

**TOWN OF HARVARD
CONSERVATION COMMISSION AGENDA
THURSDAY FEBRUARY 3, 2022 @7:00PM**

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, 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.

Topic: UpperTH ProWebinar's Conservation Commission Zoom Meeting
Time: Feb 3, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85270615462?pwd=bIRZcWJoQ2FKTVhkSDFqUHg3RW44QT09>

Meeting ID: 852 7061 5462

Passcode: 698059

One tap mobile

+19294362866,,85270615462# US (New York)

+13017158592,,85270615462# US (Washington DC)

Dial by your location

+1 929 436 2866 US (New York)

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Meeting ID: 852 7061 5462

Find your local number: <https://us02web.zoom.us/j/85270615462>

New Business:

1. Hub Foundation – 90 Warren Ave, DEP#177-647
 - Review Order of Conditions (OOC) with New Owner
 - Request Soil Borings for Bridge Installation
 - Amended Site Plan – New Notice of Intent or Amend the OOC
2. Mowing at Oxbow Wildlife Sanctuary
3. Extension Request: Kevin O'Malley – 8 Wilroy Ave, DEP#177-674
4. Request for a Certificate of Compliance: Ernst – 2 & 4 Wilroy Avenue, DEP#177-689
5. Approve Minutes
6. Approve Invoice – Nitsch Engineering \$744.00

Public Hearings:

7:30pm Notice of Intent – Doug Schad, 74 Poor Farm Road, Harvard#0122-01, for the construction of an accessory structure within the 100' wetland buffer zone

Old Business:

1. Guidelines for the Use of the Reuben Reed Land
2. Pine Hill Village Update

**NEXT MEETING:
FEBRUARY 17, 2022**

90 Warren Ave (Hub Foundation)**Dan Wolfe <dwolfe@davidross.com>**

Mon 01/24/22 1:00 PM

To: Liz Allard <lallard@harvard-ma.gov>

Hi Liz,

Hub Foundation is the name of the company that I am running our project under, but the clients are the family that owns the company and I have been working with Maya Minkin who owns Minister's Island on Bare Hill Pond. This family is hoping to build this home for the parents of the Maya's husband.

We would like the opportunity to come in to see the Conservation Commission at their next meeting on February 3rd. This meeting will be to:

1. Introduce the owners to the Commission, as is required under the active Order of Conditions
2. Ask the Commission if some exploratory borings might be done to confirm the presence of ledge at the proposed crossing site, and
3. Ask the Commission how they would like us to proceed with this project. As some things are proposed to change, should we modify the OOC or should we file a whole new NOI?

Let me know what time we will be on.

Thanks,
Dan

Daniel B. Wolfe, P.E. | *David E. Ross Associates, Inc.* | *Civil Engineers/Land Surveyors/Environmental Consultants*
6 Lancaster County Road | P.O. Box 795 | Harvard, MA 01451 | t: (978) 772-6232 | www.davidross.com
dwolfe@davidross.com

Providing Professional Services for over 30 Years

OFFICE OF THE
BOARD OF HEALTH

13 AYER ROAD, HARVARD, MA 01451
978-456-4100, ext. 328
boh@harvard-ma.gov



January 25, 2022

RECEIVED
JAN 25 2022

Alissa and Eric Weiss
DBA Curraghduff LLC
6 Breezy Point
Acton, MA 01720

Re: 90 Warren Ave, Harvard, MA
Notice of Noncompliance

Dear Ms. and Mr. Weiss:

As previously communicated with the prior owner and listing agent, Rebecca Kelly, here are unresolved issues which need addressing regarding the subsurface sewage disposal system (SDS) at the property which you recently purchased at 90 Warren Avenue, Harvard. The State Environmental Code, Title 5: 310 CMR 15.000, requires that a Title 5 Inspection report be filed for ALL property sales where there is a SDS. There is no record of an inspection performed for this sale. With the understanding of the existing SDS failure dating back to at least 2014, the seller was provided with a copy of a draft waiver agreement, as allowed in Title 5, 310 CMR 15.301(4)(b)¹, to be filed instead of performing a Title 5 Inspection. If this waiver was executed, it was not received by the Harvard Board of Health.

The failed cesspool servicing the dwelling is a physical hazard and endangers public health and safety. Therefore, it must be taken out of service and filled in properly. Further, a complaint SDS is required for any habitable structure pursuant to the State Sanitary Code, Chapter 2: Minimum Standards of Fitness for Human Habitation, 105 CMR 410.000. The previous owners of the property were informed of the failed system and the requirement not to use the structure until such time that there is a compliant SDS permitted and installed in accordance with the applicable rules and regulations, including those of the Board of Health and the Harvard Conservation Commission.

¹ 310 CMR 15.301(4)(b): The owner of the facility or the person acquiring title has signed an enforceable agreement with the Approving Authority to upgrade the system or to connect the facility to a sanitary sewer or a shared system within the next two years following the transfer of title, provided that such agreement has been disclosed to and is binding on the subsequent owner.

In conclusion, the property is served by a failed subsurface sewage disposal system, and the sale of a property without a valid Title 5 Inspection and/or a binding agreement to upgrade the failed system is a violation of Title 5. Further, use of the dwelling is not permitted with a failed SDS and the dwelling is unfit for human habitation.

You are directed to:

1. Not to use to use the dwelling until such time that the SDS is replaced and a Certificate of Compliance is obtained;
2. Submit a binding agreement with the Harvard Board of Health that the property will not be occupied and the SDS will be replaced as noted above;
3. Obtain a valid SDS Construction Works Permit as required;
4. Immediately fill in the cesspool pursuant to Title 5 and in accordance with any requirements from the Harvard Conservation Commission (given the location of the cesspool in relation to the wetland resources area);
5. Provide a written statement to the Harvard Board of Health confirming the "abandonment" and destruction of the cesspool upon completion of the work.

Failure to comply with Title 5, The State Sanitary Code, Chapter 2, may result in additional legal actions by the Harvard Board of Health. If there any questions regarding these matters please contact me or the Harvard Board of Health as soon as possible. The Board of Health office can be contacted at 978-456-4100 or boh@harvard-ma.gov.

Kindly reply with your intentions within ten days.

Respectfully,



Ira Grossman, R.S.
As Agent for the Harvard Board of Health
lgrossman@Nashoba.org
978-772-3335 x306

IG/awf
Encl. (Binding Waiver agreement)
cc: Conservation Agent
Building Commissioner



WAIVER OF TITLE 5 INSPECTION

I/we, do hereby apply for a waiver, as allowed under 310 CMR 15.301 (4) (b), from the required Title 5 Inspection of the on-site sewage disposal system at my property, located at _____, Harvard, MA, 01451.

I/we agree to comply with the following conditions:

- 1) The above-described property shall connect to an approved subsurface sewage disposal system within 180 days from the date of the waiver, or an extended period of time as approved in writing by the Harvard Board of Health, whichever occurs later, but in no case shall exceed two (2) years from the date of this application.
- 2) Any terms specified in a *Schedule of Upgrade* will be strictly adhered to and met. An *Enforcement Letter* from the Town of Harvard Board of Health or the Massachusetts Department of Environmental Protection may shorten or eliminate this waiver period, should the current system endanger either the public health or the environment.
- 3) This waiver, along with these conditions, shall be communicated in writing to the purchaser and any other subsequent owner (s) until the property is connected to an approved subsurface sewage disposal system which has been issued a Certificate of Compliance by the Harvard Board of Health. This waiver agreement shall be recorded with the Worcester District Registry of Deeds or registered with the Worcester Registry District of the Land Court, as the case may be. This waiver shall be deemed to be a covenant running with the land and shall be binding on the landowner's heirs, successors and assigns.
- 4) In the event the project is abandoned, this waiver shall become null and void. It then becomes my/our responsibility to complete any deferred inspection (s) and provide the required reports to the Board of Health within 30 days.

Failure of an owner or operator of a system to have the system inspected, and use or operation of any system described in 310 CMR 15.301(1) through (10) after the dates or

events set forth therein without a required inspection shall constitute violations of 310 CMR 15.000.

Witness my/our hand (s) and seal (s) this ____ day of _____, 20 ____.

Signature

Signature

Printed Name/Address

Printed Name/Address

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. _____, 20 ____

On this day, before me, the undersigned notary public, personally appeared _____ and _____ and proved to me through satisfactory evidence of identification, which was _____, to be the person (s) whose name (s) is/are signed on the preceding document, and acknowledged to me that s/he/they signed it voluntarily for its stated purpose.

, Notary Public
My Commission Expires:

FOR BOARD OF HEALTH USE ONLY	
Approved on: _____	
Approved by: _____	Date: _____

Kevin O'Malley

225 Linden St, Boylston, MA 01505

RECEIVED
JAN 20 2022

24-January-2022

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

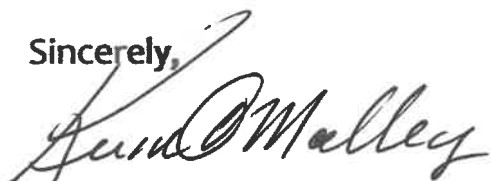
Dear Commissioners,

I am requesting an extension of 3 years to the Order of Conditions, MassDEP file #:177-0674 that was issued on 2/26/2019. The eDEP transaction number for this order is 1086408.

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

978-895-5323

8 Wilby Ave

DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

January 25, 2022

Harvard Conservation Commission
13 Ayer Road
Harvard, MA 01451

RE: Request for Certificate of Compliance – 2 and 4 Wilroy Ave.
DEP File No. 177-0689
Project No. 31556

Dear Commission Members:

On behalf of our client, Mr. Steven Ernst, we are submitting a Request for Certificate of Compliance for the above-referenced project. This original filing was for the upgrade of a failing sewage disposal system at #2 Wilroy Ave, as well as to drill a new drinking water well which is intended to serve both 2 Wilroy Ave. and 4 Wilroy Ave. All proposed work has been satisfactorily completed and all disturbed areas have been stabilized. In addition, a small 6'x8' storage shed has been added to the area between house numbers 2 & 4 and has been set upon small concrete footings placed on the ground. All details of this overall construction have been shown on the accompanying As-Built plan.

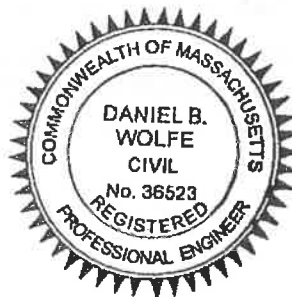
The Order of Conditions for this project was issued on August 18, 2020, and was recorded at the Worcester Registry of Deeds under Book 63192, Page 118, on September 4, 2020.

Enclosed please find the Request for a Certificate of Compliance, DEP Form 8A, and the as-built plan of the site (Plan No. L-13689). Please feel free to contact me at this office if you have any questions concerning this request.

Very truly yours,
DAVID E. ROSS ASSOCIATES, INC.



Daniel B. Wolfe, P.E.





WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Project Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Steven Ernst

6433 Renwick Circle

Tampa

City/Town

Florida

State

33647

813-765-1328

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Steven Ernst

Applicant

August 18, 2020

Dated

177-689

DEP File Number

3. The project site is located at:

2 & 4 Wilroy Avenue

Street Address

Map 26

Assessors Map/Plat Number

Harvard

City/Town

Parcel 5

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Steven Ernst

Property Owner (if different)

Worcester

County

63192

Book

118

Page

Certificate (if registered land)

5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



WPA Form 8A – Request for Certificate of Compliance

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

DRAFT
HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JANUARY 20, 2022

Chair Don Ritchie called the meeting to order at 7:01pm, virtually, pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

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

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Peter Dorward (Open Space Committee), Dave Pinard, Bob Douglas (Deer Management Subcommittee), Don Osmer, Gail Henderson-King, Brian Cook (Planning Board Master Plan Liaison), Jim Lee (Harvard Conservation Trust), John Lee (Harvard Conservation Trust), Margaret Kusner, Dan Tracey, Tom Cotton (Deer Management Subcommittee/Harvard Conservation Trust), Martian Feehan (MassWildlife Biologist), Steven DiPrizio, Joe Pulido (Deer Management Subcommittee), Camden Holland, Marty Green (Harvard Press) and Peter Cricones (Pine Hill Village)

Deer Management Subcommittee 2021 Report

Members of the Deer Management Subcommittee presented the 2021 Season Report: Deer Management Subcommittee. There were 13 conservation lands open for archery hunting of deer in 2021; an increase from the five approved for the 2020 hunting season. The 14 qualified hunters were assigned to specific lands, with each of them participating in the hunting season in one form or another. Six hunters accounted for 80% of the trips to scout or hunt. 81% of all hunting and scouting activity was on Blomfelt, Daman/Stephenson, Gillette, Great Elms, Hermann Orchard and Vesenska properties. One doe each was harvested on the Blomfelt, Gillette and Hermann Orchard parcels within the month of December. There were two instances of hunter harassment reported; one had a tree stand that was vandalized and the second a trail camera was stolen. In general, over all the season was successfully.

Don Ritchie asked about the reduction in the deer population this year. Martin Feehan, the MassWildlife Biologist, stated the data has not yet been received, therefore he is unable to comment on the deer population for the 2021 season.

Eve Wittenberg stated the program has had a very successful implementation and the DMS should be commended for their effort as survey results indicate the hunters are happy. Ms. Wittenberg detailed the inefficiency of bowing hunting to yield deer. It would be very hard to argue that four deer over two years is reducing the deer populations. Carlisle cancelled their deer hunt after two years due to low yields. Higher yields are found in areas that do not have other lands around them being hunted as well. There are many people in Town that are uncomfortable with the program. Ms. Wittenberg feels strongly there are other ways to preserve forest health.

Wendy Sisson stated she has been looking at this for 20 years along with other aspects of the forest. The deer management program is a legal managed program, which is better than what was previously happening on conservation land. Ms. Sisson cannot support shotgun due to the limited land area. Two years is not enough time to gather appropriate data. Ms. Sisson stated the program is not to reduce numbers, but to keep the numbers in check, and feels it is way too premature to make a determination on whether or not the program is working. There is an education element that needs to be move evolved.

52 Joanne Ward stated both Ms. Wittenberg and Ms. Sisson have made a good number of points. Archery is
53 time consuming and the program is deterring illegal hunting on conservation land. From a safety
54 standpoint, archery is the best option.

55
56 Dan Tracey, a resident of Harvard, stated Ms. Sisson's points are clearly benefits of the program, but at
57 what cost. As Ms. Wittenberg stated, there are those opposed to hunting on conservation land. The
58 purpose of the program was to reduce the deer populations. With all the time and effort put into this
59 program over the last two years there has been no impact to that population. Mr. Tracey thinks Zone 9 is
60 well regulated by other recreational hunters in Town and it makes no sense to continue hunting on
61 conservation land. Mr. Tracey noted MassWildlife has already shorten the season for 2022 to six weeks.

62
63 Mark Shaw stated it is all about numbers, the more people you can get in the woods the more deer that
64 will be taken. Mr. Shaw would not be opposed to shotgun on some of the larger areas. Prior to the
65 program the number of people who walked right by a hunter in blaze orange was probably high. Mr.
66 Shaw stated the program will keep the deer population level; without any program those numbers could
67 jump pretty quickly. Mr. Shaw feels the program should continue.

68
69 Jim Burns stated the public needs to realize there needs to be some type of program to control deer on
70 conservation land. If nothing at all, this program gets the public in tuned with what is going on with the
71 deer population. Mr. Burns feel the program is a good thing to have in place.

72
73 Paul Willard stated there is always going to be people opposed to hunting, and there are those who are
74 deathly afraid to go in the woods during the hunting season – that's just the way it is. The small quantity
75 culled is discouraging, but good data about what is happening in the woods is being collected.

76
77 Joanne Ward made a motion to accept the 2021 Season Report: Deer Management Subcommittee. Paul
78 Willard seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard,
79 aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don
80 Ritchie, aye.

81
82 **Continuation of a Notice of Intent Hearing - Stanton Henderson, 265 Stow Road, Harvard#1221-02.**

83 Opened at 7:37pm

84
85 **2022 Wild and Scenic Community Grant Proposal**

86 Wendy Sisson explained she is seeking to submit an application grant funding for educational signs
87 pertaining to Bower's Brook. Ms. Sisson has been in touch with Kim Becker who designed the signs at
88 Holy Hill, for an estimate for the design and fabricate of said signs. Members were amenable to the
89 submittal of this application.

90
91 **Open Space Committee Update**

92 Peter Dorward, chair and Conservation Commission liaison to the Open Space Committee (OSC), stated
93 the OSC is due to go before Select Board soon for an update. Mr. Dorward reviewed the OSC goals and
94 potential active recreation sites. Next step is to review the list to determine which are appropriate for
95 recreational development. The OSC submitted two applications for funding to the Community
96 Preservation Committee. The first for \$100,000 as part of the funding from the Town for the Agricultural
97 Preservation Restriction on the Community Harvest land on Prospect Hill Road. With the second request
98 in the amount of \$50,000 toward the open space purchase of the Still River Woods on Willard Lane. Both
99 of these applications have been approved. An application for a recreational facility had been submitted to
100 the Capital Investment & Planning Committee, who have allocated \$50,000 for the active recreation
101 stabilization fund. The OSC is proposing move forward with a request for \$200,000 in funding annually,
102 however there is no clear direction on where the funds would come from, which is a question for the
103 Select Board. Mr. Dorward noted the 2016 Open Space & Recreation Plan indicated the Town was in
104 support of creating such a fund, but with Community Preservation Act funds becoming more competitive,

105 achieving \$200,000 annually may be difficult. Paul Willard wondered if it was impossible to have a tax for
106 land purchases.

107
108 Mr. Dorward noted the OSC's terms are up this May and will be asking the Select Board to continue for
109 the foreseeable future. Mr. Dorward thinks the OSC has done good work to determine what lands to
110 protect. However, it has been difficult to get a quorum for the monthly meetings. Mr. Dorward stated
111 the Agricultural Advisory Commission (AAC) representative has never attended a meeting. Mr. Dorward
112 will request the Select Board replace the Department of Public Works Director with the Director of
113 Community Education and Recreation. The "at-large" representative has low attendance as well,
114 therefore Mr. Dorward is recommending to remove both the AAC and at-large representatives, which
115 would reduce the total number of members to seven and reduce the quorum requirements.

116
117 Wendy Sisson thought there should be good conservation representation on the OSC and perhaps having
118 Mr. Dorward appointed as the at-large and have a member of Conservation Commission be on the
119 committee would provide better representation. Mr. Dorward pointed out that would make an eight-
120 member committee and would not assist in reducing the quorum requirements. The makeup and
121 representation of the OSC, as well as the language within the Charter pertaining to funding, was discussed
122 at length, with no recommended solution. Mr. Dorward stated the OSC tentatively schedule to present to
123 the Select Board on the 1st of February.

124 125 **Guidelines for the Use of the Reuben Reed Land**

126 Wendy Sisson thought since the use of the Reuben Reed land for public events comes up periodically, the
127 Commission should develop a set of criteria for its use. The Harvard Rotary Club has used the area for the
128 fruit sale, which has a good system for drive-thru pick up of the product. It would be good to reach out to
129 them to get a sense on how that is staged. Don Ritchie will draft some regulations for approval by the
130 Commission.

131 132 **Discuss Extending Sunset Date for Capital Planning & Investment Committee (CPIC) Funds – Still River 133 Woods**

134 Jim Lee, from Harvard Conservation Trust, initially suggested the Commission request an additional year
135 on the funds allocated by CPIC for the purchase of open space along Willard Road, but after a long
136 discussion of the current status, funding and process, it was agreed an additional offer shall be made and
137 if not accepted the funds will be allowed to sunset on June 30, 2022.

138 139 **Approve Minutes**

140 Jim Burns made a motion to approve the minutes of January 6, 2022 as amended. Jaye Waldron
141 seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye;
142 Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don
143 Ritchie, aye.

144 145 **Approve Invoices**

146 Jim Burns made a motion to approve the following invoices:

- 147 • Liz Allard - \$114.63 (mileage)
- 148 • Scott Zobbi - \$95.74 (Tripp land improvements)

149 Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul
150 Willard, aye; Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye, Mark Shaw, aye;
151 and Don Ritchie, aye.

152 153 **2021 Annual Report**

154 Joanne Ward made a motion to approve the 2021 Annual Report with the recommended edits. Jaye
155 Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul

156 Willard, aye, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye, Mark Shaw, aye;
157 and Don Ritchie, aye.

158
159 **Wetland Enforcement Update – 351 Ayer Road**

160 Liz Allard stated she was unable to receive much advice from the Department of Environmental
161 Protection (DEP) due to the fact the wetland in question is an isolated wetland and the wetland at 355
162 Ayer Road only has buffer zone that extends onto 351 Ayer Road. DEP does not regulate isolated wetlands
163 or buffer zone. Ms. Allard stated she would recommend taking the applicant’s consultant offer to file a
164 Notice of Intent for the activity within the buffer zone from 355 Ayer Road. Members of the Commission
165 agreed. Ms. Allard will be in touch with the consultant and property owner.

166
167 **Pine Hill Village Update**

168 Peter Cricones was present hoping to discuss his request to move onto the next phase of the project. Liz
169 Allard stated no information had been provided by Mr. Cricones as requested, therefore the Commission
170 was not prepared to discuss the matter this evening.

171
172 Don Ritchie and Liz Allard will review the site next week on a request to change the grass pavers to
173 crushed stone on the walkway at building #1 by the new owner.

174
175 **Craftsman Village Update**

176 Liz Allard stated she had been on site last week as part of the requirements for obtaining a Certificate of
177 Occupancy. Ms. Allard stated the site is in stable conditions and is maintaining a sufficient erosion control
178 barrier. Additional stabilization of disturbed areas associated with the first five buildings will be
179 completed as soon as the area can be hydroseeded in the spring.

180
181 **Adjournment**

182 Jim Burns made a motion to adjourn the meeting at 9:08pm. Paul Willard seconded the motion. The vote
183 was unanimously in favor of the motion by a roll call, Paul Willard, aye, Wendy Sisson, aye; Jaye Waldron,
184 aye; Joanne Ward, aye; Jim Burns, aye, Mark Shaw, aye; and Don Ritchie, aye.

185
186 Respectfully submitted,

187
188
189 Liz Allard,
190 Land Use Administrator/
191 Conservation Agent

192
193 **EXHIBITS & OTHER DOCUMENTS**

- 194
195 • Conservation Commission Agenda, dated January 20, 2022

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Harvard Conservation Commission
Continuation of a Notice of Intent Hearing
Stanton Henderson, 265 Stow Road,
Harvard#1221-02
January 20, 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 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021.

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

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), and Gail Henderson-King

This hearing was continued from January 6, 2022 on a Notice of Intent filed on behalf of Stanton Henderson for the replacement of a failed sewage disposal system within the 100' wetland buffer zone at 265 Stow Road, Harvard.

A Department of Environmental Protection file number has been received with no comments. Wendy Sisson made a motion to close the hearing and issue a standard Order of Conditions. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye, Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/Conservation Agent

*Unable to vote



2 Center Plaza, Suite 430
 Boston, MA 02108-1928
 T: 617-338-0063
 F: 617-338-6472
 www.nitscheng.com

Chris Tracey
 Town of Harvard
 Zoning Board of Appeals
 13 Ayer Road
 Harvard, MA 01451

January 14, 2022
 Project No: 12808.
 Invoice No: 75569

Project 12808. 40B - Pine Hill Village
Professional Services from November 28, 2021 to December 25, 2021

Task 002 Construction Administration 50%
 Fee

Total Fee 24,800.00

Percent Complete

93.00

Total Earned 23,064.00

Previous Fee Billing 22,320.00

Current Fee Billing 744.00

Total Fee 744.00

Total this Task \$744.00

Total this Invoice \$744.00

