

**TOWN OF HARVARD
CONSERVATION COMMISSION AGENDA
THURSDAY, FEBRUARY 2, 2023 @7:00PM**

Pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/81642496769?pwd=d3k0T1gvVmJtOXZtQ3FtYXluUGFoZz09>

Meeting ID: 816 4249 6769

Passcode: 417483

One tap mobile

+13052241968,,81642496769# US

+13092053325,,81642496769# US

Dial by your location

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

Meeting ID: 816 4249 6769

Find your local number: <https://us02web.zoom.us/u/kB8BhFDDI>

New Business:

1. Annual Review & Recommended Amendments of the Memorandum of Understanding for Ann Lee Field with Parks & Recreation Commission (7:00pm)
2. Request to Support Warrant Article 2 to Increase the Community Preservation Act Surcharge (7:25pm)
3. Proposed Amendments to the Code of the Town of Harvard Chapter 39 Firearms and Explosives to include Hunting and Trapping
4. Request to Extend Order of Conditions, 8 Wilroy Avenue, DEP#177-674
5. 2023 Wild & Scenic Stewardship Council Grant Proposal – Mapping Culvert Locations
6. Request for Judges for Harvard's Science Fair, Grades 8 – 12
7. Approval Allocation of Funding for MACC Annual Conference
8. Approve Minutes
9. Approve Invoice – Jose Ramos, \$80.00; Voss Sign \$304.00

Old Business:

1. Climate Action Plan Natural Resources Priority Actions to Implement Update
2. Pine Hill Village Status Update

Public Hearings:

- 7:30pm **Continuation of a Notice of Intent Hearing – Yvonne Chern, 203 Ayer Road, DEP#177-711, Harvard#0322-01**, for the construction of commercial structures with associated parking, grading and drainage within the 100' wetland buffer zone – **Waiver Request**

**NEXT MEETING:
FEBRUARY 16, 2023
AS**

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**Memorandum of Understanding between the Harvard Conservation
Commission and Harvard Parks and Recreation Commission
for Anne Lee's Field**

November 19, 2020

This inter-board Memorandum of Understanding (MOU) is entered into by the Harvard Conservation Commission (ConCom) and the Harvard Parks and Recreation Commission (P&R), collectively referred to as the "Parties."

Whereas the Anne Lees playing field (3.08 acres, Harvard Assessor's Map 5, Parcel 104) is on Town conservation land, and;

Whereas the Harvard Conservation Commission authorizes P&R to conduct recreation programs and activities on this site ~~as a grandfathered use~~ and confers management of the playing field itself to the Harvard Parks and Recreation Commission;

NOW, THEREFORE, the Parties agree as follows:

1. Term and Termination - the MOU will continue in effect from year to year unless either of the Parties chooses to withdraw or both parties agree to amend,
2. The MOU ~~should~~ will be reviewed annually by P&R and ConCom and updated as needed and agreed to by both parties,
- ~~3.~~ ConCom allows P&R to conduct recreation programs and activities on the ~~existing~~ Ann Lees recreation field that involve and are designed for students of the Harvard Public Schools. Any activities outside of these, including rental of the site to others, P&R sponsored programs for extracurricular groups or clubs, or P&R activities for other groups, must be approved by the Commission (note: activities organized by and for Harvard residents, such as "pick-up" games, walks, and neighborhood gatherings, are not covered by this MOU). without interference or yearly ConCom approval,
- ~~4.3.~~
- ~~5.4.~~ The playing field is defined as the area from and including the backstop fence to the outfield fence line extending 200' from the back of home plate (see Diagram 1).
- ~~6.5.~~ The outfield will be bound by temporary fencing (200' from home plate) that will be removed when the field is not in regular use,
- ~~7.6.~~ P&R will maintain a mowed swath outside the outfield fence up to 215' from the back of home plate,
- ~~8.7.~~ P&R agrees to manage operation and routine maintenance of the playing field and the contiguous area from the field to the main parking lot (see Diagram 1).

~~9.8.~~ Work done on the field and in this contiguous area that is proposed, funded or donated by any private group or Town department, board or committee must be approved by P&R. Changes to the field or contiguous area will require approval by ConCom,

~~10.9.~~ The land outside the playing field plus the mowed outfield swath and outside the contiguous area up to the parking lot is managed by ConCom,

~~11.10.~~ Storage or disposal of equipment, construction materials (including soils), or litter is not permitted on the surrounding land managed by ConCom,

~~12.11.~~ Operation and maintenance activities for the playing field are documented in a Mass DEP Notice of Intent (NOI) approved by ConCom to permit itemized activities in the wetland buffer,

12. Any projects/activities that are not covered in the NOI will be presented to ConCom for approval with possible modification to the NOI or this MOU.

13. Concom will monitor site conditions and hold an annual winter meeting with P&R to review conditions, maintenance, activities in the past year, and plans for the coming year. Any within-year changes to agreed-upon activities may be approved by the Conservation Agent or brought to the Commission for consideration.

~~13.~~

Formatted: Font: 12.5 pt, Font color: Custom Color(RGB(36,36,36))

Formatted: Left, Indent: Left: 0.35", Hanging: 0.31", Right: 0.07", Line spacing: single, No bullets or numbering, Tab stops: Not at 0.72"

Formatted: Indent: Left: 0.72", No bullets or numbering

Signed and dated by:

Harvard Conservation Commission



/r

tlJL_,,

3/10/21

Harvard Parks and Recreation Commission

Robert O'Shea 3/10/21

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 39

Hunting, Trapping, Firearms, and Explosives

[HISTORY: Adopted by the Annual Town Meeting of the Town of Harvard 3-7-1970 by Art. 31; amended 3-29-1975 by Art. 24. Subsequent amendments noted where applicable.]

§ 39-1 ~~Discharge prohibited; exceptions~~ Consent required for hunting, trapping or discharge of firearms or explosives on public or private property.

[Amended 10-22-2018 STM by Art. 1]

A. No person shall hunt, trap, or snare game, fire or discharge any firearms or explosives of any kind within the limits of any highway, park or other public property, or Bare Hill Pond, ~~except without~~ the permission of the Select Board; or on any private property, ~~except without~~ the written consent of the owner or legal occupant thereof; provided, however, that and such consent shall be carried at all times by such person and, upon request, it shall be shown to any police officer, game warden, or to any other local or state law enforcement official or to the property owner, legal occupant, or his/her agent.

B. A rifle, shotgun or handgun of any caliber as defined by MGL c. 140, § 121, shall not be discharged or fired at any time for the purpose of hunting within the Town.

C. For the purposes of this bylaw, regulations promulgated by state agencies having jurisdiction over public property within the Town specifically authorizing hunting and/or fishing thereon shall constitute written consent.

§ 39-2 Exceptions

A. This bylaw shall not apply to the lawful defense of life or property nor to any law enforcement officer acting in the discharge of his-~~their~~ duties.

B. Person(s) legally licensed under MGL Chapter 131 hunting on public land owned or Town land maintained by the Town Conservation Commission, so long as written permission of the Town Commission is granted; said written permission shall be carried with the person hunting at all times and, and, upon request, it shall be shown to any police officer, game warden, or to any other local or state law enforcement official or Town official.

§ 39-3~~2~~ Violations and penalties.

This bylaw may be enforced pursuant to MGL c. 40, § 21D by any police officer of the Town. The penalty for such noncriminal enforcement shall be \$50 per violation. ~~Violations of this bylaw shall be punishable by a fine of not to exceed \$50 for each offense.~~

OR

A. Any police officer authorized to serve criminal process may arrest, without a warrant, any person found in violation of this section or any person whom said officer has probable cause to believe is in violation.

The penalty for violation of this section shall be a fine of not less than \$50, nor more than \$100, or imprisonment for not more than 30 days, or both.

Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Commented [WE1]: Specified written consent so that it can be carried on one's person

Commented [WE2]: Standard practice is to use "their" in place of "his/her" but I don't want to fight that battle

Commented [WE3]: I think town sentiment supports this though I have no data to prove that. Does raise question of shotguns as I think they're permitted for hunting by state on specific lands during specific seasons--maybe need to specify exceptions for specific activities permitted on state and federally-owned land (worded better than that). I'm not sure if C. covers all this already.

Commented [EA4R3]: C covers it and I will add shotguns to B

Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0", First line: 0", Space Before: 0 pt, After: 14.15 pt

Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Commented [WE5]: I think this is unnecessary since the bylaw only specifies handguns and rifles (and potentially added shotguns). Town permission is for archery only which is not included in bylaw. So I'd omit B.

Commented [EA6R5]: 39-1A states hunting with permission of SB, which would include archery. My though here was for permission from the ConCom - I'll re-word. I also think it is stated again in other bylaws to hit home just because you have a hunting license doesn't mean you can hunt on town-owend land

Formatted: Indent: Left: 0.06", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Commented [WE7]: I prefer this option as it gives police more latitude, as the requested. I'd also raise penalty to \$250 for first offence and \$500 per offense thereafter--police specifically said the fine needs to be high to act as deterrent, and for a low fine such as \$50 or \$100 some will simply incur it as a cost of illegal hunting.

Commented [EA8R7]: Agreed - wait to hear what others have to say before making any edits.

DRAFT

Formatted: Indent: Left: 0.25", Space Before: 2 pt, After: 12 pt

Kevin O'Malley
225 Linden St, Boylston, MA 01505

RECEIVED
JAN 30 2023

26-January-2023

Town of Harvard
Conservation Commission
13 Ayer Road
Harvard, MA 01451

Dear Commissioners,

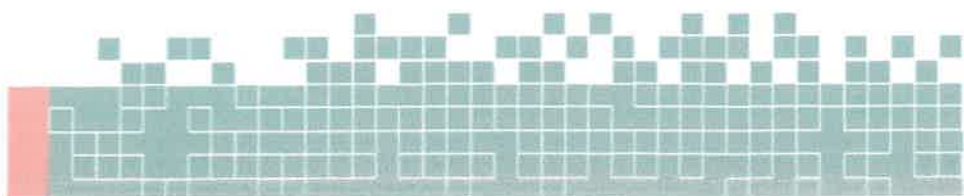
I am requesting a new extension of 2 years to the Order of Conditions, MassDEP file #:177-0674 that was issued on 2/26/2019 and extended until 2/26/2023. The DEP transaction number for this order is 1086408. I expect to complete the project this year, but I am requesting a 2-year timeframe to allow for unseen contingencies.

The project has been delayed due to my financial situation; this is the reason for this extension request.

Your consideration of this request is profoundly appreciated.

Sincerely,


Kevin O'Malley





*Nashua, Squannacook, and Nissitissit Rivers Wild & Scenic Stewardship Council
c/o Nashua River Watershed Association, 592 Main Street, Groton, MA 01450*

Community Grants Program 2023 Application

Project Name: Harvard Waterways and Watershed Awareness

Funding Request (\$): \$1,050.00

Name of Municipality or Organization: Town of Harvard

Organization Address: 13 Ayer Road, Harvard, MA 01451

Name of Primary Contact: Liz Allard

E-mail: lallard@harvard-ma.gov

Telephone: 978-456-4100 ext. 321

501(c)(3)?

Yes **No. If no, list name and contact information of eligible partner:**

Project Summary: *Include brief description of the project (1-3 sentences)*

Building upon the previous Harvard Waterways and Watershed Awareness grant we propose mapping culverts and catch basins to better address impacts of roadways in Town. The [Apple Country Natural Climate Solutions Project Report](#) recommends the restoration of hydrologic connectivity through replacement and upgrading of substandard, undersized and failing culverts throughout Town to meet Massachusetts Stream Crossing Standards. Additionally, the Town's [Climate Action Plan](#) Goals & Actions includes the implementation of flood control through ranking and prioritization of Town-owned culverts replacement and upgrades. The first step in achieving this overarching goal is to map these culverts and catch basins. Placing a focus on these stormwater features within the landscape will help address a variety of vulnerabilities throughout the community, including the potential for flooding during peak rain events.

Project Location: *Describe the project location and include address or Latitude and Longitude (if no address). Attach a map of location(s), if applicable.*

This would be a Town-wide project.

Project Description: *Include a short description of the project, including goals, work plan, and benefits.*

Montachusett Regional Planning Commission (MRPC) will provide the Town use of a free Stormwater app to collect the data necessary to map the locations of the culverts and catch basins within the Town of Harvard. This data will be collected by Department of Public Works staff along with the Conservation Agent between the months of April and September. That data will then be provided to MRPC to create a town-wide map detailing the culvert and catch basin locations. The Conservation Agent will work with MRPC to finalize the map.

Goals of the Stewardship Plan Addressed: *Describe which Stewardship Plan goals the project addresses. (See Request for Proposals and the Stewardship Plan for list of goals)*

By building upon our previous Harvard Waterways and Watershed Awareness grant, the mapping of the culverts and catch basins will assist in raising public awareness of the substandard, undersized and failing culverts and catch basins throughout Town, which will contribute to many of the goals of the Nashua · Squannacook · Nissitissit Rivers Stewardship Plan. This first step in the process of ultimately updating culverts and catch basins to meet Massachusetts Stream Crossing Standards will assist in addressing the protection of wildlife habitat, water quality and flood control. Residential awareness of how stormwater water is retained and flows throughout Town will also help in adapting to climate change as it pertains to flooding.

Project Products or Deliverables: *List and describe anticipated project deliverables (e.g. informational signs along a trail, river access improvement, streamside revegetation, targeted outreach to specific audiences, resource mapping).*

A Town-wide map detailing the location of existing culverts and catch basins will be made available on the Town website. This map will also provide as a useful tool when seeking funding for advancement of meeting Massachusetts Stream Crossing Standards.

Project Evaluation: *Describe how the success of the project will be evaluated to determine if project goals have been met and that the project has had impact for the communities and resources of the Wild and Scenic Rivers.*

The Conservation Commission will continue its efforts to raise public awareness of wetlands and waterways by advancing the updating culverts and catch basins to meet Massachusetts Stream Crossing Standards to better address impacts of roadways in Town. Achieving this goal will be reflected in the 2023 Open Space & Recreation Plan for the Town of Harvard.

Project Partners: *Describe their role, expertise, and in-kind services provided.*

The Conservation Commission, through its Agent, will assist the Department of Public Works in the process of gathering the necessary data for the mapping of the culverts and catch basins within Town. The mapping of this data will be conducted by Montachusett Regional Planning Commission.

Permits or Permissions Required: *List any permits or permissions required to undertake the project and the current status of each permit, permission, or approval, if applicable.*

No permits or permissions are required to undertake this project.

Project Timeline: *List anticipated start date, milestones, end date.*

Data Collection will take place between April and September. Montachusett Regional Planning Commission will be contracted in September to prepare a map based on that data. This map will be provided on the Town's website by the end of November.

Any additional project information (if applicable): Not Applicable

Project Budget: *Describe the total project budget, amount being requested, estimated budget by task/item, other sources of funding, and/or in-kind support. Please use the budget example on the following page, inserting additional rows as needed. Use \$30 per hour as the value of volunteer labor.* Work will be conducted by Town staff from the Department of Public Works and the Conservation Agent in the course of regular duties.

Prepared map by Montachusett Regional Planning Commission

\$1050.00

Community Grants Program
Application

Project Name:

Category	Project tasks/items	Amount requested	Funding match amount	In-kind match amount	Match details
Contractual services					
MRPC	Mapping & GIS Maintenance Fee	\$1,050	\$0	\$0	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
Supplies and materials					
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
Personnel					
DPW Foreman	Gathering data	\$	\$	\$4721.00	Town Staff (120 hours x \$39.34/hour)
Conservation Agent	Gathering & complying data	\$	\$	\$4463.00	Town Staff (135 hours x \$33.06/hour)
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	
TOTALS		\$	\$	\$	

HARVARD CONCOM MAPPING ESTIMATE
Culvert & Catch Basin Mapping ¹
GIS Maintenance Fee (5% of Project Sub-Total)
TOTAL PROJECT COST

QTY	RATE	SUB-TOTAL
10	\$99.77	\$997.70
NA	NA	\$49.89
NA	NA	\$1,047.59

¹ Culvert and catch basin data will need to be provided by the town

MACC's Virtual Annual Environmental Conference *At-a-Glance*

February 28 - March 9, 2023

Descriptions and to register online: www.maccweb.org.

WEEK 1 Feb 28, March 1 -2, 2023	Tuesday, February 28 Series A	Wednesday, March 1 Series B	Thursday, March 2 Series C
9:00 – 10:00 am	A1- Delineating Coastal Beaches, Dunes, Banks, and Barrier Beaches in Developed/Altered Areas, and Evaluating Functions under the WPA Regulations	B1- Planning for Open Space Protection and DCS Grant Opportunities	C1- BioMap: Informing the Future of Conservation in Massachusetts
10:30 – 11:30 am	A2- Climate Change Provisions for Wetlands Bylaws and Regulations	B2- Respectful Relationships: How Conservation Entities Can Engage with Northeast Indigenous Tribes	C2- Protecting Wildlife Habitat
12:00 –1:00 pm	LUNCH -- BREAK		
1:00 – 2:00 pm	A3- Assessing, Replacing and Permitting Road-Stream Crossings	B3- Identifying Mean Annual High Water using Bankfull Field Indicators under the Rivers Protection Act	C3- Utility Project Planning: A Blueprint for a Grey Area
2:30 – 3:30 pm	A4- Vernal Pools: What They are and How to Protect Them in a Changing Climate	B4- Creating Conservation Commission & Land Trust Partnerships to Enhance Land Protection Successes	C4- Stormwater Management Systems: Importance of Groundwater Hydrology
4:00 – 5:00 pm	A5- Encouraging BIPOC Environmental Professionals to Serve on Conservation Commissions	B5-- Biodiversity and Buffer Zone Restoration at Franklin's DelCorte Conservation Area	C5 Reforming Mosquito Control in Massachusetts
6:00 – 8:30 pm	FUNDAMENTALS UNIT 101: Overview of Conservation Commissions: Organizational Structure and Authority		Guest Speaker AWARDS CELEBRATION 6:00 – 7:30
SATURDAY, MARCH 4, 2023			
March 4, 2023	Series D	Series E	Series F
9:00 – 10:00 am	ANNUAL BUSINESS MEETING Guest Speaker		
10:30 am – 1:00 pm	FUNDAMENTALS UNIT 203: Open Space Planning and Protection Techniques		
11:00 – 12:00 pm	D1- Potpourri Q & A: All Your Burning Legal & Practical Commission Questions	E1- Dam Removal, Culvert Upgrades, and Wetland Restoration: Best Practices for Conservation Commissions	F1- Creating Opportunities for Environmental Education in Your Community
12:00-1:00 pm	LUNCH -- BREAK		
1:00 – 2:00 pm	D2- Understanding the Wetlands Protection Act's Agricultural and Forestry Exemptions	E2- Protecting Habitat and Wetlands while Permitting Utility Maintenance Projects	F2- Desktop Wetlands Delineation Review
2:30 – 3:30 pm	D3- Industrial Ground-Mounted Solar: Challenges Municipalities Face while Protecting Wetlands, Rivers, Forests, and Farmland	E3- Developing & Implementing a Municipal Sustainability & Climate Action Plan	F3- Effective Project Review: Best Practices for Conservation Commissions

MACC's Virtual Annual Environmental Conference *At-a-Glance*

February 28 - March 9, 2023

Descriptions and to register online: www.maccweb.org.

MACC's Virtual Environmental Conference WEEK 2 March 7 – 9, 2023			
WEEK 2	Tuesday, March 7 Series G	Wednesday, March 8 Series H	Thursday, March 9 Series J
9:00 – 10:00 am	G1A- Soils of Massachusetts and Wetlands- Part A	H1A - Winter Woody Wetland Plants Part A (double session)	J1- MassDEP Update on Proposed Wetlands Climate Resiliency Regulations
10:30 – 11:30 am	G1B- Soils of Massachusetts and Wetlands- Part B	H1B - Winter Woody Wetland Plants-Part B: Virtual Hands-On	J2- Survey of Seminal Land Use and Environmental Cases 2021-2022
12:00 – 1:00 pm	LUNCH -- BREAK		
1:00 – 2:00 pm	G2- Restoring Old Growth Characteristics to the Forests of Massachusetts	H2- Cutting the Green Tape: Streamlining Wetlands Restoration in Massachusetts	J3A- Restoration of Retired Cranberry Bogs: Presentation Part A
2:30 – 3:30 pm	G3- Massachusetts Forest Health Updates	H3- Japanese Knotweed Three Ways: Teaching Tool, Management Muddles, and Troubles with Contaminated Fill	J3B- Restoration of Retired Cranberry Bogs: Virtual Field Trip Part B
4:00 – 5:00 pm	G4- Trail Tales: Engaging the Public in Discussions about Trail Use & Developing a Trail Use Implementation Plan	H4- Helping People Out of Harm's Way – Home Buyouts and "Un-Developing" Floodplains	J4- Overview of the MA Handbook for Delineation of BVWs and MA Inland Wetland Replacement Guidelines
6:00 – 8:30 pm	FUNDAMENTALS UNIT 102: Wetlands Protection Act: Fundamentals, Process & Procedures		FUNDAMENTALS UNIT 103: Plan Review and Site Visit Procedures
Thursday, March 9	CONFERENCE ENDS Thank you for participating in our conference!		

ADDITIONAL FUNDAMENTALS UNITS OFFERED IN MARCH - SPRING SPREE (virtual)

Tuesday, March 14th - 6:00-8:30 p.m.
Unit 207: Fundamentals of Wetland Enforcement

Wednesday, March 22nd - 6:00-8:30 p.m.
Unit 104: Wetland Functions and Values

Thursday, March 16th - 6:00-8:30 p.m.
Unit 208: Managing Buffer Zones in MA: Considering The Science While Applying the Regulations

Thursday, March 23rd - 6:00-8:30 p.m.
Unit 204: Managing Conservation Lands: Inventories, Goals and Conflicts

Tuesday, March 21st - 6:00-8:30 p.m.
Unit 105: Writing Effective Orders of Condition

Thursday, March 30th - 6:00-8:30 p.m.
Unit 205: Effective Erosion and Sediment Control



Annual Environmental Conference, February 28 – March 9, 2023
Workshop Descriptions and Fundamentals for Conservation Commissioners Units Content

Tuesday, February 28, 2023

Workshop Series A

9:00 – 10:00 AM

A1 Delineating Coastal Beaches, Dunes, Banks and Barrier Beaches in Developed/Altered Areas, and Evaluating Functions under the WPA Regulations

Massachusetts Department of Environmental Protection (MassDEP) and Coastal Zone Management (CZM) representatives will provide up-to-date guidance on the delineation of coastal beaches, coastal dunes, barrier beaches, and coastal banks in developed areas and/or areas with human alteration. In addition, this workshop will clarify how to assess storm damage and flood control functions of these altered resource areas to reduce future flooding and erosion impacts. Case studies will be reviewed to provide conservation commissioners and consultants with keys to understanding how to evaluate the functions of resource areas in developed and altered areas.

Speakers: Rebecca Haney, CFM, Coastal Geologist, MA Office of Coastal Zone Management
Nate Corcoran, Coastal Geologist, MassDEP, Southeast Regional Office

10:30 – 11:30 AM

A2 Climate Change Provisions for Local Wetland Bylaws and Regulations

Funded by the Municipal Vulnerability Preparedness Program (MVP) and in collaboration with the MACC Climate Conversations Committee, the towns of Bolton and Clinton and their consulting team have developed recommended language to update municipal wetland protection bylaws and regulations with climate-smart provisions. This presentation will review the publicly available tools produced by the project, including a climate wetland bylaw provision database and a user-friendly website tool for climate wetland regulations. The MACC Climate Conversations Committee, along with the project team consultants, reviewed climate-smart provisions from municipalities across the state. The MVP project team consultants, including an attorney and a wetland scientist, then integrated, added to, and prioritized into recommended climate-smart bylaw and regulatory provisions, which were then reviewed by the MACC Climate Conversations Committee and by the Bolton and Clinton Conservation Commissions. The tools developed in this project are intended to facilitate integration of climate-smart provisions into local wetland bylaws and regulations.

Speakers: Gillian Davies, PWS, Senior Ecologist, Natural Climate Solutions Specialist, BSC Group, Inc.
Rebecca Bucciaglia, Conservation Agent, Town of Bolton; Conservation Commissioner, Town of Clinton
Nathaniel Stevens, Esq., Partner, McGregor Legere & Stevens PC; Conservation Commissioner, Town of Arlington; MACC Director

1:00 – 2:00 PM

A3 Assessing, Replacing and Permitting Road-Stream Crossings

Conservation commissions have a dual role regarding the replacement of culverts (and bridges) in their communities. They can play an important role in assessing and prioritizing culverts for replacement, and as advocates for better crossing designs that allow fish and wildlife passage. Commissions are also responsible for permitting culvert replacements, including review of crossing designs and construction plans, and interpretation of the regulatory standard to meet the River and Stream Crossing Standards “to the maximum extent practicable.” This workshop will cover the assessment and prioritization of culverts for replacement, as well as what to look for when permitting culvert replacements and how commissions can apply the “maximum extent practicable” standard.

Speaker: Scott Jackson, Extension Professor, Department of Environmental Conservation, University of Massachusetts-Amherst; Conservation Commission, Town of Whately

2:30 – 3:30 PM

A4 Vernal Pools: What They are and How to Protect Them in a Changing Climate

Vernal pools are an important component of healthy ecosystems across the state, and they receive a host of legal protections under federal, state, and local wetland regulations. Their ecological values are at the root of why we protect them; their variety, temporary nature, and fluctuations are at the root of why we’re often confused about how we protect them. This presentation will explore and explain the function of vernal pools and get deep into the muddy regulatory protection for these important wildlife habitats. This workshop does not specifically focus on vernal pool certification methodology.

Speaker: Matt Burne, Senior Ecologist, BSC Group, Inc.; Conservation Commission, City of Malden; Vice President, Vernal Pool Association; MACC Director

4:00 – 5:00 PM

A5 Encouraging BIPOC Environmental Professionals to Serve on Conservation Commissions

This workshop discusses mentorship opportunities for Black, Indigenous, and People of Color (BIPOC) interested in the environmental field. Learn about opportunities and career tracks from a panel of BIPOC professionals from across the state; about their work and experiences in the field of climate resilience and natural resource (land and water) conservation. Panelists will speak to their organization or practice addressing issues of Diversity, Equity, Inclusion and Justice as well as involving Environmental Justice populations in crafting climate resilience strategies for their neighborhoods. The panel will include members of the Professionals of Color in the Environment (POCIE) network and will discuss how conservation commissions across MA can increase awareness about and encourage the participation of the next generation of BIPOC professionals to serve on these commissions.

Speakers: Pallavi K. Mande, Founding Director, Tamraparni; Conservation Commission, Brookline; MACC DEI Committee Co-Chair

Fundamentals for Conservation Commissioners

6:00 – 8:30 PM

Unit 101: Overview of Conservation Commissions: Organizational Structure and Authority

This Fundamentals unit covers a commission’s key responsibilities and discusses the importance of building productive relationships with local boards and state/federal agencies. The sources of a conservation commission’s funding and fees are also covered. This is a required class for the MACC Certificate

Program. Take this class and build on your Fundamentals Program credits throughout the conference! Learn tips from experienced professionals.

Instructor: Michele Grzenda, Conservation Director, Lincoln; President, Massachusetts Society of Municipal Conservation Professionals

Wednesday, March 1, 2023

Workshop Series B

9:00 – 10:00 AM

B1 Planning for Open Space Protection and DCS Grant Opportunities

Massachusetts Division of Conservation Services (DCS) offers several grant programs for acquisition and protection of open space. This workshop will provide a brief overview of programs available to municipalities including the Local Acquisition for Natural Diversity Grant (LAND) grant, Conservation Assistance for Small Communities grant, Landscape Partnership grant and the Land & Water Conservation Fund program. Learn how an Open Space and Recreation Plan can help prioritize land conservation opportunities and ensure your municipality's eligibility, as well as highlight examples where non-profit partnerships helped achieve complex, but important transactions.

Speakers: Vanessa Farny, Forest and Land Program Manager, MA Division of Conservation Services
Melissa Cryan, Grant Programs Supervisor, MA Division of Conservation Services

10:30 – 11:30 AM

B2 Respectful Relationships: How Conservation Entities Can Engage with Northeast Indigenous Tribes

This important workshop will outline how conservation groups can include land justice in their work. The presenters will review tools that can be used to engage in this work and describe appropriate ways to engage Indigenous Tribes in the region. Two land trust practitioners, along with a member of the Nipmuc Tribe, will share their experiences of collaborating and working together. Learn the principles of respectful relationships so that environmental scientists, conservation commissions, and other environmental professionals can work with Indigenous persons in a way that respects their culture and acknowledges and appropriately compensates them for their time and expertise. They will discuss the importance of centering relationships and reciprocity in this work. Tools, such as cultural use and respect agreements, cultural inventories, and co-management plans, will be shared. There will also be a discussion of the need and opportunity for land rematriation, and opportunity for a question-and-answer period. Do not miss this worthwhile presentation!

Speakers: Jennifer Albertine, Climate and Land Justice Specialist, Mount Grace Land Conservation Trust;
Conservation Commission, Town of Petersham
Sally Loomis, Executive Director of Hilltown Land Trust
Andre Strongbearheart Gaines, Jr., Nipmuc Citizen, Cultural Steward, Creative Director of No Loose Braids

1:00 – 2:00 PM

B3 Identifying Mean Annual High Water using Bankfull Field Indicators under the Rivers Protection Act

The Wetlands Protection Act regulations define Riverfront Area (RFA) as that area between a river's mean annual high water (MAHW) line and a parallel line measured horizontally. In most cases, a riverbank's first observable break in slope is coincident with the MAHW line. However, in some instances, the MAHW line is determined by using bankfull field indicators. This workshop will describe the concept of bankfull discharge

and its regulatory relationship to MAHW. Field indicators of bankfull discharge will be described and discussion will include difficult field situations. Attendees may find it helpful to be familiar with the regulatory language concerning RFA.

Speaker: Heidi Davis, Senior Environmental Analyst, Lead for MassDOT Unit, MassDEP

2:30 – 3:30 PM

B4 Creating Conservation Commission and Land Trust Partnerships to Enhance Land Protection Successes

Land conservation work is becoming increasingly complex and the window of time in many communities to conserve important properties is growing shorter. The presenters will highlight three recent successful land protection projects in Stow that were accomplished in partnership between the town conservation commission and a volunteer land trust. The projects each used creativity and nontraditional partners to advance community housing and planning goals and accomplish more than either partner could have done individually. The focus will be on lessons learned and strategies to maximize success. Come prepared to be inspired to tackle your community's most challenging project!

Speakers: Kathy Sferra, Conservation Director, Town of Stow
Bob Wilber, Director of Conservation Services, Commonwealth of Massachusetts; President Stow Conservation Trust

4:00 – 5:00 PM

B5 Biodiversity and Buffer Zone Restoration at Franklin's DelCorte Conservation Area

The purpose of this restoration project was to increase the biodiversity of the native pollinator-plant and aquatic-terrestrial systems within the Buffer Zone at DelCorte Conservation Area in Franklin via the 1) revegetation of native flowering plants with different bloom times and source types for three native at-risk *Bombus* (bumblebee) species and the 2) installation and demarcation of designated freshwater Turtle Nesting Habitat in a previously disturbed area. The purpose of this work was to maintain the function and diversity of DelCorte's natural ecosystem. In doing so, this project aims to ensure future protection and success of Massachusetts native flora and fauna species and their ecological interactions. This workshop will provide lessons learned from the project so conservation commissioners and other environmental professionals can apply these steps to foster biodiversity during restoration projects in their community.

Speakers: Breeka Li Goodlander, CWS, PWS, CERPIT, Conservation Agent and Natural Resource Protection Manager, Town of Franklin
Patrick Gallagher, Esq., Chair, Conservation Commission, Town of Franklin

Thursday, March 2, 2023

Workshop Series C

9:00 – 10:00 AM

C1 BioMap: Informing the Future of Conservation in Massachusetts

The new BioMap, released in the Fall of 2022, builds on BioMap2 with many new innovations and advances. Statewide habitat data are now complemented by the addition of local biodiversity components. This opens a world of new opportunities for Massachusetts cities and towns to apply this innovative tool to plan, prioritize, and seek funding. BioMap also functions as a climate resilience planning tool, incorporating resilient habitat and ecosystem data. Other enhancements include a habitat restoration and management resource center, the latest rare species habitat data, and regional components for planning at scales larger than Massachusetts. This session will include three phases: 1) An overview of the new BioMap, including local components and other innovations 2) A live tour of BioMap

tools and resources, and a tutorial on the interactive map. 3) Questions and answers, along with input from participants on BioMap resources, web tools, and interactive map. Don't miss this important presentation!

Speakers: Andy Finton, Conservation Ecologist, The Nature Conservancy
Everose Schlüter, Assistant Director, Natural Heritage & Endangered Species Program

10:30 – 11:30 AM

C2 Protecting Wildlife Habitat

Wildlife habitat is one of the eight “interests” protected by the MA Wetlands Protection Act. Applicants are required to submit wildlife habitat evaluations for certain projects and conservation commissions are supposed to ensure that projects affecting resource areas do not reduce the capacity of those areas to serve as wildlife habitat. Conservation commissions have other ways of protecting habitat as well, including land protection, land stewardship, and by seeking opportunities to enhance landscape connectivity. This workshop will cover the basics of protecting wildlife habitat during project review and permitting, and how to work with others in your community to protect habitat more broadly.

Speaker: Scott Jackson, Extension Professor, Department of Environmental Conservation, University of Massachusetts-Amherst; Conservation Commission, Town of Whately

1:00 – 2:00 PM

C3 Utility Project Planning: A Blueprint for a Grey Area

This workshop will present an overview of planning large-scale capital projects, including a discussion of environmental permits required for large utility projects, data collection needs, agency and tribal coordination, field surveys, permit drafting, timelines, and data for planning, focused on Natural Heritage & Endangered Species Program (NHESP)/Endangered Species Act (ESA) avoidance, protection, and preservation efforts in stewardship. This presentation will also include a discussion of early successional habitat found on Rights of Way (ROWs) in New England (highly valuable habitat for turtles, osprey, snakes, etc.), Monarch Candidate Conservation Agreement with Assurances (CCCA), drone program, Natural Capital Enhancements program, ROW biodiversity study and Integrated Vegetation Management (IVM) Plans.

Speakers: Corey Schutzman, Lead Environmental Scientist, National Grid
Melaina Polan, Associate Specialist, Graduate Development Program, National Grid
Jason Magoon, Senior Vegetation Operations Supervisor, National Grid

2:30 – 3:30 PM

C4 Stormwater Management Systems: Importance of Groundwater Hydrology

Notices of Intent (NOIs) for larger projects include a stormwater management report containing the stormwater management system design. To meet the recharge goal of the Massachusetts Stormwater Handbook, the design will include surface and subsurface detention Best Management Practices (BMPs) used to infiltrate runoff into the subsurface. Consultants use HydroCad to design these systems in accordance with the Handbook, Volume 3, Standards 2 and 3. However, the Standards and HydroCad either neglect or oversimplify groundwater hydrology. Furthermore, the investigation requirements described in Volume 2, Chapter 2 of the handbook are often not met, which can lead to inadequately designed systems. This workshop will provide a layman's primer on groundwater hydrology; a description of the Volume 2 requirements; an investigation requirement checklist that commissions or peer reviewers can use; some suggested language for Orders of Conditions; and one or two case studies. Bring your questions to this important workshop!!

Speaker: Andrew Koenigsberg, Hydrogeologist, Member of Westborough Conservation Commission

4:00 – 5:00 PM

C5 Reforming Mosquito Control in Massachusetts

The existing mosquito control program in Massachusetts is antiquated and needs a major overhaul, as documented by the Mosquito Control for the 21st Century Task Force. The mosquito control program relies far too much on routine spraying of chemicals that are highly toxic to fish, pollinators, and many other beneficial species and not enough on ecologically-based solutions like good housekeeping, improved stormwater management, and restoration of streams and wetlands. The Massquito Coalition, of which MACC is a member, is supporting legislation that would overhaul this outdated system, benefiting both human and environmental health. Bring your questions about mosquito management, proposed legislation, and related issues, to this presentation!

Speakers: Heidi Ricci, Director of Policy & Advocacy, Mass Audubon; MACC Officer (and former member of the Mosquito Control for the 21st Century Task Force)
Kyla Bennett, PhD, JD, Science Director at Public Employees for Environmental Responsibility, and member of the Massquito Coalition.

6:00 – 7:30 PM

Special Session 1 Guest Speaker and Environmental Service Awards Celebration

All conference attendees, speakers, volunteers, sponsors, and supporters are invited to this FREE virtual celebration to honor environmental service award recipients and listen to our Guest Speaker. MACC is finalizing this part of the schedule and will update our members as we get closer to the conference. Our celebration will start at 6:00 PM with our speaker, and then we will move into the awards celebration. This virtual celebration is not to be missed!

Saturday, March 4, 2023

9:00 – 10:00 AM

Special Session 2 Annual Business Meeting and Guest Speaker

MACC will hold the 2023 Board of Directors' Election and Annual Business meeting on March 4, 2023, starting promptly at 9:00 AM. Following the completion of the Annual Business Meeting, at approximately 9:30 AM, we will have a Guest Speaker (MACC is finalizing this part of the schedule and will update our members as we get closer to the conference). All conference attendees, speakers, volunteers, sponsors, and supporters are invited to this FREE virtual celebration.

Fundamentals for Conservation Commissioners

10:00 AM – 12:30 PM

Unit 203 Open Space Planning and Protection Techniques

This is an elective class for the MACC Certificate Program. Participants will learn about establishing conservation goals and objectives, taking inventories of local natural resources, selecting parcels, and working with landowners. Participants will also learn about conservation restrictions, grants, and funding sources for acquiring land. This is a useful class for commission members, staff, and new members of land trusts alike.

Instructor: Robert Wilber, Director of Conservation Services, Commonwealth of Massachusetts

Workshop Series D

11:00 AM – 12:00 PM

D1 Potpourri Q & A: All Your Burning Legal and Practical Commission Questions

Conservation agents and commission members have so many questions on so many subjects and so few sources of straight answers and useful tips. This workshop is a space for you to throw out what's on your mind. It will be fast paced, focused on nuts and bolts, and painfully practical. Expect responses to be brief and to the point. Bring your burning questions relating to wetlands, laws, procedures, meetings, powers, enforcement, financial or personnel issues, politics, practices, needs, and problems that plague conservation commissions. We will give you off-the-record legal information and reliable practical direction of the sort you get on the MACC Help Line without having to write it down or wait for a reply! This workshop is perfect for beginner as well as advanced participants.

Speakers: Gregor I. McGregor, Esq., Principal, McGregor Legere & Stevens, PC; MACC Director
Michele Grzenda, Conservation Director, Lincoln; President, Massachusetts Society of Municipal Conservation Professionals

1:00 – 2:00 PM

D2 Understanding the Wetlands Protection Act's Agricultural and Forestry Exemptions

In a general sense, both agriculture and timber harvesting are exempt activities under the Wetlands Protection Act. However, there are some important terms and considerations that define and qualify the agricultural exemption, such as: distinguishing agriculture from backyard gardens or the keeping of recreational animals (e.g., horses); production versus processing (sugar houses) or sale (e.g. farm stands) of an agricultural commodity; and what types of farming activities are and are not covered under the exemption. For timber harvesting, the exemption applies differently for commercial harvests versus when landowners cut timber for their own use. This workshop will cover the details of the agricultural/forestry exemptions and limited project provisions for some agricultural activities.

Speaker: Scott Jackson, Extension Professor, Department of Environmental Conservation, UMass Amherst; Conservation Commissioner, Town of Whately

2:30 – 3:30 PM

D3 Industrial Ground-Mounted Solar: Challenges Municipalities Face while Protecting Wetlands, Rivers, Forests, and Farmland

About 5,000 acres of open space have already been converted to industrial scale solar since approximately 2010, with 150,000 more acres potentially targeted under the state's climate plan. It's up to local governments to ensure that the siting, operation and decommissioning of these multimillion-dollar projects is consistent with goals for climate resiliency, biodiversity, water quality, water quantity and river and wetland health. Land use in Massachusetts is a matter of local home rule and zoning powers leaving local governments to play a key role in balancing these considerations. Hear about case studies and trends that impact conservation commissions and municipal bodies grappling with solar siting.

Speakers: Margaret Sheehan, Esq., Organizer, Save the Pine Barrens
Fred Beddall, Farmer and Owner, Pie in the Sky Berry Farm

Saturday, March 4, 2023

Workshop Series E

11:00 AM – 12:00 PM

E1 Dam Removal, Culvert Upgrades, and Wetland Restoration: Best Practices for Conservation Commissions

Interest in river and wetland restoration continues to grow across the state as communities and landowners deal with aging infrastructure and seek to build resilience to climate change. Common project types include culvert upgrades, dam removals, and coastal wetland restoration. Conservation commissions play many roles in relation to these projects. Some commissions are project proponents. Others are partners or supporters. All have a critical role in project review under the Wetlands Protection Act. This workshop provides an update on restoration in Massachusetts followed by a panel discussion of the best practices for commissions involved in these projects.

Speaker: Beth Lambert, Director, Division of Ecological Restoration, MA Department of Fish and Game

1:00 – 2:00 PM

E2 Protecting Habitat and Wetlands while Permitting Utility Maintenance Projects

As the demand for energy continues to rise, maintaining a safe and reliable electric and gas transmission system has never been more critical. To ensure reliability and support the Commonwealth's clean energy goals, utility companies must maintain existing infrastructure to prepare for increased electrical loading, support proliferation of renewable generation, and improve resiliency in the face of more frequent and intense storm events.

Presenters will discuss the steps necessary to plan, permit, and maintain electric and gas transmission systems while keeping wetland and wildlife protection a priority. An overview of compliance with Wetlands Protection Act Regulations will be provided. Project examples will be discussed to demonstrate how utility maintenance projects can be successfully completed while protecting or improving the functions and values of wetland resource areas.

Speakers: Matthew Waldrip, CESSWI, PWS, Licensing & Permitting Supervisor, Eversource
Rebecca Weissman, PWS, CWS, Energy Director – Northeast, SWCA Environmental

2:30 – 3:30 PM

E3 Developing and Implementing a Municipal Sustainability and Climate Action Plan

This workshop will cover practical actions towns can take to develop and integrate ENERGY (e.g., renewable power), CLIMATE (e.g., stormwater management) and ENVIRONMENT (e.g., open space and land use strategies) into a more holistic and systematic sustainability / climate action plan. We will cover examples of what other cities and towns are doing both on their own and within their given planning regions. We will also cover funding opportunities, key action items, and how to leverage existing initiatives already being undertaken, including master planning and public engagement efforts. This more holistic, systematic approach is important because climate change is caused by carbon-based energy consumption, which is driving more severe droughts and flooding events, which requires better freshwater and stormwater management as well as land use practices. In addition, sustainability-related initiatives often go through similar funding and oversight processes, while impacting similar community stakeholders, and it is becoming increasingly difficult for municipalities to manage all this work without improved coordination and additional resources.

Speaker: Thomas Birmingham, Member, Canton Conservation Commission

Saturday, March 4, 2023

Workshop Series F

11:00 AM – 12:00 PM

F1 Creating Opportunities for Environmental Education in Your Community

Climate change as a concept can be overwhelming for many people. Through Environmental Education and Outreach we can inform and educate individuals on ways to make small changes to their lifestyles that can have big impacts locally and globally. Many communities have a limited staff and budget for their Natural Resources Commission or their Conservation Commission and often do not have experienced science educators on staff. This workshop will empower non-traditional educators to develop programs and program materials for education and outreach to reach their target demographic. Participants will learn how to get started, how to develop meaningful collaborations, and will hear about several examples of simple start-up opportunities for providing Environmental Education to different members of the community.

Speaker: Lisa Moore, Environmental Education, Outreach and Compliance Coordinator, Natural Resources Commission, Town of Wellesley

1:00 – 2:00 PM

F2 Desktop Wetlands Delineation Review

This important workshop will provide practical tips and strategies for reviewing the locations of jurisdictional resource areas on plans prior to a site visit or to aid in the decision to ask for a third-party review. Topics covered will include how to review Delineation Data Sheets; Abbreviated Notice of Resource Area Delineation (ANRAD) reviews; how to determine Federal Emergency Management Agency (FEMA) floodplain elevations; calculation reviews for Isolated Land Subject to Flooding (ILSF); interpreting aerial photos and topographic maps; using the desktop review to conduct an effective site visit; and online resources (MassMapper, Natural Resource Conservation Service (NRCS) Soil Survey, etc.). The material presented will be appropriate for both new and experienced conservation commissioners/agents.

Speakers: Judith Schmitz, Section Chief, MassDEP Wetlands Program Central Region
Mia McDonald, Circuit Rider, MassDEP Wetlands Program Central Region

2:30 – 3:30 PM

F3 Effective Project Review: Best Practices for Conservation Commissions

This workshop will provide conservation commissioners and agents with best practices to apply throughout a proposed project's life cycle. We will discuss practices and strategies to implement at each stage of a project, including reviewing an application, taking public comment, how to conduct site visits, closing a public hearing, drafting strong decisions, and enforcing those decisions later. We'll illustrate these points with case studies and real-life examples. Conservation commissioners with two or more years or more experience will find this workshop very beneficial.

Speakers: Olympia Bowker, Esq., Senior Associate, Anderson & Kreiger LLP
Jessica Wall, Esq., Partner, Anderson & Kreiger LLP

Tuesday, March 7, 2023

Workshop Series G

9:00 – 10:00 AM

G1A Soils of Massachusetts and Wetlands: Part A (double session)

How did the soils of Massachusetts get to be the way they are, and how does that affect where and how wetlands form? The speaker will provide an overview of soil formation in the glaciated northeast and the resultant general characteristics and variabilities with emphasis on soil parent material; the stuff from which the soils developed. The objective is to provide a context for wetland formation under different soil-landscape scenarios and background information for “Soils of Massachusetts and Wetlands, Part B”. This workshop will be useful to all commissioners and consultants alike.

Speaker: Al Averill, Certified Professional Soil Scientist

10:30 – 11:30 AM

G1B Soils of Massachusetts and Wetlands: Part B (double session)

How does soil morphology serve to identify wetlands? The speaker will offer a discussion of soil-hydrological relationships and influence on soil profile formation and morphology with emphasis on the effect of wet conditions. The objective is for folks to have an increased understanding of the morphological variabilities under different wetness and soils conditions. Standards applied to field documentation and sources of information will be covered. **Prerequisite: “Soils of Massachusetts and Wetlands, Part A”.**

Speaker: Al Averill, Certified Professional Soil Scientist

1:00 – 2:00 PM

G2 Restoring Old-Growth Characteristics to the Forests of Massachusetts

Old forests, with their abundant downed deadwood, multiple canopy layers, and variation in tree densities and sizes, are different from our second growth forests. These differences have important implications for forest benefits such as wildlife habitat and climate change mitigation, but old forests are rare in our landscape. A combination of passive and active approaches can restore these missing characteristics. This webinar is designed for professional foresters, ecologists, forest landowners, and local conservation leaders.

Speaker: Paul Catanzaro, Professor, State Extension Forester, and Co-Director of the Family Forest Research Center, University of Massachusetts – Amherst

2:30 – 3:30 PM

G3 Massachusetts Forest Health Updates

The presentation will cover the Department of Conservation & Recreation (DCR) Forest Health Program’s annual aerial survey results, as well as insect and disease updates for our most damaging pests. Topics will include Asian Long-horned Beetle, Beech Leaf Disease, Spongy Moth, Spotted Lanternfly, and more.

Speakers: Felicia Hubacz, Forest Health Specialist, MA Department of Conservation and Recreation Forest Health Program
Elizabeth Barnes, Forest Pest Outreach Coordinator, MA Department of Agricultural Resources

4:00 – 5:00 PM

G4 Trail Tales: Engaging the Public in Trail Use Discussions and Developing an Implementation

Conservation land and trails are often utilized for recreation, quiet contemplation, and to feel a connection to nature. Trail use and visitation has been steadily rising for many years. While our appreciation for local open spaces jumped to a whole new level during COVID-19, increased visitation resulted in greater conflict in user groups, overuse of parking lots, erosion along trails and trailheads, and creation of illegal trails. As a result of this, there is no better time for a town to look at their land use vision and philosophy. Michele Grzenda will do a deep dive into several trail use activities, why some of these activities cause conflict, and how to engage the public in a conversation about changes in allowed trail uses. We will also discuss ways to improve the visitor experience with signage, education, and outreach ideas.

Speaker: Michele Grzenda, Conservation Director, Town of Lincoln; President, Massachusetts Society of Municipal Conservation Professionals

Fundamentals for Conservation Commissioners

6:00 – 8:30 PM

Unit 102 The Wetlands Protection Act: Fundamentals, Process and Procedures

This required Fundamentals Unit will provide participants with an understanding of the Interests of the Act and a Commission's jurisdiction, permit submittal requirements and forms, an overview of identifying resource areas, and a discussion of "Limited Projects". Learn tips from experienced professionals!

Instructors: Jennifer Hughes, Environmental Analyst, Massachusetts Environmental Policy Act Office; Conservation Commission, Town of Ipswich; MACC Director
Claire Rundelli, ENV SP, Planner Conservation Agent, Town of Natick; MACC Education Committee Member

Wednesday, March 8, 2023

9:00 – 10:00 AM

H1-A Winter Woody Wetland Plants: Part A (double session)

In the virtual realm, hands-on workshops are challenging. But as commissioners, we still need to know some basic wetland plants – especially in the off-season – as part of field recognition of vegetated wetlands. Rather than limiting the number of participants by the number of twig samples we are able to collect and then mail to participants, we will more broadly present photographs and images of common wetland plants in Massachusetts, and then focus on the most prominent characteristics that make identification easier – particularly in the off-season.

The first part of the workshop will be dedicated to a review of some basic botanical terminology and then in the second part we will explore some of the more common woody wetland plants found in forested swamps and shrub swamps in Massachusetts. This workshop is intended for beginners and/or a refresher on basic wetland plant identification.

Speakers: Amy Ball, PWS, CWS, Senior Project Manager – Ecology, Horsley Witten Group; MACC President Karro Frost, Conservation Planning Botanist, Natural Heritage and Endangered Species Program, Massachusetts Division of Fisheries and Wildlife

10:30 – 11:30 AM

H1-B **Winter Woody Wetland Plants: Part B (double session)**

In the virtual realm, hands-on workshops are challenging. But as commissioners, we still need to know some basic wetland plants – especially in the off-season – as part of field recognition of vegetated wetlands. Rather than limiting the number of participants by the number of twig samples we are able to collect and then mail to participants, we will more broadly present photographs and images of common wetland plants in Massachusetts, and then focus on the most prominent characteristics that make identification easier – particularly in the off-season.

The first part of the workshop will be dedicated to a review of some basic botanical terminology **and then in the second part we will explore some of the more common woody wetland plants found in forested swamps and shrub swamps in Massachusetts.** This workshop is intended for beginners and/or a refresher on basic wetland plant identification.

Speakers: Amy Ball, PWS, CWS, Senior Project Manager – Ecology, Horsley Witten Group; MACC Director Karro Frost, Conservation Planning Botanist, Natural Heritage and Endangered Species Program, Massachusetts Division of Fisheries and Wildlife

1:00 – 2:00 PM

H2 **Cutting the Green Tape: Streamlining Wetlands Restoration**

Massachusetts is a leader in wetlands protection and restoration, and climate change makes this work even more urgent. From upgrading culverts and removing dams to restoring salt marshes, rivers, and cranberry bogs and removing invasive plants, there are thousands of opportunities to reverse the damage caused by centuries of development. With hundreds of millions of dollars in federal and state funding now becoming available, we have a once in a lifetime opportunity to accelerate restoration. Learn about efforts to reduce the cost and paperwork required to advance this work, and examples of success from other states. Bring your burning questions and suggestions for streamlining wetlands restoration.

Speakers: Heidi Ricci, Director of Policy & Advocacy, Mass Audubon; MACC Officer Beth Lambert, Director, Division of Ecological Restoration, MA Department of Fish and Game

2:30 – 3:30 PM

H3 **Japanese Knotweed Three Ways: Teaching Tool, Management Muddles, and Troubles with Contaminated Fill**

Japanese knotweed is one of the most difficult invasive plants to manage. Three invasive plant management and restoration practitioners will relay their experience battling this pernicious plant- focusing on both the challenges, and opportunities that knotweed management in a municipal setting presents. The workshop will be divided into three sections- (1) An overview of Japanese Knotweed biology and current strategies for management; (2) A look at the Town of Weston's approach to using volunteers to map knotweed populations and establish management test plots on municipal conservation land; and (3) A look into a recent court case initiated by a landowner against a contractor for introducing knotweed to a site through contaminated fill.

Speakers: Joan Deely, Senior Project Manager and Permitting Specialist, Land Stewardship, Inc.; Conservation Commission, Town of Leverett; MACC Director Chris Polatin, MS, CERP, President, Land Stewardship, Inc.; Conservation Commission, Town of Gill
Jordan McCarron, Conservation Administrator, Town of Weston

4:00 – 5:00 PM

H4 Helping People Out of Harm’s Way - Home Buyouts and “Un-developing” Floodplains

Does your community have homes and other structures built in the floodplain? Have you thought about whether and how to help those households relocate to higher ground and restore the land to floodable terrain? Many municipalities across the country, as well as state and federal agencies, use home buyouts as a tool to reduce risk to the residents and reclaim land that should be serving as a buffer between the water and development. Carri Hulet is a collaboration expert who has been working with buyout program managers and buyout recipients in various contexts for over seven years. She will share best practices and common challenges when doing buyouts, and facilitate a workshop-style conversation about how and where to start or expand an existing program. Carri will be joined by Ben Wicker, a state government buyout manager from Louisiana who is now working as a private contractor with SHK Consulting, LLC. Ben helped build one of the largest buyout programs in the country, including customizing the program for local needs across a diverse range of communities.

Speaker: Carri Hulet, Principal, CH Consulting (collaboration expert, facilitator, and mediator focused on climate resilience)
Ben Wicker, Associate Partner, SHK Consulting, LLC

Thursday, March 9, 2023

Workshop Series J

9:00 – 10:00 AM

J1 MassDEP Update on Proposed Wetlands Climate Resiliency Regulations

MassDEP's Wetlands program is embarking on several initiatives to support climate resiliency. Learn about the latest in the regulatory and other fronts that the program is implementing to support climate resiliency.

Speaker: Lisa Rhodes, Wetlands Program Chief, MassDEP

10:30 – 11:30 AM

J2 Survey of Seminal Land Use and Environmental Cases in 2021-2022

MACC members, who range from conservation commissioners and staff to professional consultants and scientists, to planners and engineers, to educators and advocates, to landowners and land trusts, to applicants and their legal counsel, need to understand and appreciate the body of land use law coming constantly from the US Supreme Court, MA Supreme Judicial Court, and our Appeals Court. The reason is that these precedent-setting court decisions legally govern and guide administration and enforcement of our wetlands, water, wildlife, zoning, health, safety, climate, coastal, energy, and other laws. This growing jurisprudence provides the legal foundation (and ceiling) for governmental powers and procedures. The audience will receive a collection of 12 short articles on these seminal federal and Massachusetts cases decided during the years 2021-2022.

Speaker: Gregor I. McGregor, Esq., McGregor Legere & Stevens PC; MACC Director

1:00 – 2:00 PM

J3A Restoration of Retired Cranberry Bogs: Part A - Presentation (double session)

This workshop will provide an overview of the restoration opportunities for cranberry farm owners looking to retire their bogs. We will provide a background on the history of cranberry farming and the cranberry plant, an outline of the typical process for retiring bogs and restoring them to wetlands, an overview of funding opportunities, and an introduction to possible restoration methods. We will discuss some of the design and construction challenges. This presentation **will be followed in Part B by a virtual field trip** to the Tidmarsh Farms Wildlife Sanctuary (Mass Audubon) and the Foothills Preserve (Town of Falmouth) where we will observe the restoration practices implemented from 2017 to 2020 to see different stages of recovery.

Speaker: Nick Nelson, Fluvial Geomorphologist, Inter-fluve, Inc.

2:30 – 3:30 PM

J3B Restoration of Retired Cranberry Bogs: Part B – Virtual Field Trip (double session)

This 2nd part of the workshop will be a virtual field trip to the Tidmarsh Farms Wildlife Sanctuary (Mass Audubon) and the Foothills Preserve (Town of Falmouth) where we will observe the restoration practices implemented from 2017 to 2020 to see different stages of recovery.

See J3A for the description of the first half of this double-session workshop.

Speaker: Nick Nelson, Fluvial Geomorphologist, Inter-fluve, Inc.

4:00 – 5:00 pm

J4 Overview of the *Massachusetts Handbook for Delineation of BVWs and Massachusetts Inland Wetland Replacement Guidelines*

In the spring of 2023, MassDEP and UMass-Amherst will release revised versions of both the *Massachusetts Handbook for Delineation of [Bordering Vegetated Wetlands] BVWs* and *Massachusetts Inland Wetland Replacement Guidelines*. This presentation provides an overview of the new document highlights. A tentative schedule of upcoming field training classes will be provided for more in-depth, future outreach events for the late spring and early summer 2023. Learn about important changes and enhancements of these newly revised guidance documents from experts at MassDEP and UMass Amherst.

Speakers: David Hilgeman, Supervisor of the Major Projects and Policy Unit, MassDEP Wetlands Program
Scott Jackson, Extension Professor, Department of Environmental Conservation, UMass Amherst;
Conservation Commissioner, Town of Whately

Fundamentals for Conservation Commissioners

6:00 – 8:30 PM

Unit 103 Plan Review and Site Visit Procedures

This required Fundamentals Unit will provide participants with an understanding of how to read maps and engineering plans typically submitted to conservation commissions. The class also provides an understanding and overview of site visits, including how to prepare for and conduct site visits as a commission. This is a great class for new commissioners as well as consultants.

Instructor: Karro Frost, Conservation Planning Botanist, Natural Heritage and Endangered Species Program, Massachusetts Division of Fisheries and Wildlife

DRAFT
HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
SEPTEMBER 15, 2022

Chair Don Ritchie called the meeting to order at 7:00pm, virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

Members Present: Don Ritchie, Eve Wittenberg, Paul Willard, Janet Waldron, Joanne Ward, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Pam Marston (Historical Commission), Perter Dorward (Open Space Committee), Jim Lee (Harvard Conservation Trust representative on the Open Space Committee), Marc Sevigny (Harvard Conservation Trust), Dan Tracey, John Lee (Harvard Conservation Trust), Cathy Corning, Wendy Sisson (Land Stewardship Subcommittee), Margaret Nestler and Robin Carlaw (Harvard Conservation Trust)

Harvard Historical Commission Request for Support to Expand Historical District to include 39 Massachusetts Avenue

Pam Marston, vice chair of the Historical Commission, was present to gain support of the Commission pertaining to the article on the warrant for the Fall Town Meeting on October 1st. The article requests the expansion of the historical district to include the Bromfield House property. Ms. Marston provided the details on how this property came to be owned by the Town of Harvard. Ms. Marston stated the property should be included on the historical district for three reasons: historical significance, architectural significance, and significance of location. Ms. Marston stated the Mass Historical Commission has reviewed and endorsed the proposal.

Joanne Ward made a motion to support Historical Commission's endeavor to include Bromfield property as part of the historical district. Jaye Waldon seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, unavailable; Mark Shaw, aye; Joanne Ward, aye; Jim Burns, aye; Eve Wittenberg; abstained; and Don Ritchie; aye.

Deer Management Subcommittee Update

With the chair of the Deer Management Subcommittee unable to attend this evening the following update was read into the record:

Wisconsin grad student biologist Jamie Gottlich was unable to attend tonight, I hope to have him available at a future meeting. There is an additional camera study program head we are in contact with at Cornell University and we may consider their methodology as well. The sites have been assigned stand tags are being distributed.

Monday 7PM is our annual hunter meeting for our "fall class". We will be meeting with two of our Regional Environmental Police Officers, share the rules of the hunt and answer any questions the hunters may have.

We will be meeting with the Stewardship Committee at their next meeting to discuss Conservation properties, the posting of notices at trail heads, and the methodology for estimating the deer population.

Executive Session with Harvard Conservation Trust

Eve Wittenberg made a motion to go into executive session with Harvard Conservation Trust and members of the Open Space Committee pursuant to Massachusetts General Law Chapter 30A, Section

54 21(a)(6) to consider the purchase, exchange, lease or value of real property because a public discussion of
55 this matter could have detrimental effects on the negotiating position only to return to the open session
56 of the public meeting. Joanne Ward seconded the motion. The vote was unanimously in favor of the
57 motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye; Joanne Ward,
58 aye; Eve Wittenberg; aye; and Don Ritchie; aye.
59

60 **Community Preservation Committee Request for Funding FY2024**

61 • **Open Space Committee – Carlson Land**

62 Peter Dorward, chair of the Open Space Committee, stated an application has been prepared that is
63 requesting \$200,000 toward the purchase of 39 acres of high priority open space on Littleton County
64 Road. The land contains active farm land with prime farm soils, ecologically sensitive areas, wetlands,
65 woodlands and abuts a 330-acre corridor of protected open space. Paul Willard made a motion to
66 endorse the Open Space Committee Community Preservation Committee – Town of Harvard Request
67 for Funding for FY2024 application as described above. Jaye Waldon seconded the motion. The vote
68 was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns,
69 aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don Ritchie; aye.
70

71 • **Land Stewardship Subcommittee – Invasive Plant Management**

72 Wendy Sisson, chair of the Land Stewardship Subcommittee, stated funding for the invasive
73 management program was started ten years ago at \$50,000 every three years. The Community
74 Preservation Committee (CPC) preferred an allocation amount of \$26,000 annually. Ms. Sisson stated
75 she has not applied for funding in a few years as work had slowed. The application details the success
76 and the work that has been done over the past ten years, the continued and new efforts, as well as
77 returning to providing education for the public. Ms. Sisson will provide a brief presentation to CPC
78 since it has been 10 years. Joanne Ward made a motion to endorse the Land Stewardship
79 Subcommittee Community Preservation Committee – Town of Harvard Request for Funding for FY2024
80 application in the amount of \$26,000, as described above. Jim Burns seconded the motion. The vote
81 was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns,
82 aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don Ritchie; aye.
83

84 **Continuation of a Notice of Intent Hearing – Yvonne Chern, 203 Ayer Road, DEP#177-711, 85 Harvard#0322-01. Opened at 7:37pm**

87 **Proposal from Beaver Solutions - Tully Land**

88 Wendy Sisson, chair of the Land Stewardship Subcommittee, stated Beaver Solutions has proposed a
89 deceiver at the Tully land, which otherwise would close off access to the Prospect Hill Management area
90 due to the flooding of the causeway. When Mark Shaw asked and was told the size of the pipe would be
91 8” he thought it was minimal for that location as he has seen a lot of water through there at times. Ms.
92 Sisson stated Beaver Solutions will be moving some the muck away from the culvert to be able to install
93 the fencing. Ms. Sisson stated the Harvard Snowmobile Club (HSC) will be adding material to the
94 causeway as done on the Blomfelt land to aid in the deterioration of this low-lying trail. Mr. Shaw
95 suggested a fairly rocky material would hold up a lot better. Ms. Sisson would also like to have a scout
96 project to address the seepage along the trail behind Department of Public Works at the base of the BMP
97 by way of a boardwalk that could be used by both walkers and HSC. Jim Burns made a motion to approve
98 the proposal from Beaver Solution for the Tully land. Paul Willard seconded the motion. The vote was
99 unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, aye;
100 Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don Ritchie; aye.
101

102 **Fiscal Year 2023 Agricultural Licenses**

103 Liz Allard intended to discuss the issuances of agricultural licenses and invoices for Fiscal Year 2023, but
104 the conversation turned to the goals and actions under the Climate Action Plan (CAP) as they pertained to
105 agriculture. Jaye Waldron, the Commission’s representative on Harvard’s Climate Initiative Committee,

106 explained that it has been implied that the Commission has all this land that could be leased out to
107 smaller farms. The Agricultural Advisory Committee has stated they does not want to take control of
108 conservation land for farming. Wendy Sisson stated there was an action item to expand agricultural on
109 public lands; which means conservation lands. Ms. Sisson explained it is up to the Commission to
110 determine the use of the lands and not up to other Boards or Committees to determine the use of the
111 land. Ms. Sisson suggested the protection of agricultural land as opposed to the draft language within the
112 CAP. Ms. Sisson stated she can write up a statement to send to the HCIC; Don Ritchie stated he could
113 assist in that effort. Ms. Waldron will bring this up at the next meeting of the HCIC.

114
115 **Request for Determination of Applicability Hearing - Margaret Coyle Nestler, 31 Cruft Lane,**
116 **Harvard#0922-01.** Opened at 8:06pm

117
118 **Request for Determination of Applicability Hearing - Eve Wittenberg & Cathy Corning, 103 Prospect Hill**
119 **Road, Harvard#0922-02.** Opened at 8:17pm

120
121 **All Boards Meeting September 28, 2022 @ 7:00pm**
122 Eve Wittenberg volunteered to attend on behalf of the Commission.

123
124 **Approve Minutes**
125 Jaye Waldron made amotion to approve the minutes of June 16, 2022 as amended. Joanne Ward
126 seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye;
127 Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don
128 Ritchie; aye.

129
130 **Approve Invoices – ESRI \$400.00**
131 Joanne Ward made a motion to approve the invoice for ERSI in the amount of \$400.00. Mark Shaw
132 seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye;
133 Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don
134 Ritchie; aye.

135
136 **Comments for Mill Pond Estates**
137 Liz Allard stated MassHousing has received the application for the proposed development at the corner of
138 Ayer and Old Mill Road and has requested comments from the Town. Ms. Allard had previously
139 submitted comments to the developer’s representative in April and suggested these same comments be
140 sent to the Select Board as they will ultimately be the one to send comments to MassHousing. The
141 Commission agreed.

142
143 **Ayer Road Meadow Access Improvements**
144 Liz Allard stated she still has not has an opportunity to reach out to local site contractors to obtain a
145 proposal for the necessary work to allow the farmer to gain access to the site. Don Ritchie stated he
146 would assist in getting those proposals.

147
148 **Follow up on Japanese Knotweed on Harvard’s Roadside & Town-Owned Land**
149 Liz Allard stated Tim Bragan followed up with her on the Commission’s letter pertaining to roadside
150 Japanese Knotweed and suggested the Commission apply for funding from Capital Planning and
151 Investments Committee. Ms. Allard pointed out to the Commission that the letter to the Select Board
152 indicated the Commission was not looking to take the lead on this, but suggested that the Department of
153 Public Works do so. After briefly discussing the intent of the letter, Don Ritchie agreed to send another
154 letter indicating the Commission was suggesting DPW be the lead and take on best management practices
155 to avoid the spread of this invasive plant.

156
157 **Abbreviated Notice of Intent Hearing - Town of Harvard Conservation Commission, the Barton Land,**
158 **located between the dam of Bare Hill Pond and Still River Road, Harard#0922-03.** Opened at 8:32pm

159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211

Pine Hill Village Update

Liz Allard stated the Commission has received a proposal for the management of invasive plants on the property and a proposal on how the constructed wetland will be dredged to remove the silt. Both proposals will need further review before approval from the Commission.

Adjournment

Don Ritchie made a motion to adjourn the meeting at 8:50pm. Eve Wittenberg seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don Ritchie; aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated September 15, 2022

212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264

Harvard Conservation Commission
Notice of Intent Hearing
Continuation of a Notice of Intent Hearing
Yvonne Chern, 203 Ayer Road, DEP#177-711, Harvard#0322-01
September 15, 2022

The public hearing was opened at 7:37pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022.

Members Present: Don Ritchie, Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and Bruce Ringwall

This hearing was continued from August 18, 2022 for a Notice of Intent filed on behalf of Yvonne Chern, for the construction of commercial structures with associated parking, grading and drainage within the 100' wetland buffer zone at 203 Ayer Road, Harvard.

Bruce Ringwall, of GPR, Inc., stated because of numerous facts there has been delay with Planning Board application. In order to keep this project moving Mr. Ringwall thought this would be a great time to start the wetland replication permitted under a separate Order of Conditions last year. Mr. Ringwall understands there is a condition within that Order of Conditions that does not allow for the replication work to proceed until other necessary permits to develop the property are received. Mr. Ringwall provided an update as to where in the process the application is at with the Planning Board. After briefly discussing, the sense of the Commission was to abide by the condition within the previous Order of Conditions for the wetland replication as it is premature to anticipate where other Boards are at with the process.

Jim Burns made a motion to continue the hearing to October 6, 2022 at 7:45pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don Ritchie; aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Request for Determination of Applicability Hearing
Margaret Coyle Nestler, 31 Cruft Lane, Harvard#0922-01,
September 15, 2022**

The public hearing was opened at 8:06pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022.

Members Present: Don Ritchie, Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Jim Lee (Harvard Conservation Trust), Marc Sevigny (Harvard Conservation Trust), John Lee (Harvard Conservation Trust), Margaret Nestler and Robin Carlaw (Harvard Conservation Trust)

This hearing is for a request for Determination of Applicability filed on behalf of Margaret Coyle Nestler, for the installation of boardwalks along the trail easement within the 100' wetland buffer zone 31 Cruft Lane, Harvard.

Marc Sevigny, of Harvard Conservation Trust, detailed the conservation restriction that has recently been placed on the property and allows for a trail that connects to other open space areas. The proposed trail crosses wetland areas, which will require boardwalks and a raised crossing. Mr. Sevigny detailed those boardwalks and crossing.

A waiver to the application fees is being requested as the proposed trail will be an amenity to the Town. After a brief discussion, Paul Willard made a motion to waive the filing fee for this application as a benefit to the Town and its inhabitants. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don Ritchie; aye

Jaye Waldron made a motion to close the hearing and issue a Negative #3. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, aye; Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg; aye; and Don Ritchie; aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370

Harvard Conservation Commission
Request for Determination of Applicability Hearing
Eve Wittenberg & Cathy Corning, 103 Prospect Hill Road, Harvard#0922-02,
September 15, 2022

The public hearing was opened at 8:17pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022.

Members Present: Don Ritchie, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) Eve Wittenberg and Cathy Corning

This hearing is for the Request for Determination of Applicability filed by Eve Wittenberg & Cathy Corning, for a multi-year invasive species plan within the 100' wetland buffer zone at 103 Prospect Hill Road, Harvard.

Eve Wittenberg explained the area within 100' buffer zone had been cleared during the development of the property, which has allowed the invasives to proliferate. A three-year plan has been developed by Oxbow Associates, with activity within the 25' to the 100' wetland buffer zone. Oxbow Associates, Inc. will implement a multi-year invasive species control plan in selected areas of the wetland buffer zone from the 25-100' area. Oxbow will selectively apply herbicides using foliar spray and cut stump (wipe/apply) to plants including bittersweet, amur peppervine, autumn olive, European buckthorn, glossy buckthorn, burning bush, and multiflora rose.

For each of three seasons, Oxbow will conduct approximately two half days, of five field-hours of selective herbicide treatment using a combination of backpack sprayer and stem-applicator with triclopyr-based herbicide (Lesco 4 ester), clippers, handsaw, and appropriate PPE. Oxbow will use GPS to identify the outline of their work. After initial selective application they will assess the need for replacement plantings to fill in voids in the vegetative cover. Replacement plants will include only native species (non-cultivars) such as highbush blueberry and spicebush. Precise locations will be determined as work proceeds and the expectation is approximately 12, 3-gallon native shrubs will be installed.

Ms. Wittenberg stated the invasive plants do go into the wetland and they are still trying to determine how to combat those, therefore they may be back in the future for additional invasive removal.

Paul Willard made a motion to close the hearing and issue a Negative #3. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, unavailable; Mark Shaw, aye; Joanne Ward, aye; and Don Ritchie; aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

371 **Harvard Conservation Commission**
372 **Abbreviated Notice of Intent Hearing**
373 **Town of Harvard Conservation Commission,**
374 **the Barton Land, located between the dam of Bare Hill Pond and Still River Road, Harard#0922-03**
375 **September 15, 2022**
376

377 The public hearing was opened at 8:39pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland
378 Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually,
379 pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures
380 Adopted during the State of Emergency, and signed into law on July 16, 2022.

381
382 **Members Present:** Don Ritchie, Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns,
383 Mark Shaw and John Iacomini (Associate Member)

384
385 **Others Present:** Liz Allard (Land Use Administrator/Conservation Agent) and Wendy Sisson (Land
386 Stewardship Subcommittee)

387
388 This hearing is for an Abbreviated Notice of Intent filed by the Town of Harvard Conservation Commission,
389 for the management of invasive plant species within a wetland resource area on the Barton Land, located
390 between the dam of Bare Hill Pond and Still River Road, Harvard.

391
392 Wendy Sisson detailed the proposed work to remove phragmites in the area between the dam to
393 Bare Hill Pond and Still River Road. A licensed applicator will apply a glyphosate herbicide
394 formulated for wetland applications, either AquaPro, Glyphosate 5.4, or Accord, to isolated
395 phragmites stands. The first target is the stand near the dam which is the largest and most
396 dense; a foliar spray will be used in late August or September. Other satellite stands are
397 difficult to access and will be treated if and when they can be reached by either stem wiping
398 method or close foliar spraying as appropriate. The applicator is familiar with the site and has
399 done careful work for the Town in the past several years. Conditions in August/September are
400 as dry as they get and no negative impact to the wetland is anticipated given the techniques,
401 timing and formulations proposed.

402
403 Without a file number from the Department of Environmental Protection Joanne Ward made a motion to
404 continue the hearing to October 6, 2022 at 8:00pm. Jaye Waldron seconded the motion. The vote was
405 unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Paul Willard, aye; Jim Burns, aye;
406 Mark Shaw, aye; Joanne Ward, aye; Eve Wittenberg, aye; and Don Ritchie, aye.

407
408
409 Respectfully submitted,

410
411
412 Liz Allard,
413 Land Use Administrator/
414 Conservation Agent

DRAFT
HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
OCTOBER 6, 2022

Vice Chair Eve Wittenberg called the meeting to order at 7:09pm, virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

Members Present: Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Jim O’Leary (Harvard Youth Baseball & Softball Association), Bob Douglas (Deer Management Subcommittee), Joe Pulido (Deer Management Subcommittee), Dan Tracey, Bob Kody (Envision Homes), Dan Wolfe (Ross Associates), and Marisa Khurana

Harvard Youth Baseball & Softball Association Request for Input on Community Preservation Committee Applications for Ryan Land and Ann Lee Fields

Jim O’Leary, representing the Harvard Youth Baseball & Softball Association, stated there are two proposed applications for the Community Preservation Act funding in Fiscal Year 2024. The first is to provide upgrades Ryan Land and Ann Lees fields including new hitting cages, electricity to cage and scoreboards at Ryan Land. Along with the purchase of bleachers, scoreboards and portable mounds for both fields; as well as safety improvement for all fields (fenced-in on deck areas). The second proposal is to provide irrigation for Ann Lee Softball Field, which would require a new well and irrigation for infield and outfield, with an option for solar array to be installed to power the irrigation system.

Members of Commission provided feedback on both applications by questioning why the school budget does not pay for some or all of these items from funds allocated for sports and expressing their desire not to allow the installation of a well for irrigation of the Ann Lees field.

Joanne Ward stated with no significant impacts to the Ryan or Ann Lees filed she makes a motion to supports the Harvard Youth Baseball & Softball Association application to the Community Preservation Committee for Baseball and Softball Field Improvements in the amount of \$47,000. Paul Willard seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.

There was no vote of support for the Ann Lee Softball Field Improvement application as proposed by the Harvard Youth Baseball & Softball Association.

Notice of Intent Hearing – Pradeep & Marisa Khurana, 110 Warren Avenue, DEP#177-716, Harvard#0922-04. Opened at 7:33pm

Continuation of a Notice of Intent Hearing – Yvonne Chern, 203 Ayer Road, DEP#177-711, Harvard#0322-01. Opened at 7:51pm

Deer Management Subcommittee (DMS) Request to add the Coke Land to Allowed Bow Hunting Areas for the 2022 Season

As requested the Land Stewardship Subcommittee has reviewed and approved the Coke Land to be part of the Deer Management Program with conditions that are acceptable to the DMS. With the need for abutter notification to those properties that abut the Coke Land, Liz Allard requested that hunting start no sooner than October 31, 2022.

54 Eve Wittenberg asked what the logic is to have more parcels within the program. Bob Douglas, chair of
55 the DMS, stated having hunters in the fields will assist with movement of the deer. This is a land that has
56 been identified as one in need of deer management. When asked about hunter assignments, Joe Pulido
57 stated the addition of this land will shift things round a bit, along with adding a new hunter. The number
58 of hunters qualified this season was discussed. Mr. Douglas stated two of the hunters are sharing a parcel
59 of land, therefore accounting for one hunter assigned to that specific property, for a total of 19 hunters
60 this season on 13 parcels.

61
62 Paul Willard made a motion to add the Coke land to the parcels on which Deer Management Program is
63 allowed with the following conditions:

- 64 • Hunting will commence on October 31, 2022;
- 65 • Qualified hunters shall maintain a 75' buffer from the community garden;
- 66 • Parking of vehicles shall be within 50' of the entrance to the Coke land and in a manner as to not
67 block the agricultural access; and
- 68 • Increase the number of qualified hunters for the 2022 season to nineteen (19).

69 Jaye Waldron made a friendly amendment to include notification of the abutters prior to October 31,
70 2022. Mr. Willard was amenable to the amendment. Mark Shaw seconded the motion. The vote was
71 unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye;
72 Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.

73
74 **Continuation of an Abbreviated Notice of Intent Hearing - Town of Harvard Conservation Commission,**
75 **the Barton Land, located between the dam of Bare Hill Pond and Still River Road, Harvard#0922-03.**

76 Opened at 8:12pm

77
78 **Notice of Intent Hearing – John Iacomini, 310 Ayer Road, Harvard#0922-05.** Opened at 8:16pm

79
80 **Request to Remove Tree on Reuben Reed Land**

81 After briefly discussing the request Paul Willard made a motion to allow the tree warden to remove the
82 tree on Reuben Reed land as requested. Joanne Ward seconded the motion. The vote was unanimously
83 in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard,
84 aye; Mark Shaw, aye; and Eve Wittenberg, aye.

85
86 **Proposal for 400 Beaver Brook, Boxborough (former Cisco property)**

87 With the proposed development of the above-mentioned property, Joanne Ward thinks this is something
88 the Town needs to keep an eye on as there could be impacts to dark skies, the aquifer and wetlands in the
89 area. Jim Burns stated there is always a concern in regard to light pollution with large developments such
90 as this. Ms. Ward agreed with the impacts due to light pollution; further determinations need to be made
91 as to potential impacts on habitat and/or wetlands in the area. Ms. Ward stated letters expressing
92 concern can be sent to the Boxborough Planning Board and Conservation Commission. Ms. Ward will look
93 into some of these issues as well as the determine timelines. This item will be discussed at the next
94 meeting of the Commission.

95
96 **Approve Minutes**

97 Jim Burns made a motion to approve the minutes of July 7, 2022 as drafted. Joanne Ward seconded the
98 motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye;
99 Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.

100
101 **Approve Invoices**

102 Joanne Ward made a motion to approve the invoices from Harvard Press for the abbreviated notice of
103 intent in the amount of \$72.00. Jim Burns seconded the motion. The vote was unanimously in favor of
104 the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark
105 Shaw, aye; and Eve Wittenberg, aye.

106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157

Update All Boards Meeting

Eve Wittenberg attended on behalf of the Commission and found the event to be very stimulating. The Commission’s focus was on Wendy Sisson’s tenure, with confirmation from the Select Board chair. Ms. Wittenberg raised the issue of filling the administrative position in order for the Commission to have a full-time Conservation Agent.

Ayer Road Meadow Access Improvements

Pine Hill Village Update

Liz Allard stated weekly updates from the developer are lacking certain information, including work being conducted on the invasive plants on the site. Ms. Allard is working with developer to provide accurate weekly reports.

Adjournment

Paul Willard made a motion to adjourn the meeting at 9:20pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated October 6, 2022
- Site Plan Pradeep & Marisa Khurana, 110 Warren Avenue Harvard, MA Job No.: 33383, Plan No.: L-14572, prepared by David E. Ross Associates, Inc., 9/06/2022
- Site Plan John Iacomini #310 Ayer Road Harvard, MA Job No.: 32614, Plan No.: L-14610, prepared by David E. Ross Associates, Inc., September 2022

**Harvard Conservation Commission
Notice of Intent Hearing
Pradeep & Marisa Khurana, 110 Warren Avenue
DEP#177-716, Harvard#0922-04
October 6, 2022**

The public hearing was opened at 7:33pm by Vice Chair Eve Wittenberg under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022.

Members Present: Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Bob Kody (Envision Homes), Dan Wolfe (Ross Associates), and Marisa Khurana

This hearing is for a Notice of Intent filed on behalf of for Pradeep & Marisa Khurana minor modifications to the existing sewage disposal system, the addition of a two-car garage, deck, covered porch, modified gravel driveway and walkway/retaining wall to an existing single-family home within the 200' buffer zone to Bare Hill Pond and the 100' wetland buffer zone to a wetland resource area at 110 Warren Avenue, Harvard.

Dan Wolfe, of Ross Associates, stated the existing four-bedroom dwelling is on the banks of Bare Hill Pond. The proposed plan details the conversion of the existing garage into a living area, the construction of a new garage, covered porch and small deck on the pond side of the dwelling. Other site amenities include the installation of a walkway on the south side of the dwelling and a retaining wall for the septic system to accommodate the expansion of the existing gravel driveway; which will remain gravel. Roof runoff will be captured by infiltration trenches located along the side of the new and existing garage.

Waivers from the Wetland Bylaw Regulations, §147-12 Setbacks, include the 75' no structures or driveways for the deck and the expansion of the driveway; and the 50' no disturb zone in which there shall be undisturbed natural vegetation, for the walkway along the south side of the garage. Mr. Wolfe felt these proposed activities were an improvement to the area and would enhance the wetland buffer zones as opposed to be averse to them.

When asked the planned timing of construction, Bob Kody stated he would like to have the foundation installed this fall to be able to frame the interior this winter. Liz Allard asked that the erosion control barrier be extended past the crossing of the driveway, which she acknowledged is on conservation land. Comments received from the Bare Hill Pond Watershed Committee concerning stormwater were addressed.

Mark Shaw made a motion to approve the waivers as requested as the site is a pre-existing site altered by fill and grading, as well as the addition of stormwater mitigation to assist in added protection of the wetlands and Bare Hill Pond. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.

Joanne Ward made a motion to close the hearing and issue an Order of Conditions with the standard conditions, contingent on the Commission receiving a revised plan detailing the extension of the erosion control barrier. Jaye Waldon seconded the motion. The vote was in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, nay; Mark Shaw, aye; and Eve Wittenberg, aye.

211
212 Respectfully submitted,
213
214
215 Liz Allard,
216 Land Use Administrator/
217 Conservation Agent
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263

DRAFT

Harvard Conservation Commission
Continuation of a Notice of Intent Hearing
Yvonne Chern, 203 Ayer Road, DEP#177-711, Harvard#0322-01
October 6, 2022

The public hearing was opened at 7:51pm by Vice Chair Eve Wittenberg under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022.

Members Present: Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Land Use Administrator/Conservation Agent)

This hearing was continued from September 15, 2022 for a Notice of Intent filed on behalf of Yvonne Chern, for the construction of commercial structures with associated parking, grading and drainage within the 100' wetland buffer zone at 203 Ayer Road, Harvard.

At the request of the applicant's representative, Jaye Waldron made a motion to continue the hearing to November 3, 2022 at 7:30pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

317
318
319
320
321
322
323

Harvard Conservation Commission
Continuation of an Abbreviated Notice of Intent Hearing
Town of Harvard Conservation Commission,
Barton Land, located between the dam of Bare Hill Pond and Still River Road,
DEP#177-715, Harard#0922-03
October 6, 2022

324 The public hearing was opened at 8:12pm by Vice Chair Eve Wittenberg under MGL Chapter 131 §40
325 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw
326 virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19
327 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022.

328
329 **Members Present:** Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns, Mark Shaw and
330 John Iacomini (Associate Member)

331
332 **Others Present:** Liz Allard (Land Use Administrator/Conservation Agent)

333
334 This hearing was continued from September 15, 2022 for an Abbreviated Notice of Intent filed by the
335 Town of Harvard Conservation Commission, for the management of invasive plant species within a
336 wetland resource area on the Barton Land, located between the dam of Bare Hill Pond and Still River
337 Road, Harvard.

338
339 With the DEP file number received with no comments, Jim Burns made a motion approve the waiver to
340 §147-12 Setbacks for invasive plant management within a wetland resource area. Jaye Waldron seconded
341 the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron,
342 aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.

343
344 Joanne Ward made a motion to close the hearing and issue an Order of Conditions with the standard
345 conditions. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a
346 roll call, Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve
347 Wittenberg, aye.

348
349
350 Respectfully submitted,

351
352
353 Liz Allard,
354 Land Use Administrator/
355 Conservation Agent

**Harvard Conservation Commission
Notice of Intent Hearing
John Iacomini, 310 Ayer Road, Harvard#0922-05
October 6, 2022**

The public hearing was opened at 8:16pm by Vice Chair Eve Wittenberg under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022.

Members Present: Eve Wittenberg, Paul Willard, Jaye Waldron, Joanne Ward, Jim Burns and Mark Shaw

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Dan Wolfe (Ross Associates) and John Iacomini

This hearing is for a Notice of Intent filed on behalf of John Iacomini for the construction of an in-ground swimming pool and patio area, surrounded by a security fence within the 100' wetland buffer zone to a wetland resource area 310 Ayer Road, Harvard

Dan Wolfe, of Ross Associates, detailed the project to construct an in-ground swimming pool and patio with an existing lawn area. The area would be surrounded by a security fence and the patio would be surrounded by an infiltration trench to capture and store any runoff and to provide a mechanism to infiltrate runoff from the proposed impervious areas.

Waivers from the Wetland Bylaw Regulations, §147-12 Setbacks, include the 75' no structures or driveways for the pool and concrete patio/walkway; and the 50' no disturb zone in which there shall be undisturbed natural vegetation, for to accommodate a reasonable sitting area within the patio area and to allow for a minimal walkway around the itself. The disturbance proposed is within 46' of the wetland resource area on the property. Mr. Wolfe stated the area in which these waivers are requested are previously disturbed portions of the yard that is currently yard area. No trees or shrubbery will be removed as a result of this project.

The proposed location of the pool provides the most privacy and buffers noise from Ayer Road. Mr. Wolfe agreed the site contains other areas where the pool could be located, but for the reasons just stated the owner has chosen the location shown on the plan.

Concerns with a structure within the 75' wetland buffer zone were expressed by members of the Commission. Mr. Wolfe was not surprised by those concerns, but felt as proposed there was no detriment to the resource area. Mr. Wolfe read directly from the purpose of the Wetland Protection Bylaw, with the sentiment that this proposal was not in conflict with any of the purposes. Jaye Waldon felt a good trade-off could be to allow the remaining lawn are to revegetate naturally. John Iacomini feels there should not be a trade-off for more wetlands. Ms. Waldron explained it would not be for more wetlands, but for more vegetated buffer zone to the wetlands. A discussion pertaining to the differences of distinguishing between the existing and preferred uses when determining allowances within the setbacks was had. Some Commission members did not agree with re-establishing vegetated buffer within 50', but did with the concerns of a pool within 75'. Others thought if there were alternatives to locate the pool on the property then those areas should be considered. Those who had not previously visited the site were encouraged to do so in order to have a better understanding of the proposal before the Commission.

With the request to look into alternatives to locate the pool, the need for other to visit the site and no DEP File number, Jim Burns made a motion to continue the hearing to October 20, 2022 at 8:00pm. Mark

422 Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns,
423 aye; Jaye Waldron, aye; Joanne Ward, aye; Paul Willard, aye; Mark Shaw, aye; and Eve Wittenberg, aye.
424

425 Respectfully submitted,

426

427

428 Liz Allard,

429 Land Use Administrator/

430 Conservation Agent

DRAFT

CONSTABLE

Jose Ramos

P.O. Box 1288

Leominster, MA 01453

Phone: (508) 331-5491

Billing Statement

Date: January 18, 2023

To: Town Of Havard
13 Ayer Road
Havard, MA 01451

RE: Notice Of No Trespass

Mohammad F. Mkayed
28 Musket Drive, Building 4, Apt. A-2
Leominster, MA 01453

Fees:

Service:	\$ 40.00
Travel:	\$
Pd. Witness:	\$
Copies:	\$
Total Due:	\$ 40.00

Vendor # 15177

CONSTABLE

Jose Ramos

P.O. Box 1288

Leominster, MA 01453

Phone: (508) 331-5491

Billing Statement

Date: January 18, 2023

To: Town Of Havard
13 Ayer Road
Havard, MA 01451

RE: Notice Of No Trespass

Nahuel Adrian Albibay Viera
19 Frankfort Street
Fitchburg, MA 01420

Fees:

Service:	\$ 40.00
Travel:	\$
Pd. Witness:	\$
Copies:	\$
Total Due:	\$ 40.00

Vendor #15177

Voss Signs, LLC
 PO Box 553
 Manlius, NY 13104-0553
 Ph.1-800-473-0698
 or (315) 682-6418
 Fax (315) 682-7335
 Voss Federal ID No. 16-1553963



INVOICE No. C-261547
 Remittance Due By: ?

past due accounts subject to a 2% per month finance charge

Order Date	Customer #	PO #	Ship Date	Completion Date	Invoice Date
1/30/2023	53606	Q#1023326			

ATTN: LIZ ALLARD
TOWN OF HARVARD CONSERVATION COMMISSION
13 AYER RD
HARVARD MA 01451

BILL TO
 Phone
978-456-4106
 Fax
978-456-4113

ORDER SHIPPED TO:

Phone:
978-456-4106

E-Mail:
MWSISSON4@GMAIL.COM

ATTN: WENDY SISSON

TOWN OF HARVARD CONSERVATION COMMISSION
13 AYER RD
HARVARD MA 01451

Quantity	Item	Description	Price Each	Amount
50	RPTSO	REPEAT CUSTOM SIGNS: 53606 208030 W/ CHANGE TO ADD TEXT	\$5.28000	\$264.00

50 Total Items CSR: Ashley

SPECIFICATIONS:

Material: YELLOW POLY
 Size: 12" X 18" Gauge: .050
 Background Color: YELLOW
 Print Color(s): BLACK (ONE SIDE)
 Mounting Holes: 2 EA, CENTER TOP & BOTTOM, 1/8" DIAM, 1/2" IN
 Round Corners: 1/2" RADIUS
 Other:

TEXT (Imprint or Custom Sign Text):

Subtotal	\$264.00
Imprint Charges	
Special Order Charges	\$25.00
Other Charges	
Shipping	\$15.00
Tax @ 0 %	\$0.00
Deposit Amount	
Total	\$304.00
Payment Method	
Check #	
Terms	NO CREDIT !!!

Remittance Due By: ?

Past due accounts subject to a 2% per month finance charge

Balance Due **\$304.00**

(images of gekos) CAUTION AMPHIBIANS CROSSING
 PROPERTY OF THE HARVARD CONSERVATION COMMISSION (images of frogs)
 ---53606 261547---VOSS--BORDER