeting once completed. Wendy Sisson seconded the motion. A roll call vote was taken: Wendy Sisson, aye; Joanne Ward, aye; Jim Breslauer, aye; Jaye Waldron, aye; Charlie Gorss, aye; Don Ritchie, aye.

Adjournment

At the conclusion of the discussion under executive session, Jim Breslauer made a motion to come out of executive session and adjourn the public meeting at 8:55pm. Joanne Ward seconded the motion. A roll call vote was taken: Joanne Ward, aye; Jaye Waldron, aye; Jim Breslauer, aye; Wendy Sisson, aye; Charlie Gorss, aye; Don Ritchie, aye.

Respectfully submitted,
Liz Allard
Land Use Administrator/Conservation Agent

**Harvard Conservation Commission
Request for Determination of Applicability
Hearing Meeting Minutes
James & Lorelei Galeski, 28 Shaker Road, Harvard#0117-02
February 16, 2017**

The public hearing was opened at 7:30pm by Vice Chairman Don Ritchie under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room at 13 Ayer Road, Harvard

Members Present: Don Ritchie, Jim Breslauer, Wendy Sisson, Jaye Waldron, Joanne Ward and Charlie Gorss

Others Present: Liz Allard (LUB Admin), Jim & Lorelei Galeski, Marty Green (Harvard Press), Matt Adams (Boy Scouts), Dylan (Boy Scouts), Carl Warren and Adam Hughes

This hearing is for a Request for Determination of Applicability filed on behalf of James & Lorelei Galeski for the removal of damaged trees that cause a threat to human health and safety within the 100' wetland buffer zone at 28 Shaker Road, Harvard.

Jim and Lorelei Galeski were present to present their application. A site walk took place this morning with members of the Commission and the applicant. A portion of the parcel is under a forest cutting plan, however the area detailed within the application is not included in the cutting plan; therefore approval to remove any trees in the area detailed within the application requires a permit from the Commission.

Jim Breslauer stated he has no problem with the trees along the driveway edge; however the plan for areas well beyond the driveway will remove a large number of trees; 40+ according to Mr. Breslauer. After a brief discussion on how many trees the Commission would allow to be removed from the 50' buffer, the Commission and the applicant agreed to reduce the cutting by 50%, with a final review of those trees by members of the Commission prior to any activity.

With no further questions or comments, Wendy Sisson made a motion to close the hearing and issue a Negative#3 Determination of Applicability with the following conditions:

1. The applicant shall reduce the proposed cutting by 50% within the 50' wetland buffer zone, and
2. Prior to any activity the area shall be reviewed by members of the Conservation Commission, with the final number of trees to be removed to be determined during this review.

Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

Conservation Commission Agenda, dated March 16, 2017

Request for Determination of Applicability Hearing – James & Lorelei Galeski, 28 Shaker Road, Harvard#0117-02

- Map#1 Building Certification Plan on Land in Harvard Massachusetts, owned by James Galeski, prepared by R.W. Hart Associates, Inc., undated
- Map#2 Building Certification Plan on Land in Harvard Massachusetts, owned by James Galeski, prepared by R.W. Hart Associates, Inc., page 5 of 8, undated