

**TOWN OF HARVARD
CONSERVATION COMMISSION AGENDA
THURSDAY MAY 4, 2023 @7:00PM**

Pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, and signed into law on March 29, 2023, 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.

Hildreth Pro is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/85375356167?pwd=UzlfUHVnVmR6UnNFSVZOZEpldVh6dz09>

Meeting ID: 853 7535 6167

Passcode: 975443

One tap mobile

+13052241968,,85375356167# US

+13092053325,,85375356167# US

Dial by your location

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

Meeting ID: 853 7535 6167

Find your local number: <https://us02web.zoom.us/j/85375356167>

Old Business:

1. Select Board Annual Appointment Recommendations – Janet Waldron, Jim Burns, Mark Shaw and John Iacomini
1. Review Parks & Recreation Commission Request to withdraw water from pond on Ann Lees field
2. Update on Enforcement Order – 320 Ayer Road
3. Schedule Site Visit for Unauthorized Trail on Rodriguez Land (Map 13 Parcels 3.2 & 4)
4. Draft Impact Report (DEIR) for Proposed Research/Industrial Park at 1414 Massachusetts Avenue, Boxborough (Joanne Ward)
5. Pine Hill Village Status Update

New Business:

1. Request to add washed sand at 111 Clinton Shore Drive
2. Approve Minutes
3. Approve Invoices – Bare Hill Homeowners Association 2023 Dues, \$200.00; Moore's Lumber \$70.13

Public Hearings:

- 7:25pm **Notice of Intent Hearing – Maxwell Bridges, 43 Brown Road, Harvard#0323-03**, for upgrade of a sewage disposal system for an existing, single-family home within the 100' buffer zone
- 7:30pm **Notice of Intent Hearing – Luciano Manganella, 175 Littleton County Road, Harvard#0423-01**, for the installation of two stonewalls at the driveway entrance after the issuance of an Enforcement Order – **Waiver Requested**
- 7:45pm **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 – **Continuance & Waiver Request**

**NEXT MEETING:
MAY 18, 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.

Fwd: water/irrigation numbers ONE CORRECTION

Marisa Steele <msteele01451@gmail.com>

Thu 04/06/23 7:48 PM

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

Liz - Here is the info you requested.

Marisa

On Thursday, April 6, 2023 at 09:54:45 AM EDT, mбенway01451@gmail.com <mбенway01451@gmail.com> wrote:

By the way, I have the appropriate non-submersible transfer pump, hose connectors and generator. I have an extra 100 ft hose. I would need 200 more feet of hose. The end of the hose is submersed in the water would have a "inlet suction strainer" to prevent anything but water from being drawn through the pump.

the pump is very small Dimensions: H 8.25 in, W 5.75 in, D 10 in

I think you should highlight that the need to use of any water at all will be determined by P&R fields people (You and I), and only in the event that the weather and newly seeded grass area is too dry. Also, we should only need to do this through the end of school softball season in Early June.

Total area of newly seeded grass = approx 960 sf.

Pump used at a distance of 300ft of will yield a max = 15 gallons per minute.

Estimated time to saturate the new grass area with several passes = 6 - 8 minutes.

Therefore, the amount of water drawn from the pond per watering session = 90 - 120 gallons

Parker Environmental Corporation
Creative Solutions for a Complicated Environment

May 02, 2023

Mr. Grant MacLean
Chestnut Tree and Landscape
36 Littleton Road
Harvard, MA 01451
Via email: grant@chestnuttreeandlandscape.com

Re: Chestnut Tree and Landscape
320 Ayer Road
Harvard, MA
Harvard Conservation Commission
Enforcement Order - April 13, 2023

Dear Mr. MacLean:

Parker Environmental Corporation (PEC), has prepared this letter in response to the Town of Harvard Enforcement Order dated April 13, 2023, specifically Section C, which states in part:
"Within 30-days of receipt of the Order a Licensed Site Professional shall provide to the Conservation Commission a written assessment and recommendations to remediate the site."

On April 19, 2023 Scott Parker, LSP #9969, visited the site and performed a visual inspection of the property. At this time the Site conditions were observed to primarily consist of activities consistent with the operation of a landscape business. Storage of hardscape materials such as paving stones and mortar mix, paving sand, as well as hand tools and equipment, and stockpiles of wood chips, were observed across the cleared portion of the property.

PEC also observed numerous conditions inconsistent with the operation of landscaping operations and generally accepted "good housekeeping" practices. While steel shipping containers were observed to be present and in use for the storage of supplies and equipment including power equipment and fuel canisters, poor housekeeping practices included the uncontained storage of empty 5-gallon petroleum containers previously used for fueling equipment, empty steel 55-gallon drums, and empty pressure spray containers. Other items also observed were more consistent with solid waste items consisting of broken propane grills, and canisters, a broken child stroller, etc...

While poor housekeeping practices were observed, PEC did not observe any conditions resulting from the poor housekeeping practices that appeared to meet a condition requiring notification to Massachusetts Department of Environmental Protection (MassDEP) Bureau of Waste Site Clean-up (BWSC), and defined on 310 CMR 40.0000. No staining of soil, or evidence of spills was observed during the Site assessment.

PEC recommends that Chestnut Tree and Landscape undertake the following on-site activities:

- implement a standard operating procedure for the use, fueling and storage of power equipment and fuel containers;
- maintain a petroleum spill kit for use in the event of an accidental release of petroleum;
- immediate removal of items consistent with solid waste in an approved manner;

320 Ayer Road
Harvard, MA
Conservation Commission Response Letter

If you have any questions or require additional information, please do not hesitate to contact us

Sincerely

Parker Environmental Corporation

A handwritten signature in black ink, appearing to read 'Scott Parker', with a stylized flourish at the end.

Scott Parker
President, LSP #9969

CC:

Liz Allard, Conservation Agent, Harvard Conservation Commission, 13 Ayer Road, Harvard, MA 01451,
(hard copy and via email) lallard@harvard-ma.gov

Henry Gjestebly, CRE Management, via email only hgjesteby@cre-management.com

EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

April 27, 2023

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

Re: 36 Littleton Road

Subject: Inspection for wetland impacts

Dear Commission Members:

At the request of Grant MacLean of Chestnut Tree and Landscape, I conducted an inspection of the area of the 36 Littleton Road Harvard property which is the subject of the Commission's 4/13/2023 Enforcement Order ("EO"). I conducted my inspection on 4/19/2023 in the company of Mr. Maclean and Scott Parker, LSP of Parker Environmental in Clinton. The EO requires that a Licensed Site Professional ("LSP") conduct an inspection of the site and recommend remediation of the site, if appropriate. Mr. Parker was on site to fulfill the LSP inspection requirement, and will provide a separate response to the Commission. The EO also notes "fill in the wetland resource areas and their buffer zones." The purpose of my inspection was to evaluate the site for such issues. I summarize my observations below.

At the time of my inspection, the Bordering vegetated Wetland ("BVW") had recently been Delineated (flagged). The property owner reported that this flagging was completed by Richard A. Kirby of LEC Environmental Consultants, who I know to be a capable professional. The limited portions of the BVW boundary that I observed appeared to be in accordance with the Wetland Regulations.

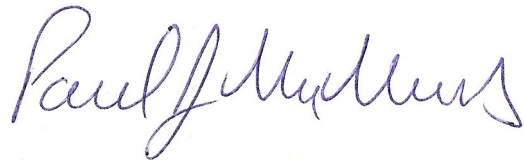
I observed two areas of concern with respect to placement of fill (see attached photos and sketch figure):

1. North of the driveway and west of the work and storage area, was a relatively bare area that Mr. MacLean explained had been the location of a soil stockpile, which was recently removed with the Commission's knowledge. The native topsoil layer was intact in this area, but the vegetation had been removed. This area is within the wetland Buffer Zone, but did not extend into the delineated BVW. I recommend planting of the area with approximately 30 native shrubs from the attached list and a native upland seed mix such as New England Wetland Plants New England Erosion Control/Restoration Mix for Detention Basins and Moist Sites (see attached spec sheet).

2. Along the north edge of the driveway, there is an area which appears to have been recently disturbed by the placement of soil, stone and asphalt fragments. Based upon the wetland flagging adjacent to this area, it appears to be along the upper margin of the BVW (it is not clear whether or not a narrow strip of BVW was filled). I recommend that this area be remediated as follows:
 - a. Remove all of the recent fill material to expose the underlying soil;
 - b. If 6-inches of topsoil is not present, add topsoil to achieve this condition;
 - c. Plant with 10 native shrubs from the species list below;
 - d. Seed with a seed mix appropriate for damp sunny conditions, such as New England Wetland Plants New England Erosion Control/Restoration Mix for Detention Basins and Moist Sites.

I hope that this information is helpful. Please contact me if you have any questions concerning this or other matters.

Sincerely,



Paul J. McManus, SPWS
President

Enclosures:

- Photos of the proposed remediation areas
- Sketch figure showing locations of proposed remediation areas
- Suggested plant list
- Suggested seed specification

C: Grant MacLean, Chestnut Tree and Landscape
Scott Parker, LSP

Harvard AyerRd.320 EcoTec Recomm 2023.04.27

Woody Species Planting – Suggested Plant List

SPECIES; SIZE; SPACING

Shrubs; min. 3' in height, min 1 gal container;

Highbush blueberry (*Vaccinium corymbosum*)

Arrow-wood (*Viburnum recognitum*)

Sweet pepperbush (*Clethra alnifolia*)

Nannyberry (*Viburnum lentago*)

Common winterberry (*Ilex verticillata*)

Silky dogwood (*Cornus amomum*)

Red-osier dogwood (*Cornus stolonifera*)

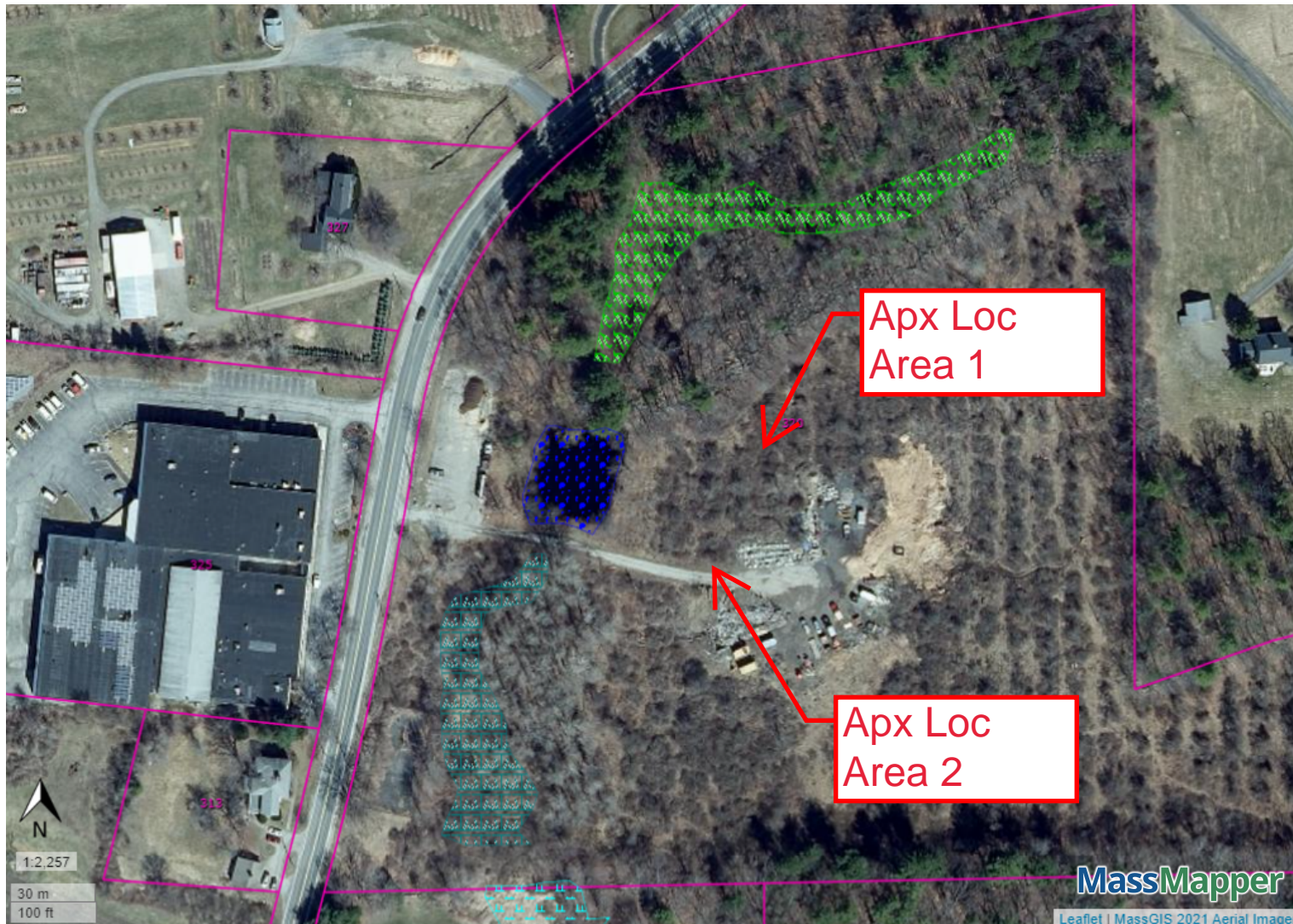
Area #1



Area #2:



320 Ayer Road



DEP Wetlands Detailed With Outlines

- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed Trees
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
- Barrier Beach-Salt Marsh
- Barrier Beach-Shrub Swamp
- Barrier Beach-Wooded Swamp Coniferous
- Barrier Beach-Wooded Swamp Deciduous
- Bog
- Coastal Bank Bluff or Sea Cliff
- Coastal Beach
- Coastal Dune
- Cranberry Bog
- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees

Property Tax Parcels

MassMapper

Leaflet | MassGIS 2021 Aerial Imagery

NEW ENGLAND WETLAND PLANTS, INC

820 WEST STREET, AMHERST, MA 01002

PHONE: 413-548-8000 FAX 413-549-4000

EMAIL: INFO@NEWP.COM WEB ADDRESS: WWW.NEWP.COM

New England Erosion Control/Restoration Mix For Detention Basins and Moist Sites

Botanical Name	Common Name	Indicator
<i>Elymus riparius</i>	Riverbank Wild Rye	FACW
<i>Schizachyrium scoparium</i>	Little Bluestem	FACU
<i>Festuca rubra</i>	Red Fescue	FACU
<i>Andropogon gerardii</i>	Big Bluestem	FAC
<i>Panicum virgatum</i>	Switch Grass	FAC
<i>Vernonia noveboracensis</i>	New York Ironweed	FACW+
<i>Agrostis perennans</i>	Upland Bentgrass	FACU
<i>Bidens frondosa</i>	Beggar Ticks	FACW
<i>Eupatorium maculatum (Eutrochium maculatum)</i>	Spotted Joe Pye Weed	OBL
<i>Eupatorium perfoliatum</i>	Boneset	FACW
<i>Aster novae-angliae (Symphyotrichum novae-angliae)</i>	New England Aster	FACW-
<i>Scirpus cyperinus</i>	Wool Grass	FACW
<i>Juncus effusus</i>	Soft Rush	FACW+

PRICE PER LB. \$37.00 MIN. QUANTITY 3 LBS. **TOTAL:** \$111.00

APPLY: 35 LBS/ACRE :1250 sq ft/lb

The New England Erosion Control/Restoration Mix for Detention Basins and Moist Sites contains a selection of native grasses and wildflowers designed to colonize generally moist, recently disturbed sites where quick growth of vegetation is desired to stabilize the soil surface. It is an appropriate seed mix for ecologically sensitive restorations that require stabilization as well as long-term establishment of native vegetation. This mix is particularly appropriate for detention basins that do not hold standing water. Many of the plants in this mix can tolerate infrequent inundation, but not constant flooding. The mix may be applied by hand, by mechanical spreader, or by hydro-seeder. After sowing, lightly rake, roll or cultipack to insure good seed-to-soil contact. Best results are obtained with a Spring or late Summer seeding. Late Fall and Winter dormant seeding requires an increase in the application rate. A light mulching of clean, weed-free straw is recommended

New England Wetland Plants, Inc. may modify seed mixes at any time depending upon seed availability. The design criteria and ecological function of the mix will remain unchanged. Price is \$/bulk pound, FOB warehouse, Plus SH and applicable taxes.

request to fix beach erosion with "washed sand" - 111 clinton shore drive

Garry Baer <garrybaer@yahoo.com>

Mon 04/24/23 2:48 PM

To: Liz Allard <lallard@harvard-ma.gov>; Vittoria Konstantinidis <vkonstantinidis@harvard-ma.gov>

Liz, (Vittoria)

hope you are well. I spoke to you last year about this, and you asked me to send an email request, for Conservation committee review/approval, when I was ready. Below is my request:

My beach (111 Clinton Shore Drive) on Bare Hill Pond has eroded over the last few years from the drawdowns.

I am planning to fix the erosion with approximately 2-3 yards of "Washed Sand", and am requesting approval to proceed.

Cheers,

Garry Baer

111 Clinton Shore Drive

508.523.1974

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JANUARY 19, 2023**

Chair Don Ritchie called the meeting to order at 7:01pm, 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, Jaye Waldron, Jim Burns, Mark Shaw and John Iacomini (Associate Member)

Others Present: Liz Allard (Conservation Agent), Tony Shaw, Jim Lee (Harvard Conservation Trust), Peter Dorward (Open Space Committee), Sam Evonuk, Robin Carlaw (Harvard Conservation Trust), Margaret Nestler and John Lee (Harvard Conservation Trust)

Open Space Committee Municipal Vulnerability Preparedness Grant Carlson's Land

Peter Dorward, chair of the Open Space Committee (OSC), stated the OSC applied to the Community Preservation Committee for \$200,000 to purchase the conservation restriction (CR) on the Carlson Land. With Community Preservation Committee (CPC) applications totaling \$800,000 and CPC only having \$300,00 for available funding, it was suggested the OSC apply for a Municipal Vulnerability Preparedness grant for land protection. Mr. Dorward stated he submitted a letter of interest yesterday, with the grant due in May. The application will seek \$600,000 to protect not only the Carlson land along Littleton County Road, but the Campinelli parcels that are adjacent to Trail Ridge and part of the former Cisco property.

In order to have better leverage in receiving the grant, Harvard will apply along with Boxborough, who is seeking to protect adjacent land. Boxborough is able to meet criteria under the Environmental Justice, where Harvard does not. The grant details the Town owning the land and Harvard Conservation Trust holding the conservation restriction. Phase II of this land protection plan would be to determine how to best preserve the land. The Request for Proposal comes out in March, with grants awarded in July. Boxborough has still not fully committed to this joint application. Mr. Dorward noted assistance from the Commission come April/May will be necessary. Eve Wittenberg volunteered to help out.

Informal Discussion with New Owner of 99 Ayer Road Re: Installing Fencing within Buffer Zone

Sam Evonuk detailed the area in which he would like to install a fence for safety reasons as his property is bordered by Bower's Brook. Mr. Evonuk would allow the area outside the fence to be left to grow naturally, providing additional vegetated buffer to Bower's Brook. In addition, Mr. Evonuk would like to remove two trees. Mr. Evonuk shared photos of the area including the brook, the tree to be removed and a diseased tree at the entrance of the driveway. Mr. Evonuk detailed the types of fencing, which would be something that is natural to the landscape. John Iacomini stated more detail would be needed, including have a botanist detail the wetlands. In addition, Mr. Iacomini does not see animals as a reason to allow a fence so close to the brook. Mr. Evonuk stated although his dogs are elderly he has an infant son, therefore in the long term the area would be used by his children and he would like to have a safe place for them. Eve Wittenberg explained to Mr. Iacomini the Commission suggests people come to a meeting to float ideas and get feedback before submitting an application. Ms. Wittenberg thinks the applicant is following the Commission's recommendation. In addition, Ms. Wittenberg was not sure why a botanist, as there is a well-defined boundary with the brook and pond. Paul Willard agreed on both points made by Ms. Wittenberg. Jaye Waldron expressed concern with every homeowner wanting to put a fence next to every pond, brook and wetland; maybe something temporary until the children are older. Ms. Waldron is concerned with a permanent fence being put up that close to the brook. Mr. Willard suggested a site walk before providing any additional advice. Jim Burns understands the concerns expressed by the members and thanked home owner for detailing his proposal this evening. A site walk was scheduled for January 24, 2023.

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

56
57 **Ratify Wetland Enforcement Order at 30 Cruft Lane**

58 Eve Wittenberg made a motion to approve the Enforcement Order issued to Shaw Properties LLC for
59 violations of the Wetland Protection Act M.G.L. c. 131 §40 and the Code of the Town of Harvard Wetland
60 Protection Bylaw, Chapter 119. Paul Willard seconded the motion. The vote was unanimously in favor of
61 the motion by a roll call, Jim Burns, aye; Paul Willard, aye; Jaye Waldron, aye; Eve Wittenberg, aye and
62 Don Ritchie, aye.

63
64 **Discuss Unauthorized Trail on Rodriguez Land (Map 13 Parcels 3.2 & 4)**

65 Wendy Sisson, chair of the Land Stewardship Subcommittee (LSS), stated the recent activity on the
66 Rodriguez was not approved by LSS, nor would it have been allowed if requested. Tony Shaw, the abutter,
67 stated he put the trail in to allow people to connect through his property to provide a loop between the
68 Rodriguez Land and Herman Orchard. Mr. Shaw stated he improved upon a trail that was left from the
69 loggers many years ago by opening the trail up. Don Ritchie explained it is an issue of not coming to the
70 Commission for permission to conduct the activity on conservation land. Jaye Waldron, addressing Mr.
71 Shaw, stated it is work on property you don't own regardless of the activity. Eve Wittenberg feels pretty
72 strongly that the Commission needs to apply the rules to everyone and it needs to be clear this cannot be
73 done without the Commission's permission. Mr. Shaw stated Rodriguez land is Town-owned land and
74 people should be allowed to use it; he does not see anything wrong with what he has done.

75
76 Margaret Nessler, also an abutter, provided photos showing the cut trees and heavy equipment brought
77 onto conservation land. Ms. Nessler stated this new trail goes from the conservation land to land that is
78 restricted by a conservation restriction (CR). Ms. Nessler stated the public good has already been
79 established on the land Mr. Shaw owns through the CR; it should not be down to one individual to put in a
80 trail and bring in snowmobiles; the scope of activity is not minimal. Ms. Wittenberg stated it is the
81 Commission's responsibility over this land; she was concerned with the thought process that the
82 snowmobile club, or anyone, has the right to decide what should or should not be done on conservation
83 land. Ms. Wittenberg suggested an Order of No Trespass on the conservation land be issued; and the
84 access of the snowmobile club on conservation land is in jeopardy. Mr. Shaw contended the work he has
85 done is nice and Commission should come and take a look at it. Ms. Wittenberg stated it would be a free
86 for all if it is decided that everyone can do whatever they want to do on Town-owned land. Ms. Sisson
87 wanted it to be clear that should the proper process be followed permission may not be granted; it is a
88 major decision on conservation land and needs a process. Ms. Sisson stated the Commission has spent 10
89 years of trying to establish a working relationship with the Harvard Snowmobile Club (HSC); it is too bad
90 this infraction as occurred now.

91
92 Jim Burns stated we all have live in this Town; let's not get to clouded up in the personal emotions of this
93 situation and what are the rules. If we have strong feelings about not having a motorized trail in that area
94 then we let those involved know that we are not going to have an access at this time. John Iacomini
95 asked why a No Trespass Order and not just a simple letter stating the trail is not to be used. Mr. Shaw
96 stated he would not use the trail. Ms. Wittenberg stated she is working on revisions to the Memorandum
97 of Understanding (MOU) with Park & Recreation for the use of the Ann Lees Field; perhaps an MOU with
98 HSC to help memorialize what has been allowed previously and going forward; then we are all in
99 complete understanding. Ms. Sisson thought it was wise to put something in writing as the LSS has done
100 in the past for others who have encroached onto conservation land. Ms. Nessler agreed with a letter and
101 asked about the stone wall that has been breached? Mr. Shaw stated he did not breach the wall; there
102 was an opening already; and the stone wall on his land. Ms. Wittenberg agrees to letter and wants view
103 the site.

107 **Monitoring of Conservation Restrictions by Harvard Conservation Trust**
108 Marc Sevigny, of the member of the Harvard Conservation Trust, is offering members of the Commission
109 the opportunity to participate in the monitoring of conservation restrictions. Members of the Commission
110 who were interested can requested advance notification from Mr. Sevigny as to when he will be
111 conducting the monitoring.
112

113 **State Ethics Training March 14, 2023 @ 6pm**
114 Due to recent events members of the Commission were strongly advised to attend this training session,
115 that will include training on the new process of achieving the required certification.
116

117 **Approve Minutes**
118 There were no minutes for approval this evening
119

120 **Approve Invoices**
121 Eve Wittenberg made a motion to approve the invoices for Oxbow Associates in the amount of \$4,700.00.
122 Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul
123 Willard, aye; Jaye Waldron, aye; Mark Shaw, aye; Eve Wittenberg, aye and Don Ritchie, aye. Jim Burns
124 was not available at the time of this vote.
125

126 **Approve 2022 Annual Report**
127 Jaye Waldron made a motion to approve the 2022 annual report as drafted. Paul Willard seconded the
128 motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Paul Willard, aye;
129 Jaye Waldron, aye; Mark Shaw, aye; Eve Wittenberg, aye and Don Ritchie, aye.
130

131 **Climate Action Plan Natural Resources Priority Actions to Implement Update**
132 The Climate Initiative Commission (CIC) has indicated Municipal Vulnerability Program grants are available
133 to update the Wetland Protection Bylaw to include language to combat climate change. Jaye Waldron
134 stated she is working with the CIC on other grants and could look into this as well.
135

136 **Pine Hill Village Update**
137 Members of the Commission visited the site last week. Don Ritchie visited the site yesterday to observe
138 the pumping of water out of the constructed wetland in order to remove the silt, which is not to be stock
139 piled on site. Liz Allard is concerned things are not being constructed properly due to the responses
140 received from Peter Cricones; she will continue to try to clarify what is necessary to remediate the issues.
141

142 Mr. Cricones has requested the ability to clear the trees within Phase 3. Ms. Allard has informed Mr.
143 Cricones that an update on the construction sequence needs to be provided in order for Commission to
144 make a determination. At this point Ms. Allard would advise against allowing the clearing until
145 outstanding issues with the first phase are resolved.
146

147 **Adjournment**
148 Paul Willard made a motion to adjourn the meeting at 8:34pm. Jim Burns seconded the motion. The vote
149 was unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Mark Shaw, aye;
150 Eve Wittenberg, aye; Paul Willard, aye; and Don Ritchie, aye.
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153 Respectfully submitted,
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156 Liz Allard,
157 Land Use Administrator/
158 Conservation Agent
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EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated January 19, 2023
- Figure 2. Beaver Brook Office Park – Proposed Build-out, 1/16/2023
- Undated photos of 99 Ayer Road and fence types

DRAFT

212 **Harvard Conservation Commission**
213 **Continuation of a Notice of Intent Hearing**
214 **Yvonne Chern, 203 Ayer Road, DEP#177-711, Harvard#0322-01.**
215 **January 19, 2023**
216

217 The public hearing was opened at 7:37pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland
218 Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually,
219 pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures
220 Adopted during the State of Emergency, and signed into law on July 16, 2022.
221

222 **Members Present:** Don Ritchie, Eve Wittenberg, Paul Willard, Jaye Waldron, Jim Burns, Mark Shaw and
223 John Iacomini (Associate Member)
224

225 **Others Present:** Liz Allard (Conservation Agent)
226

227 This hearing was continued from December 15, 2023 for a Notice of Intent filed on behalf of Yvonne
228 Chern for the construction of commercial structures with associated parking, grading and drainage within
229 the 100' wetland buffer zone at 203 Ayer Road, Harvard
230

231 At the request of the applicant's representative, Bruce Ringwall, Mark Shaw made a motion to continue
232 the hearing to February 2, 2023 at 7:30pm. Eve Wittenberg seconded the motion. The vote was
233 unanimously in favor of the motion by a roll call, Jim Burns, aye; Jaye Waldron, aye; Paul Willard, aye;
234 Mark Shaw, aye; Eve Wittenberg, aye and Don Ritchie, aye.
235

236 Respectfully submitted,
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238
239 Liz Allard,
240 Conservation Agent

BHHA - Bare Hill Homeowners Association

2023

Last year there were 3 pothole repair projects & Pine Ridge Drive hill regrind project, totaling \$5,142.14. In the next few weeks we will organize a pothole repair project, and appreciate all willing to help out. I have started reaching out to new paving contractors to scope a significant paving repair this year.

The current BHHA balance is: **\$13,863.56**

2022 road dues - \$200.00/house

Make your check payable to: **“Bare Hill Pond Homeowners Association”**

Write on back of check: **“for deposit only”**. Mail your check to:

Bare Hill Pond Homeowners Association

C/O Garry Baer - Treasurer

237 Wheeler Road, Ashby MA 01431

I send annual invoices & work notices via email, so if you have not received an email from me, please send me your email (garrybaer@yahoo.com). As always, if you have any questions please feel free to talk to us. The BHHA Committee is:

- Garry Baer/CSDCA & treasurer (cell:508-523-1974)
- Dennis Quinn/SRRT (also organizes winter plowing/sanding)
- Greg Louis/WSRT

Bare Hill Homeowners Association established in the 1960's to maintain the common roads on Willard's land, used by the 3 associations, 8 private homeowners, and now owned by Harvard Conservation:

- **Summer repair & maintenance** of the common roads (Willard lane, Pine Ridge & Cove to the property lines) are funded thru BHHA and managed by Garry Baer/Treasurer (garrybaer@yahoo.com, phone:508-523-1974)
- **Winter plowing & sanding** is funded & managed separately by Dennis Quinn (dwquinn@worcester.edu phone:978-456-3751)

MOORE LUMBER & HARDWARE
22 WEST MAIN STREET
AYER, MA 01432
FAX (978)772-0396
PHONE: (978) 772-0900
 WWW.MOORELUMBER.COM

Handwritten notes:
 10/1
 10/1
 10/1

SOLD TO: HARVARD HIGHWAY DEPT.
 HARVARD HIGHWAY
 47 DEPOT RD
 HARVARD MA 01451

CUST NO: 29550
 TERMS: 5% 10th Net EOM

DATE: 4/29/23 TIME: 11:12
 CLERK: 12 TERMINAL: 631
 SALESPERSON: 12 BOB CORACCIO
 TAX: NON NON TAXABLE SALE

APPLY TO: CONSERVATION
 REFERENCE: PO # CONSERVATION
 JOB NO: 000

SHIP TO:

INVOICE: 966261/1

LINE	QTY	UM	SKU	DESCRIPTION	UNITS	SUGG	PRICE/ PER	EXTENSION	
1	1	LB	10GC	LB.10D GALV COMMON NAIL HOT/D 3"	1		3.34 /BX	3.34	N
2	5	EA	5468PT	5/4x6-8' PREM PRESSURE TREATED	5		10.29 /EA	51.45	N
3	12	EA	CUT	CUT STOCK TO LENGTH	12		1.00 /EA	12.00	N
4	1	LB	8GC	LB.8D GALV COM NAIL H/DIP 2 1/2"	1		3.34 /LB	3.34	N

TAXABLE 0.00
 NON-TAXABLE 70.13
 SUBTOTAL 70.13

** AMOUNT CHARGED TO STORE ACCOUNT **
 3.51

70.13

TAX AMOUNT 0.00

TOTAL 70.13

TOT WT: 0.00

Handwritten signature: Conservation
 Received By