

**TOWN OF HARVARD  
CONSERVATION COMMISSION AGENDA  
THURSDAY JUNE 1, 2023 @7:00PM**

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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/88445988467?pwd=RkE3WnNXZ29DRzZwRUh0T25qRGxvQT09>

Meeting ID: 884 4598 8467

Passcode: 926470

One tap mobile

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**New Business:**

1. Presentation of the Crescent Valley Conservation Restriction Area by Margaret Nessler
2. Approval of the Community Harvest Project Agricultural Preservation Restriction
3. Interview Potential Volunteer for the Conservation Commission – Jessie Panek; make final recommendations to the Select Board
4. Request to Add Rain Gutters and Down Spouts at 7 Pine Hill Village Way
5. Request to Mow within the 50' wetland buffer zone at 30 Cruft Lane
6. Review Proposed Chapter 125-35 Open Space Residential Development Bylaw
7. Approve Minutes
8. Approve Invoice – Moore's Lumber & Hardware, \$179.97

**Public Hearings:**

7:30pm **Notice of Intent Hearing – Bare Hill Pond Watershed Management Committee, Harvard#0523-03**, for the drawdown of Bare Hill Pond in accordance with the Massachusetts Lake & Pond General Environmental Impact Report to control phosphorus and invasive plant species

7:45pm **Request for Determination of Applicability Hearing –Guy Hermann, 32 Madigan Lane, Harvard#0523-01**, for the removal of approximately 1,200SF of existing asphalt driveway, regrading and replanting of the area, repairs to an existing stone wall, and repaving of the remaining driveway within 200' of a pond

8:00pm **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**

**Old Business:**

1. Review Deer Management Annual Process and Procedures
2. Approve Allocation of Funds for Legal Review of Littleton County Road Land Project Draft Conservation Restriction
3. Update on Enforcement Order – 320 Ayer Road
4. Pine Hill Village Status Update

**NEXT MEETING: JUNE 15, 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.

**COMMONWEALTH OF MASSACHUSETTS**  
**AGRICULTURAL PRESERVATION RESTRICTION**

Community Harvest Project, Inc, of North Grafton, Worcester County, Massachusetts (the "Grantor"), its successors in title and assigns in perpetuity, for consideration paid in full of Two Million Five Hundred Thousand Dollars (\$2,500,000.00), receipt of which is hereby acknowledged, do hereby grant to the Commonwealth of Massachusetts, acting through the Commissioner of the Department of Agricultural Resources, (the "Grantee" or the "Commissioner") with an address of 251 Causeway Street, Suite 500, Boston, Massachusetts 02114-2151, its successors and assigns, an Agricultural Preservation Restriction in perpetuity (this "Restriction") on approximately 70.564 acres of land and buildings and structures thereon located at 115 Prospect Hill Road in the Municipality of Harvard, in Worcester County, Massachusetts as described in the attached Exhibit A hereof, (the "Premises") in accordance with the following terms and conditions.

The Municipality of Harvard with an address of 13 Ayer Road, Harvard, MA 01451, (the "Co-Holder") for consideration paid towards this Restriction in the sum of Four Hundred Thousand Dollars (\$400,000.00), shall hold title to this Restriction jointly with the Grantee, pursuant to Massachusetts General Laws ("General Laws"), Chapter 20, Section 23, as amended, and shall have a right of enforcement.

The United States of America ("the United States"), acting by and through the United States Department of Agriculture ("USDA") Natural Resources Conservation Service ("NRCS") on behalf of the Commodity Credit Corporation ("CCC"), facilitated and provided funding and shall have a right of enforcement of the terms and conditions of this Restriction on the Premises, as described in the attached Exhibit A hereof (said 70.564 acres is herein also referred to as the "ACEP-ALE Parcel") in order to protect the public investment under the Agricultural Conservation Easement Program ("ACEP"), Agricultural Land Easement ("ALE") component. This Restriction is acquired with funds provided, in part, by the ACEP, 16 U.S.C. Section 3865 et. seq. and 7 CFR Part 1468 for the purpose of protecting the agricultural use and future viability, and related conservation values, by limiting nonagricultural uses that negatively affect



Thence: North 8°51'50" east, by land now or formerly of Robert M. Moran and Jessica Rowse Moran, two hundred ninety-five and ninety-two hundredths (295.92) feet to a circle of stones found;

Thence: South 77°37'50" east, five hundred three and fifteen hundredths (503.15) feet to stones on ledge found;

Thence: South 72°20'34" east, three hundred thirty-five and forty-six hundredths (335.46) feet to a field stone bound in stones found, the last two courses being by land now or formerly of the Inhabitants of the Town of Harvard;

Thence: South 6°35'56" east, by land now or formerly of the Town of Harvard, nine hundred thirty-six and sixty-seven hundredths (936.67) feet to a stonewall corner;

Thence: South 8°34'47" east, by a stonewall, ninety-two and thirty-four hundredths (92.34) feet to a point;

Thence: South 8°46'31" east, by a stonewall, one hundred ninety-one and seventy-six hundredths (191.76) feet to a point;

Thence: South 8°34'10" east, by a stonewall, two hundred fifty-eight and eighty-nine hundredths (258.89) feet to a corner of stonewalls, the last three courses being by land now or formerly of the Town of Harvard;

Thence: South 10°47'37" east, by a stonewall, one hundred sixty-five and six hundredths (165.06) feet to a point;

Thence: South 11°14'34" east, by a stonewall, two hundred thirty-six and eighty hundredths (236.80) feet to a point;

Thence: South 8°20'28" east, by a stonewall, two hundred seventeen and seventy-eight hundredths (217.78) feet to a drill hole found in the stonewall;

Thence: South 9°01'50" east, by a stonewall, one hundred thirty-three and twenty-six hundredths (133.26) feet to a drill hole found in the stonewall, the last four courses being by land now or formerly of the Charles F. Davis, Jr. Family Trust of 1988 and the Patricia Libbey Davis Trust of 2006;

Thence: North 85°58'24" west, two hundred fifty-three and ninety-one hundredths (253.91) feet to a drill hole found in a concrete bound;

Thence: South 65°35'28" west, two hundred eleven and nine hundredths (211.09) feet to a drill hole found in a concrete bound, the last two courses being by land now or formerly of Aaron S. Nutt and Amy Brais Nutt;

Thence: North 34°41'44" west, one hundred eighty-two and sixty-one hundredths (182.61) feet to a drill hole found in a concrete bound;

Thence: North 26°57'39" west, two hundred one and forty-six hundredths (201.46) feet to a  
Legal Final

point;

Thence: South 69°24'26" west, two hundred sixty-eight and sixty-two hundredths (268.62) feet to a point on a stonewall;

Thence: South 29°41'55" east, by a stonewall, one hundred eighty-eight and fifty-six hundredths (188.56) feet to a point;

Thence: South 68°39'14" west, by a stonewall, fifty-two and seventy-two hundredths (52.72) feet to a point;

Thence: South 22°44'45" east, five hundred sixty-four and fifty-seven hundredths (564.57) feet to rebar with a "Ross Associates" yellow plastic cap found at the northerly side of Madigan Lane, a public way, the last six courses being by land now or formerly of David C. Erdos and Pamela A. Erdos;

Thence: North 82°08'51" west, by the northerly side of said Madigan Lane, two hundred eighteen and ninety-three hundredths (218.93) feet to a rebar with a "Ross Associates" yellow plastic cap found;

Thence: Northerly by a curved line to the right the radius of which is twenty-five (25.00) feet a length of forty-seven and eighty-nine (47.89) feet to a rebar with a "Ross Associates" yellow plastic cap found;

Thence: North 11°53'53" west, one hundred fifty-two and fifty hundredths (152.50) feet to a point;

Thence: Northerly by a curved line to the left the radius of which is one hundred seventy-five (175.00) feet a length of ninety-one and fifty-four (91.54) feet to a rebar with a "Ross Associates" yellow plastic cap found;

Thence: North 41°52'13" west, two hundred twenty-seven and eighty-six hundredths (227.86) feet to a drill hole found in a stonewall;

Thence: North 41°52'13" west, three hundred eighty-two and seventy-eight hundredths (382.78) feet to a point at a stonewall, the last five courses being by land now or formerly of Frank A. Culmone and Erica M. Tremblay;

Thence: North 14°00'49" west, by a stonewall, five hundred forty-five and ten hundredths (545.10) feet to a drill hole found at the corner of the stonewalls;

Thence: North 85°56'55" west, by a stonewall, two hundred eighty-six and seventy-one hundredths (286.71) feet to a drill hole found in the stonewall, the last two courses being by land now or formerly of Steve Nizus and George E. Triantaris;

Thence: North 83°50'22" west, by a stonewall, by land now or formerly of The McVea Family Holding Trust; three hundred sixty-six and thirty hundredths (366.30) feet to rebar set;

Thence: North 5°54'04" east, one hundred sixty-seven and eighty-four hundredths (167.84) feet to a point;

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Thence: North 75°58'15" west, two hundred ninety-one and twenty-five hundredths (291.25) feet to a point;

Thence: North 65°50'59" west, eighty-eight and eighty-seven hundredths (88.87) feet to a drill hole set in a stonewall at the easterly side of Prospect Hill Road, the last three courses being by Lot 3;

Thence: North 30°10'17" east, along the easterly sideline of Prospect Hill Road, two hundred eighteen and seventy-eight hundredths (218.78) feet to the point of beginning.

Lot 2 contains 3,073,762 ± square feet or 70.564 ± acres.

### **LOT 1: To be Excluded from the ACEP-ALE Agricultural Preservation Restriction**

That certain property located in Harvard, Worcester County, Massachusetts, more particularly shown as Lot 1 on that certain plan entitled "Plan of Land in Harvard, Massachusetts (Worcester County), Prospect Hill Road, dated April 25, 2021, Prepared For: Massachusetts Department of Agricultural Resources, by BSC Group of 803 Summer Street Boston, Massachusetts, scale: 1"=100' and more particularly described as follows:

Beginning at a rebar set on the easterly side of Prospect Hill Road, a public way, at the northwest corner of the premises;

Thence: South 81°30'56" east, by a stonewall, one hundred fifty-seven and sixty hundredths (157.60) feet to a point;

Thence: South 81°57'16" east, by a stonewall, one hundred nine and ninety-nine hundredths (109.99) feet to a point;

Thence: South 81°16'40" east, by a stonewall, one hundred eleven and twenty-three hundredths (111.23) feet to a drill hole set in a stonewall, the last three courses being by land now or formerly of Eve Wittenberg and Carhleen A. Corning;

Thence: South 8°46'14" west, three hundred seven and eighty hundredths (307.80) feet to a point;

Thence: North 81°36'29" west, one hundred ninety-one and sixty-six hundredths (191.66) feet to a rebar set;

Thence: North 49°00'14" west, one hundred ninety-nine and twenty-eight hundredths (199.28) feet to a point;

Thence: North 72°21'25" west, ninety-two and sixty-seven hundredths (92.67) feet to a rebar set, the last four courses being by Lot 2;

Thence: North 30°10'17" east, by the easterly side of said Prospect Hill Road, two hundred and two hundredths (200.02) feet to the point of beginning.

Lot 1 contains 112,821 ± square feet or 2.590 ± acres.

**LOT 3: To be Excluded from the ACEP-ALE Agricultural Preservation Restriction**

That certain property located in Harvard, Worcester County, Massachusetts, more particularly shown as Lot 3 on that certain plan entitled "Plan of Land in Harvard, Massachusetts (Worcester County), Prospect Hill Road, dated April 25, 2021, Prepared For: Massachusetts Department of Agricultural Resources, by BSC Group of 803 Summer Street Boston, Massachusetts, scale: 1"=100' and more particularly described as follows:

Beginning at a drill hole set in a stonewall on the easterly side of Prospect Hill Road, a public way, at the northwest corner of the premises;

Thence: South 65°50'59" east, eighty-eight and eighty-seven hundredths (88.87) feet to a point;

Thence: South 75°58'15" east, two hundred ninety-one and twenty-five hundredths (291.25) feet to a point;

Thence: South 5°54'04" west, one hundred sixty-seven and eighty-four hundredths (167.84) feet to a rebar set in a stonewall, the last three courses being by Lot 2;

Thence: North 83°50'22" west, by a stonewall, one hundred fifty-six and ten hundredths (156.10) feet to a point;

Thence: North 79°50'22" west, by a stonewall, three hundred ten and eight hundredths (310.08) feet to a concrete bound with a "+" scribed in the top found at the easterly sideline of Prospect Hill Road, the last two courses being by land now or formerly of The McVea Family Holding Trust;

Thence: North 29°08'52" east, along the easterly sideline of Prospect Hill Road, one hundred seventy-eight and eleven hundredths (178.11) feet to a drill hole in a Worcester County concrete bound found;

Thence: North 30°10'17" east, along the easterly sideline of Prospect Hill Road, fifty-four and twenty-five hundredths (54.25) feet to the point of beginning.

Lot 3 contains 81,460 ± square feet or 1.870 ± acres.

the agricultural uses and conservation values of the ACEP-ALE Parcel. Baseline conditions of the Premises including the ACEP-ALE Parcel are set forth in a Baseline Documentation Report, a copy of which is maintained in the files of the Grantee. The parties further acknowledge that the Premises including the ACEP-ALE Parcel will be managed for long-term agricultural viability. Even if the Premises consists of more than one parcel for real estate tax or any other purpose or if it was acquired previously as separate parcels, it will be considered one parcel for purposes of this Restriction, and the restrictions and covenants of this Restriction will apply to the Premises as a whole.

The Grantor covenants that they are vested with good title to the Premises. Consideration mentioned above has been negotiated and agreed to be based upon the difference between full Fair Market Value and full Fair Market Agricultural Land Value of the Premises. By making such grant, the Grantor grants to the Grantee all non-agricultural rights in the Premises except as otherwise described in Section III (A) hereof. The Grantor retains all agricultural rights in the Premises except as otherwise limited by the terms and conditions of this Restriction and not inconsistent with the Purpose. The terms and conditions of the Restriction run with the land and are binding upon the Grantor and Grantee and their respective heirs, successors, agents, assigns, lessees, and any other person claiming under them, any and all of whom must comply with all terms and conditions of this Restriction, including the following:

## I. STATEMENT OF PURPOSE

The purpose of this Restriction is to: perpetually protect the agricultural use and future viability, and related conservation values, by limiting nonagricultural uses that negatively affect the agricultural uses and conservation values of the Premises; encourage sound soil management practices in accordance with generally accepted agricultural practices; preserve natural resources; maintain land in active commercial agricultural use; ensure resale of the Premises at Fair Market Agricultural Value, in order to ensure the availability of farmland in Massachusetts and ensure those entering or currently engaged in commercial agricultural operations are able to acquire agricultural land at a price that is tied to the land's agricultural value; and regulate and control activities and/or uses which may be detrimental to the actual or potential agricultural viability of the Premises, water conservation, soil conservation, or to generally accepted agricultural and/or forestry management practices or which may be wasteful of the natural resources of the Premises. The foregoing purposes of this Restriction are hereinafter collectively referred to as the "Purpose".

## II. DEFINITIONS

When used throughout this Restriction, the words or phrases listed below shall have the following meanings:

**A. ABANDONED:** land that has not been actively utilized for commercial agricultural activities or uses for a period exceeding two years unless the non-utilization is in accordance with generally accepted agricultural practices or resource management needs, that are consistent with the Purpose and terms of this Restriction.

**B. AGRICULTURAL CONSERVATION EASEMENT PROGRAM:** a program of the United States Department of Agriculture ("USDA") authorized pursuant to 16 U.S.C. Section 3865 *et. seq.*, as amended, which provides federal funds to state, tribal, local governments, and other organizations for the conservation of eligible land and natural resources through easements or other interests in land.

**C. AGRICULTURAL LAND EASEMENT PLAN ("ALE PLAN"):** a document that describes the

Highly Erodible Land conservation plan (as further described in Section III.C. below).

**D. AGRICULTURAL USE(S):** the raising of animals, including but not limited to, dairy cattle, beef cattle, poultry, sheep, swine, horses, ponies, mules, goats, bees and fur-bearing animals, for the purpose of selling such animals or a product derived from such animals in the regular course of business; or when primarily and directly used in a related manner which is incidental thereto and represents a customary and necessary use in raising such animals and preparing them or the products derived therefrom for market, as defined in General Laws, Chapter 61A, Section 1, as amended. Also horticultural uses, the raising of fruits, vegetables, berries, nuts and other foods for human consumption, feed for animals, tobacco, flowers, sod, trees, nursery or greenhouse products, and ornamental plants and shrubs for the purpose of selling such products in the regular course of business; or when primarily and directly used in raising forest products under a certified forest management plan, approved by and subject to procedures established by a state forester, designed to improve the quantity and quality of a continuous crop for the purpose of selling these products in the regular course of business; or when primarily, directly used in a related manner which is incidental to those uses and represents a customary and necessary use in raising such products and preparing them for market, as defined in General Laws, Chapter 61A, Section 2, as amended. Agricultural production including the production, processing, and marketing of agricultural crops and livestock compatible with the Purpose are allowed provided these activities are conducted in a manner consistent with the terms of this Restriction.

Notwithstanding the forgoing, Agricultural Use does not include the harvest of sod and nursery stock (such as balled and burlapped or balled and bagged) which involves removal of soil with the roots, unless the average annual soil loss for the crop rotation is less than the soil loss tolerance for the soil in the field from which the sod or nursery stock is removed, as determined by the USDA-NRCS.

**E. BUILDING ENVELOPE(S):** area(s) designated on Exhibit B where any new agricultural Permanent Structures or improvements on the ACEP-ALE Parcel may be located, subject to an approval granted by the procedures outlined in Section III (F).

**F. CONDITION:** including, but not limited to, an easement, restriction, covenant, right, option to purchase at agricultural value plus value of improvements, land exchange, or any other requirement or use prohibition.

**G. DEPARTMENT:** the Department of Agricultural Resources of the Commonwealth of Massachusetts, 251 Causeway Street, Suite 500, Boston, MA 02114-2151.

**H. FAIR MARKET VALUE (“FMV”):** the most probable price that the Premises would bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title to a buyer under conditions whereby: 1) buyer and seller are typically motivated; 2) both parties are well informed or well advised, and acting in what they consider their own best interests; 3) a reasonable time is allowed for exposure in the open market; 4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and 5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

**I. FAIR MARKET AGRICULTURAL VALUE (“FMAV”):** the combined total of the Fair Market Agricultural Land Value (“FMALV”) and the Fair Market Agricultural Business Value (“FMABV”) and the Fair Market Dwelling Value (“FMDV”).

**J. FAIR MARKET AGRICULTURAL BUSINESS VALUE (“FMABV”):** the value based upon the

ongoing agricultural business including agricultural buildings, infrastructure, goodwill and other related agricultural business factors. FMABV is relevant only upon the subsequent sale of the Premises and is not applicable at the time of original purchase of this Restriction by the Grantee. The FMABV appraisal includes agricultural business potential and is based upon activities and circumstances existing at the time of the sale of the Premises. The appraisal is not intended to contemplate speculative business potential that is dependent on management, investment or other prospective activities. FMABV may, when applicable, consider the value of ongoing agricultural business including agricultural buildings, infrastructure, goodwill and other related agricultural business factors on land owned by Grantor, but excluded from this Restriction (“non-Restricted land”), when such business on non-Restricted land is integral to the agricultural business on the Premises.

**K. FAIR MARKET DWELLING VALUE (“FMDV”):** the appraised replacement value of a dwelling(s) on the restricted land.

**L. FAIR MARKET AGRICULTURAL LAND VALUE (“FMALV”):** the value based upon the highest and best use of the land for agricultural purposes, including such considerations as location, types of soil, and climate, but excluding buildings or uses thereof. Permanently installed agricultural improvements, such as in-ground irrigation or drainage systems, are considered part of the land. Agricultural land value is solely the value of the land, which value the landowner retains following the sale of this Restriction to the Grantee. FMALV is applicable at both the time of the Grantee’s purchase of this Restriction and at the time of subsequent sale. The FMALV may rise and fall commensurate with market conditions and/or inflation or other valuation factors such as upkeep of the land, and/or improvements in the condition of the soil or its productivity. It is understood that land improvements may increase the FMALV.

**M. IMPERVIOUS SURFACE:** a material that does not allow water to percolate into the soil on the Premises; including, but not limited to, buildings with and without flooring, paved areas and any other surfaces that are covered by asphalt, concrete, or roofs.

**N. PERMANENT STRUCTURE:** any structure that requires the grading or excavation of soil for footings or foundations or which substantially alters or otherwise affects the soil profile.

**O. TEMPORARY STRUCTURE:** any structure having no footing or foundation, or does not substantially alter or otherwise affect the soil profile.

**P. BONA FIDE PURCHASE AND SALE AGREEMENT:** An agreement duly executed by Grantor and a proposed purchaser of the Premises, which agreement includes, at a minimum, consideration and an expiration date that extends at least one day beyond the option date described in Section III.H.3.c. below.

### **III. TERMS AND CONDITIONS**

#### **A. GRANTOR'S RESERVED RIGHTS AND OBLIGATIONS**

Notwithstanding any provision of this Restriction to the contrary, the Grantor reserves all customary rights and privileges of ownership, including the right of privacy, as well as any other rights not inconsistent with the terms and conditions of this Restriction or with General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, and the rules, regulations and policies thereunder.

The provisions of this Restriction and associated exhibits will not be interpreted to restrict the types of agricultural operations that can function on the Premises, so long as the agricultural

operations are consistent with the long-term viability of the Premises, the ALE Plan, and the Restriction Purpose. No uses will be allowed that violate Federal laws, including Federal drug laws, or that decrease the protection of the Premises for the Purpose of the Restriction, or that decrease the Restriction's protection of the agricultural use and future viability and related conservation values of the Premises.

The following activities and uses are hereby deemed by the Grantee to be consistent with the Purpose of this Restriction and the ACEP, and are expressly permitted to be carried out on the Premises in a manner that does not impair the agricultural value of the Premises:

1. to repair and replace existing fences, construct new fences as necessary for Agricultural Use on the Premises, and utilize fences to mark boundaries on the Premises;
2. to use snowmobiles on snow on the Premises by the Grantor or others for non-commercial recreational use;
3. to place signs to:
  - a. identify or advertise the Agricultural Use of the Premises,
  - b. advertise agricultural products or services at the Premises, or
  - c. identify the ACEP-ALE Parcel as a participant in ACEP and the Grantee's Agricultural Preservation Restriction Program; and
4. to conduct and participate in non-commercial, undeveloped, and passive recreational and educational activities that do not require infrastructure (Impervious Surfaces), as long as such activities do not adversely impact the soils, future viability, related conservation values and/or Agricultural Use on the Premises.

The Grantor shall continue to be obligated to make payment of all taxes, upkeep and maintain the Premises, and continue to be responsible for all liability arising from personal injury or property damage occurring on the Premises. The Grantor acknowledges that Grantee, and the Co-Holder, if applicable, has neither possessory rights in the Premises, nor any responsibility nor right to control, maintain, or keep up the Premises.

#### **B. AFFIRMATIVE COVENANT**

The Grantor covenants that the Premises shall be maintained in active commercial Agricultural Use, and the Premises shall not be Abandoned. Failure to maintain the Premises in active commercial Agricultural Use shall be a violation of this Restriction.

#### **C. AGRICULTURAL LAND EASEMENT PLAN**

In consultation with Grantor and Grantee, an agricultural land easement plan (the "ALE Plan"), will be developed by NRCS (or an NRCS-certified planner) including a conservation plan that complies with 7 CFR Part 12 pertaining to all highly erodible land on the ACEP-ALE Parcel. The ALE Plan will be updated, by NRCS (or an NRCS-certified planner) in consultation with the Grantor and Grantee, in the event the agricultural uses or ownership of the ACEP-ALE Parcel change. A copy of the current ALE Plan is kept on file with the Grantee. If the NRCS standards and specifications for highly erodible land are revised after the date of this Restriction based on an Act of Congress, NRCS will work cooperatively with the Grantor and Grantee to develop and implement a revised ALE Plan.



#### **D. PROHIBITED USES; ACTS; STRUCTURES**

The Grantor further covenants that the Premises will at all times be held, used and conveyed subject to, and not in violation of, the following restrictions, subject to the exceptions enumerated in Section III (E):

1. No use shall be made of the Premises, and no activity thereon shall be permitted, which is inconsistent with the Purpose of this Restriction or with General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended; and the rules, regulations and policies thereunder;
2. No residential dwelling, tennis court, in-ground swimming pool, commercial or recreational horse riding or boarding facility, golf course, golf range, nonagricultural airport landing strip, cell tower, or other such non-agriculturally related Temporary or Permanent Structure(s) shall be constructed or placed or permitted to remain on the Premises;
3. No refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste, oil, radio-active or hazardous waste, or other such substance or material whatsoever shall be placed, stored, dumped, or permitted to remain on the Premises, except as required for the use of the Premises for generally accepted Agricultural Use;
4. No use shall be made of the Premises for:
  - a. Transferring property rights to any property, whether or not adjacent to the Premises;
  - b. Calculating permissible lot yield of the Premises, or of any other property; or
  - c. Any calculations involving development of any other property, whether or not adjacent to the Premises, in any manner whatsoever;
5. Impervious Surfaces will not exceed two percent of the total area of the ACEP-ALE Parcel, excluding NRCS-approved conservation practices. This limitation does not include public roads or other roads owned and controlled by parties with superior rights to those rights conveyed to the Grantee by this Restriction. In the event the ACEP-ALE Parcel is subdivided as provided for in Section III (E) (10) the total cumulative Impervious Surface of the subdivided parcels must not exceed the impervious limitation referenced above. The Grantor, with the Grantee's approval, shall allocate the Impervious Surface limit among the subdivided parcels and ensure the impervious surface limitation is clearly defined in each subdivided parcel's recorded instrument;
6. No mining or extraction of soil, sand, gravel, oil, natural gas, fuel, coal, or any other mineral substance owned by Grantor as of the date of this Restriction or later acquired by Grantor except for limited mining activities if the materials mined are used for agricultural operations on the Premises performed in accordance with Section III (E) (2). Using any surface mining, subsurface mining, or dredging method from the Premises is prohibited; If a third party owns or leases the oil, natural gas, or any other mineral rights associated with the Premises at the time this Restriction is executed, and their interests have not been subordinated to this Restriction, the Grantor must require, to the greatest extent possible, that any oil, natural gas, and mineral exploration and extraction conducted by such third party is conducted in accordance with this Restriction. Any mineral leases or other conveyances of minerals entered into or renewed after the date of this Restriction are subordinate to the terms of this Restriction and must incorporate by reference this Restriction;

7. No motorized vehicles may be used on the Premises except as necessary for Agricultural Use, forestry, habitat management, law enforcement and public safety, or other permitted uses of the Premises, provided that no use of motorized vehicles may create impacts that are detrimental to the productivity of the soils on the Premises and the Purpose of this Restriction;
8. No signs may be placed on the Premises, except those explicitly allowed in Section III (A) (3);
9. No water rights may be transferred, encumbered, leased, sold, or otherwise separated from title to the Premises;
10. No grading, blasting, filling, sod farming, earth removal, or any other activity that will disturb the soil surface or materially alter the topography, surface or subsurface water systems, or wetlands of the Premises, except in accordance with generally accepted agricultural practices that are consistent with the Purpose and terms of this Restriction and as allowed in Section III (E) (7), (8) or (9);
11. No establishment of any nonagricultural commercial or industrial uses or facilities, except as allowed by Special Permit under Section III (G);
12. No granting of easements for utilities except as allowed in Section III (E) (4); and
13. No granting of easements for roads.

**E. USES; ACTS; STRUCTURES THAT REQUIRE GRANTEE'S PRIOR WRITTEN APPROVAL**

The following uses, acts or structures (hereinafter “uses” or “activities”) are allowed only with the prior written approval of the Grantee and subject to, but not limited to, the prerequisites described below. Requests for such approvals, and the granting thereof, shall be governed by the procedures set forth in Section III (F) of this Restriction as well any rules, regulations and policies:

1. Except as otherwise permitted in this Section III (E), all new structures and improvements, including the construction or placing of any agricultural Permanent Structures for housing seasonal agricultural employees, must be located within the Building Envelope(s), containing approximately 1.41 total acres and described or shown in Exhibit B which is appended to and made a part of this Restriction.

The identified boundaries and location of the approved Building Envelope(s) may be adjusted only with prior written approval from the Grantee and the Chief of NRCS. The adjusted Building Envelope(s) may not be larger than the approved Building Envelope(s) and must provide equal or greater protection of the Purpose of the Restriction and the Agricultural Use and future viability, and related conservation values of the ACEP-ALE Parcel. Following receipt of written approval to adjust identified Building Envelope(s), the Grantor and Grantee shall amend this Restriction to add an exhibit that describes the subsequently approved boundaries and locations of the Building Envelope(s).

Agricultural structures and utilities to serve approved buildings or structures, including on-farm renewable energy structures allowed under Section III (E) (11), that neither individually nor collectively have an adverse impact on the Purpose of the Restriction, or the Agricultural Use, future viability, or related conservation values of the ACEP-ALE Parcel, may be built outside of the Building Envelope with prior

written approval of the Grantee;

2. The excavation, dredging, depositing on, or removal from the Premises of loam, peat, gravel, soil, sand, rock other mineral resources, or natural deposits if the materials mined are used for agricultural operations on the Premises. In the case of this limited mining for materials used for agricultural operations on the Premises, extraction must be limited, localized, and small, with a defined area and acreage approved prior to extraction by the Grantee, not to exceed 7.056 acres and does not harm the Purpose of the Restriction, conservation values or the Agricultural Uses of the Premises;
3. The maintenance or improvement of a septic system, other underground sanitary system, or non-sanitary wastewater management system which exists on the Premises, or the construction of a septic system, other underground sanitary system, or non-sanitary wastewater management system, for the benefit of existing agriculturally related Permanent Structures on the Premises. However, if these systems are proposed with a simultaneous approval request for an agricultural Permanent Structure, the construction of a system may be allowed concurrently;
4. The granting or modification of easements for utilities when the utility will not adversely impact the Agricultural Use, future viability, and related conservation values of the Premises and when the easement benefits the Premises as determined by the Grantee in consultation with the Chief of NRCS;
5. The widening, improvement, construction or placement of an Impervious Surface driveway, road, parking lot, utility pole, conduit or line in support of a Temporary or Permanent Structure or improvement to the Premises, necessary to carry out agricultural operations or other permitted uses on the Premises. New roads may be constructed if they are approved in advance by Grantee, within Impervious Surface limits, and are necessary to carry out the agricultural operations or other allowed uses on the Premises. Maintenance of existing roads documented on the Baseline Documentation Report is allowed; however, existing roads may not be widened or improved unless widening and improving is within Impervious Surface limits, approved in advance by Grantee, and necessary to carry out the agricultural operations or other allowed uses on the Premises. Said activities must be within the Impervious Surface limit, if it meets the definition of an Impervious Surface;
6. Forest management and timber harvesting activities. These activities may be approved by the Grantee only if the activities are:
  - a. performed in accordance with a written forest management plan, by a licensed professional resource manager, having been prepared and executed in accordance with General Laws, Chapter 132, as amended, except that the forest management plan will not be required for the following allowed noncommercial activities (i) cutting of trees for the construction of allowed utilities, forest access roads, buildings, and structures on the Premises, (ii) cutting of trees for trail clearing, (iii) cutting of trees for domestic use as firewood or for other domestic uses by Grantor, (iv) removal of trees posing an imminent hazard to the health or safety of persons or livestock, or (v) removal of invasive species;
  - b. consistent with the terms of this Restriction; and
  - c. carried out to the extent practicable in accordance with current generally accepted best management practices for the sites, soils, and terrain of the

Premises;

7. Dam construction in accordance with a plan approved by the Grantee to create ponds for agricultural use, fire protection, or wildlife enhancement, including enhancement through wetland restoration, enhancement or creation;
8. Soil disturbance activities required in the construction of approved buildings, structures, roads, and utilities provided that the required alteration has been approved in writing by Grantee as being consistent with the conservation purpose of this Restriction;
9. Erosion and sediment control pursuant to a plan approved by the Grantee;
10. The Premises must not be divided or subdivided into, or separately conveyed as, more than two separate parcels (one divisions allowed). To protect the Purpose of the Restriction, the boundaries of such divisions must be approved in writing by the Grantee and the Chief of NRCS, or the Chief's authorized designee (Chief of NRCS), before any such division, subdivision, or separate conveyance occurs. The Chief of NRCS may only approve the division, subdivision, or separate conveyance of the Premises into separately conveyable farm or ranch parcels when:
  - a. The Grantee requests the Chief of NRCS approval to subdivide the ACEP-ALE Parcel into separate farm parcels, after receiving a request from the Grantor;
  - b. The Grantor certifies to the Chief of NRCS that the requested subdivision is required to keep all parcels in production and viable for Agriculture Use and that any new owners of the subdivided Premises farm or ranch parcels intend to use such parcels for agricultural operations; and
  - c. The Chief of NRCS determines that the:
    - i. Parcels resulting from the subdivision of the ACEP-ALE Parcel will meet ACEP land eligibility requirements of 16 U.S.C. Section 3865 *et. seq.* as enacted on the date the original parcel was enrolled in ACEP, including the allocation of the impervious surface limitation between the subdivided parcels, and
    - ii. The resulting parcel will not be below the median size of farms in the county or parish as determined by most recent United States Department of Agriculture's National Agricultural Statistical Survey ("NASS").
11. Renewable energy structures for the purpose of generating energy for the agricultural needs of the Premises. Renewable energy structures must be built and maintained within Impervious Surface limits, with minimal impact on the conservation values of the Premises including the ACEP-ALE Parcel and consistent with the Purpose of this Restriction.

**F. PROCEDURES FOR OBTAINING THE GRANTEE'S PRIOR WRITTEN APPROVAL**

1. The Grantor shall submit an application to the Grantee, on a form prescribed by the Grantee, prior to undertaking any uses or acts, or undertaking construction of any Structures described in Section III (E). The Grantor shall not secure other applicable permits required by local or state law prior to obtaining approval from the Grantee.

2. Within 90 days of receipt of a completed application, which shall include all information and documentation that may be required by the Grantee, the Grantee shall review the application and may inspect the premises.
3. After receipt of the completed application, the Grantee may approve the application, with or without Conditions, only upon finding that:
  - a. the proposed use, act, or Structure is authorized by this Restriction, General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended; and the rules, regulations and policies thereunder; and
  - b. the proposed use, act, or Structure shall not defeat nor derogate from the Purpose of this Restriction, and General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, and the rules, regulations and policies thereunder.
- 4.. If the Grantee approves in whole or in part, with or without Conditions, the Grantor's application, the Grantee shall issue a Certificate of Approval suitable for recording.

#### **G. SPECIAL PERMIT PROCESS**

Commercial non-Agricultural Uses and activities for which the Grantor receives payment, compensation, or any other type of monetary or non-monetary remuneration, such as temporary or seasonal outdoor activities or events that do not harm the agricultural use, future viability, and related conservation values of the Premises, may be permitted if the Grantor receives a special permit from the Grantee ("Special Permit"). The Grantee, with the approval of the Co-Holder, if any, may grant a Special Permit only if:

1. The Grantor requests a Special Permit by submitting an application on a form prescribed by the Grantee;
2. The Premises is being actively utilized for full-time commercial agriculture;
3. The activity is minor, ancillary and subordinate to the Agricultural Use of the Premises;
4. Such uses and activities are not inconsistent with the Purpose of this Restriction and shall not defeat nor derogate from the Purpose of this Restriction; and
5. The Special Permit is:
  - a. limited to the current Premises owner(s) who applied for and obtained the Special Permit;
  - b. limited to a period no longer than five (5) years, renewable at the discretion of the Grantee for an additional term(s) of no longer than five (5) years, upon reapplication;
  - c. terminated upon transfer of ownership;
  - d. limited to uses and activities that will not impair the agricultural viability of the soil;
  - e. limited to existing structures requiring only minor renovations, such renovations will not prevent the use of the structure for Agricultural Use; and
  - f. limited to uses and activities requiring no new construction.

#### **H. OPTION TO PURCHASE PREMISES AT AGRICULTURAL VALUE**

1. The Grantee shall have an option to purchase the Premises at Fair Market Agricultural Value ("FMAV") in accordance with the provisions of this section ("Option"). This Option has been granted as an integral part of this Restriction, the full consideration for which is set forth above. This Option constitutes a restriction that runs with the land and is binding in the event of a foreclosure of said Premises.
  - a. The intent of this Option is to ensure resale of the Premises at FMAV. Accordingly, the parties hereto agree to a process as follows:
    - i. In the event that the Grantor proposes to sell the Premises and enter into a Bona Fide Purchase and Sale Agreement with a third party for the sale of the Premises, the Grantee, pursuant to 330 CMR 22.10 and subsections 2-4 below, shall have the right to purchase or assign the right to purchase (see subsection 8, below) the Premises from the Grantor at FMAV. Said FMAV shall be determined by:
      - a) an appraisal paid for and obtained by the Grantor conducted by an appraiser with the qualifications outlined in the "Guidelines for Agricultural Appraisals" prepared by the Grantee and as in effect at such time, and the terms pertaining to appraisal set forth therein and within the time frame set forth in said "Guidelines for Agricultural Appraisals" and in accordance with the specifications set forth in said "Guidelines for Agricultural Appraisals." The Grantee shall have the right to disagree with the appraisal and, at its own expense, obtain its own appraisal. If the two appraisals differ, there shall be a third appraisal, the expense of which shall be equally shared between the Grantee and the Grantor, to determine the FMAV in accordance with the said "Guidelines for Agricultural Appraisers"; or, at the election of the Grantor,
      - b) an amount equal to the FMALV of the Premises as determined by the appraisal relied upon for the acquisition of this Restriction ("Governing Appraisal") which sum shall then be multiplied by the Inflation Rate. The Inflation Rate shall be equal to 1 plus the fractional increase in the Consumer Price Index for all Urban Consumers, Boston, All Items (1982-1984 equals 100) published by the Bureau of Labor Statistics, United States Department of Labor, or successor index published by the United States government appropriately correlated to the prior index by a published conversion factor, where indicated, from date of Governing Appraisal for this Restriction to the date of execution of the Bona Fide Purchase and Sale Agreement.
  - b. In the event that the sale price as set forth in the Bona Fide Purchase and Sale Agreement is less than the FMAV determined by the procedures set forth in either i.a) or i.b) above, the Grantee shall have the right, pursuant to 330 CMR 22.10 and subsections 2-4 below, to purchase the Premises from the Grantor, or assign its right to purchase the Premises from the Grantor, for this lesser amount.
  - c. In the event of a subdivision, recording of a subdivision plan, partition, or any other

division of the Premises, or any portion thereof, into two or more parcels, as approved by the Grantee and the Chief of NRCS in accordance with Section III (E) (10) above, the FMAV shall be determined pursuant to paragraph i.a) above.

2. Prior to submitting a Notice of Intent (as defined in section 3 below) for the sale of the Premises, there shall be a conference between Grantor, Grantee and the third-party purchaser to discuss the requirements of the transfer or sale of the Premises (the “Pre-Sale Conference”). The Pre-Sale Conference shall occur at the Premises or in a manner and time agreed upon by Grantor, Grantee and proposed purchaser. The parties hereto acknowledge that it is the Grantor’s responsibility to disclose to the Purchaser that the Premises is subject to the APR.
3. Upon executing a Bona Fide Purchase and Sale Agreement for the sale of the Premises with a third party purchaser, the Grantor shall provide a Notice of Intent, which shall include, at a minimum, all items listed below:
  - a. The Grantor shall provide, at a minimum, to the Grantee:
    - i. written notice stating the Grantor’s intent to sell the Premises;
    - ii. an offer to sell the Premises to Grantor;
    - iii. a written request for a Waiver of the Option;
    - iv. a true, correct, complete and fully executed copy of the offer to purchase (if any);
    - v. a true, correct, complete and fully executed copy of a Bona Fide Purchase and Sale Agreement, together with any amendments, from a third party to purchase the Premises. If the Bona Fide Purchase and Sale Agreement includes other land not subject to the Restriction, Grantor shall also provide a written apportionment of values in the Purchase and Sale Agreement as between the Premises and the land/structures not subject to the Restriction;
    - vi. a copy of the current deed;
    - vii. any appraisal(s) prepared for the proposed sale;
    - viii. any appraisal prepared for sale at which Owner acquired the Premises;
    - ix. if FMAV was not determined by 1.a.i.a above and/or there are not appraisal(s) prepared for the proposed sale, then Grantor shall provide the FMALV as determined pursuant to 1.a.i.b) above.
  - b. The third party purchaser must submit a Farm Business Plan to the Grantor in accordance with 330 CMR 22.10.
  - c. The Notice of Intent shall not be deemed to have been duly provided, and the sixty (60) day period discussed in item d below, shall not begin until and unless the Pre-Sale Conference has been held and until and unless all items listed in section 3.a and 3.b above have been provided: After receipt of the Notice of Intent, Grantee shall be allowed to communicate directly with the Grantor or to seek an additional conference with Grantor and proposed purchaser to clarify any element of the Notice of Intent.
  - d. Upon receipt of the Notice of Intent, Grantee shall review the Notice of Intent to determine whether the proposed sale qualifies for an Automatic Waiver of Right to Purchase or a Discretionary Waiver of Right to Purchase, as set forth in 330 CMR 22.10.

In the event the proposed sale does not qualify for an Automatic Waiver or Discretionary Waiver, Grantee may elect to exercise its Option to Purchase. Grantee shall have sixty days (60) days from receipt of the Notice of Intent to notify the Grantor of its election to purchase the Premises at FMAV (or any lesser sale price set

forth in the Purchase and Sale Agreement) or to waive its rights under the Option. In the event Grantee exercises its Option to Purchase, Grantee shall notify Grantor in writing (“Notice of Election”). Said Notice of Election shall be sent to Grantor no more than three business days after said decision is made.

4. In the event that the Grantee elects to exercise this Option to purchase the Premises, the deed shall be delivered and the consideration paid at the Worcester County Registry of Deeds before 4 o'clock p.m. on or before the one-hundred-eighty (180) day after the date of mailing by the Grantee of the Notice of Election or, if a Saturday, Sunday or holiday, on the next business day thereafter, and the deed shall convey a good and clear record and merchantable title to the Premises free of all encumbrances, and the Premises shall be in the same condition as at the time of the Notice of Election, reasonable wear and tear and use thereof excepted. The date and time of the transfer may be amended by written mutual agreement of the Grantor, Grantee, and any assignee, if applicable.
5. The Grantor may sell the Premises, to the third party purchaser who entered into the Bona Fide Purchase and Sale Agreement referred to in Paragraph 1.a.i above, only in the event that the Grantee:
  - a. declines in writing to exercise its rights under this Option within the specified time period; or
  - b. fails to waive its rights under this Option in writing within the specified time period; or
  - c. having elected to exercise its rights under this Option, fails to complete the purchase within the specified time period, only if however, the failure to complete the purchase is not based upon a failure or delay by the Grantor.

Said sale of the Premises must take place within one (1) year of the date of the Grantee’s receipt of the Notice and be only upon the same terms and conditions as contained in said Bona Fide Purchase and Sale Agreement.

6. The obligations of the Grantor under this Option shall not apply where the transfer of ownership of the Premises will be a result of:
  - a. a conveyance by deed to the Grantor’s spouse, parent, child(ren) or grandchild(ren) (whether by blood, marriage or adoption), siblings and/or their child(ren) or grandchild(ren) (whether by blood, marriage or adoption); or
  - b. a devise of said Premises by will or intestacy of the Grantor; or
  - c. a conveyance of an interest in the Premises to a co-owner.
7. Any notices required by this Option shall be in writing and shall be deemed delivered if delivered in hand or mailed, postage prepaid by certified mail return receipt requested, addressed in the case of the Grantor to such address as may be specified in the Notice or if none, then to the Premises, and in the case of the Grantee, to the Commissioner of the Department of Agricultural Resources, 251 Causeway Street, Suite 500, Boston, MA 02114-2151.
8. The Grantee may assign its right to purchase under this Option after providing the Grantor with a Notice of Election exercising its right to purchase, provided that the right to purchase may only be assigned pursuant to the procedures set forth in 330 CMR 22.10(8). Any assignment shall only be effective when made in writing, signed by the Commissioner, and duly recorded with the appropriate registry of deeds.



9. Grantor shall have the right to withdraw its Notice of Intent at any point prior to Grantee's Notice of Election or prior to Grantee's assignment described in Item 8 above.
10. Any waiver of the Grantee's rights under this Option shall be in writing, signed by the Commissioner, and in a form and format suitable for recording in the appropriate registry of deeds. This waiver shall serve to satisfy the Grantor's obligations to the Grantee under this Option only with regard to the third party purchaser who entered into the Bona Fide Purchase and Sale Agreement referred to in Paragraph 1.a.i, above.
11. The rights and obligations of the Grantor hereunder shall inure to and be binding upon the Grantor and all successors in title.

#### **I. ENFORCEMENT OF THIS RESTRICTION**

1. The Grantor grants to the Grantee and to the Co-Holder as applicable, and their successors in title, the right to enter upon the Premises, including the buildings and structures on the Premises, and to the United States, the right to enter upon the ACEP-ALE Parcel, including the buildings and structures, in a reasonable manner and at reasonable times, for the purposes of inspecting the Premises to determine compliance with this Restriction, any Certificate of Approval, Special Permit, or General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, and rules, regulations and policies thereunder; the right to enforce this Restriction, any Certificate of Approval, Special Permit, or General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, and rules, regulations and policies thereunder; and the right to take any other action which may be necessary or appropriate in the determination of the Grantee, with or without order of court, to remedy or abate any violation of this Restriction, or of any Certificate of Approval, Special Permit, or of General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, and rules, regulations and policies thereunder.

Additionally, the Grantor and the Grantee agree that the natural characteristics, ecological features, and physical and man-made conditions of the Premises on the date of this Restriction are documented in a Baseline Documentation Report prepared by the Grantee and signed and acknowledged by the Grantor establishing the condition of the Premises on the date of this Restriction and including reports, maps, photographs, and other documentation. The Baseline Documentation Report is incorporated into this Restriction by reference. The Grantee will maintain the Baseline Documentation Report and annually monitor the Premises ensuring that active agricultural operations are in compliance with the NRCS ALE Plan, if any, and in compliance with this Restriction.

2. In the event of a violation of the terms of this Restriction, Certificate of Approval, Special Permit, or General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, or rules, regulations and policies thereunder, the Grantee reserves the right to pursue any remedy available at law and equity, including injunctive relief, without prior notice to the Grantor. If a court determines that this Restriction has been violated, the Grantor will reimburse the Grantee for any reasonable costs of enforcement, including court costs, reasonable attorney's fees, and other payments ordered by such court.
3. Any forbearance by the Grantee to exercise its rights under this Restriction or its right arising from a breach of any term hereof shall not be deemed or construed to be a

waiver by the Grantee of such term or of any subsequent breach of the same by any other term of this Restriction or of any of the Grantee's rights hereunder. No failure, delay, or omission by the Grantee in the exercise of any right or remedy upon any breach shall impair such right or remedy or be construed as a waiver, and the Grantor hereby waives any defense of laches, prescription or estoppel.

4. The enforcement rights hereby granted shall be in addition to, and not in limitation of any other rights and remedies available to the Grantee for enforcement of this Restriction, Certificate of Approval, Special Permit, or General Laws, Chapters 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, and rules, regulations and policies thereunder.
5. The Grantor and its successors in title, shall be jointly and severally liable for any violation of the terms of this Restriction, Certificate of Approval, Special Permit, or General Laws, Chapters 184, Sections 31 through 33 and Chapter 20, Sections 23 through 26, and rules, regulations and policies thereunder.
6. Pursuant to 16 U.S.C. Section 3865 et seq., the United States is granted the right of enforcement on the ACEP-ALE Parcel that it may exercise only if the terms of the Restriction are not enforced by the Grantee of the Restriction. The Secretary of the United States Department of Agriculture (the "Secretary"), or the Secretary's assigns, on behalf of the United States, may exercise this right of enforcement under any authority available under State or Federal law if the Grantee, or its successors or assigns, fails to enforce any of the terms of this Restriction on the ACEP-ALE Parcel, as determined in the sole discretion of the Secretary. In the event the United States exercises this right of enforcement, it is entitled to recover any and all administrative and legal costs associated with any enforcement or remedial action related to the enforcement of this Restriction on the ACEP-ALE Parcel from the Grantor, including, but not limited to, attorney's fees or expenses, related to Grantor's violations. In the event the United States exercises this right of enforcement, it is entitled to recover any and all administrative and legal costs associated with any enforcement of this Restriction on the ACEP-ALE Parcel from the Grantee, including, but not limited to, attorney's fees and expenses related to Grantee's violations or failure to enforce the Restriction on the ACEP-ALE Parcel against the Grantor up to the amount of the United States' contribution to the purchase of the Restriction on the ACEP-ALE Parcel.
7. The Grantee will annually monitor compliance and provide the United States with an annual monitoring report that documents that the Grantee and Grantor are in compliance with this Restriction. If the annual monitoring report is insufficient or is not provided annually, or if the United States has a reasonable and articulable belief of an unaddressed violation, as determined by the Secretary, the United States may exercise its right of inspection. For purposes of inspection and enforcement of the terms of this Restriction, and the United States ALE Agreement with the Grantee, the United States will have reasonable access to the ACEP-ALE Parcel. Prior to its inspection of the ACEP-ALE Parcel, the United States shall provide advance notice to Grantee and Grantor and provide Grantee and Grantor a reasonable opportunity to participate in the inspection. In the event of an emergency, the United States may enter the ACEP-ALE Parcel to prevent, terminate, or mitigate a potential or unaddressed violation of the Restriction on the ACEP-ALE Parcel and will give notice to the Grantee and the Grantor at the earliest practicable time.

## **J. GENERAL INDEMNIFICATION AND DISCLAIMER**

The United States, its employees, agents, and assigns disclaim and will not be held responsible for the Grantee's or the Grantor's negligent acts or omissions or the Grantee's or the Grantor's breach of any representation, warranty, covenant, or agreements contained in this Restriction, or violations of any Federal, State, or local laws, including all Environmental Laws (defined below) including, without limitation, those that give rise to liabilities, claims, demands, losses, expenses, damages, fines, fees, penalties, suits, proceedings, actions, costs of actions, or sanctions asserted by or on behalf of any person or governmental authority, and other liabilities (whether legal or equitable in nature and including, without limitation, court costs, and reasonable attorneys' fees and attorneys' fees on appeal) to which the United States may be subject or incur relating to the Premises.

The Grantor must indemnify and hold harmless the Grantee and the United States, its employees, agents, and assigns from any and all liabilities, claims, demands, losses, expenses, damages, fines, fees, penalties, suits, proceedings, actions, and costs of actions, sanctions asserted by or on behalf of any person or governmental authority, and other liabilities (whether legal or equitable in nature and including, without limitation, court costs, and reasonable attorneys' fees and attorneys' fees on appeal) to which the Grantee and the United States may be subject or incur relating to the Premises, which may arise from, but are not limited to, the Grantor's negligent acts or omissions or breach of any representation, warranty, covenant, agreements contained in this Restriction, or violations of any applicable Federal, State, or local laws including all Environmental Laws (defined below).

## **K. ENVIRONMENTAL WARRANTY**

The Grantor warrants that it is in compliance with, and shall remain in compliance with, all applicable Environmental Laws. The Grantor warrants that there are no notices by any governmental authority of any violation or alleged violation of, non-compliance or alleged non-compliance with, or any liability under, any Environmental Law relating to the operations or conditions of the Premises. The Grantor further warrants that it has no actual knowledge of an undisclosed release or threatened release of Hazardous Materials, as such substances and wastes are defined by applicable Federal and State law.

Furthermore, the Grantor warrants the information disclosed to the Grantee and United States regarding any past violations or non-compliance with Environmental Laws and associated remedial actions, or any past releases of Hazardous Materials and any associated remedial actions is complete and accurate.

The Grantor represents and warrants that no third party owns or leases the oil, natural gas, soil, sand, gravel or any other mineral substance at the time this Restriction is executed.

Moreover, the Grantor hereby promises to hold harmless and indemnify the Grantee and the United States against all litigation, claims, demands, penalties and damages, including reasonable attorneys' fees, arising from or connected with the release or threatened release of any Hazardous Materials on, at, beneath or from the Premises, or arising from or connected with a violation of any Environmental Laws by the Grantor or any other prior owner of the Premises. The Grantor's indemnification obligation shall not be affected by any authorizations provided by the Grantee or the United States to the Grantor with respect to the Premises or any restoration activities carried out by the Grantee at the Premises; provided, however, that the Grantee shall be responsible for any Hazardous Materials contributed after this date to the Premises by the

Grantee.

As used herein, "Environmental Law" or "Environmental Laws" means any and all Federal, State, local or municipal laws, rules, orders, regulations, statutes, ordinances, codes, guidelines, policies or requirements of any governmental authority regulating or imposing standards of liability or standards of conduct (including common law) concerning air, water, solid waste, hazardous materials, worker and community right-to-know, hazard communication, noise, radioactive material, resource protection, subdivision, inland wetlands and watercourses, health protection and similar environmental health, safety, building and land use as may now or at any time hereafter be in effect.

As used herein, "Hazardous Materials" means any petroleum, petroleum products, fuel oil, waste oils, explosives, reactive materials, ignitable materials, corrosive materials, hazardous chemicals, hazardous wastes, hazardous substances, extremely hazardous substances, toxic substances, toxic chemicals, radioactive materials, infectious materials and any other element, compound, mixture, solution or substance which may pose a present or potential hazard to human health or the environment.

#### **IV. GENERAL PROVISIONS**

##### **A. AUTHORIZATION**

The foregoing Restriction is authorized by Massachusetts General Laws, Chapter 184, Sections 31 through 33, as amended, and Chapter 20, Sections 23 through 26, as amended, and otherwise by law, and is intended to ensure the protection and preservation of agricultural lands as expressed herein. In addition, funding provided by the Agricultural Conservation Easement Program ("ACEP") is authorized by the Agricultural Conservation Easement Program, Subtitle H of Title XII of the Food Security Act of 1985, as amended by Section 2301 of the Agricultural Act of 2014 (Public Law 113-79). The ACEP provides funding for the purchase of an Agricultural Land Easement to protect the Agricultural Use and future viability and related conservation values of eligible land by limiting nonagricultural uses of that land (16 U.S.C. § 3865 *et. seq.*, as amended).

This Restriction shall be administered and enforced by the Commissioner at in his/her sole discretion as he/she may decide and on behalf of the Co-Holder by the Conservation Commission, the Board of Selectmen, or as otherwise provided in General Laws, Chapter 20, Section 23, as amended. Nothing herein shall impose upon the Grantee or the Co-Holder any duty to maintain or require that the Premises be maintained in any particular state or condition, notwithstanding the Grantee's acceptance hereof.

Except as otherwise provided herein, this Restriction does not grant to the Grantee, the Co-Holder, the public, or any other person any right to enter upon the Premises. This Restriction is in gross, exists in perpetuity, and is not for the benefit of or appurtenant to any particular land and shall not be assignable except to another governmental or charitable corporation or trust which has power to acquire interests in land and whose purposes include conservation of agricultural land and natural areas. All rights and obligations of this Restriction shall run with the Premises and shall be binding upon all future owners of any interest therein. This Restriction may only be released, in whole or in part, only by the Grantee through the procedures established in Section 32 of Chapter 184 of the General Laws, as amended, and by Article 97 of the Amended Articles of the Massachusetts Constitution and otherwise by law.

If any section or provision of this Restriction shall be held to be unenforceable by any court of

competent jurisdiction, this Restriction shall be construed as though such section had not been included in it. If any section or provision of this Restriction shall be subject to two constructions, one of which would render such section or provision invalid, then such section or provision shall be given the construction that would render it valid. If any section or provision of this Restriction is ambiguous, it shall be interpreted in accordance with the Purpose of this Restriction, rules, regulations and policies, as amended, of the Grantee and the provisions of General Laws, Chapter 184, Sections 31 through 33, and Chapter 20, Sections 23 through 26, as amended. No transfer of the Premises to the Grantee or to any successor of assignee will be deemed to eliminate this Restriction pursuant to the doctrine of “merger” or any other legal doctrine.

## **B. EXTINGUISHMENT, TERMINATION, AND CONDEMNATION**

The interests and rights under this Agricultural Land Easement may only be extinguished or terminated with written approval of the Grantee and the United States. Due to the Federal interest in this Restriction, the United States must review and approve any proposed extinguishment, termination, or condemnation action that may affect its Federal interest in the ACEP-ALE Parcel.

With respect to a proposed extinguishment, termination, or condemnation action, the Grantee and the United States stipulate that the FMV of the Restriction is ninety two percent (92 %), hereinafter the “Proportionate Share,” of the FMV of the ACEP-ALE Parcel unencumbered by this Restriction. The Proportionate Share will remain constant over time.

If this Restriction is extinguished, terminated, or condemned, in whole or in part, then the Grantor must reimburse Grantee and the United States an amount equal to the Proportionate Share of the FMV of the ACEP-ALE Parcel unencumbered by this Restriction. The FMV of the Restriction will be determined at the time all or part of this Restriction is terminated, extinguished, or condemned by an appraisal that meets the Uniform Standards of Professional Appraisal Practice (USPAP) or Uniform Acquisition Standards or Federal Land Acquisition (UASFLA). The appraisal must be completed by a certified general appraiser and be approved by the Grantee and the United States.

The allocation of the Proportionate Share between the Grantee, Co-Holder and the United States will be as follows: (a) to the Grantee or its designee, twenty eight (28%) of the Proportionate Share; (b) to the United States forty six percent (46%) of the Proportionate Share; (c) and to the Co-Holder fourteen percent (14%) of the Proportionate Share. Until such time as the Grantee and the United States receive the Proportionate Share from the Grantor or the Grantor’s successor or assign, the Grantee and the United States each have a lien against the ACEP-ALE Parcel for the amount of the Proportionate Share due each of them. If proceeds from termination, extinguishment, or condemnation are paid directly to the Grantee, the Grantee must reimburse the United States for the amount of the Proportionate Share due to the United States.

## **C. AMENDMENT**

This Restriction may be amended only if, in the sole and exclusive judgment of the Grantee and the United States, by and through the Chief of NRCS, such amendment is consistent with the Purpose of this Restriction and complies with all applicable laws and regulations. The Grantee must provide timely written notice to the Chief of NRCS of any proposed amendment(s). Prior to the signing and recordation of the amended Restriction, such amendment(s) must be mutually agreed upon by the Grantee, the Grantor, and the United States, by and through the Chief of NRCS. Any purported amendment that is recorded without the prior approval of the United States will considered null and void.

**D. TRANSFER**

Upon transfer of the Premises or interest in the Premises from one landowner to another, the conveyance document must expressly refer to this Restriction and state that the Premises is subject to its terms. Upon prior written consent from the NRCS, the Grantee may transfer this Restriction to a public agency or nonprofit organization that, at the time of transfer, is a qualified organization under section 170(h) or successor provision of the Internal Revenue Code.

**E. NOTICE**

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor:

Community Harvest Project, Inc.  
37 Wheeler Road  
North Grafton, MA 01536

To Grantee:

Commissioner of the Department of Agricultural Resources  
251 Causeway Street, Suite 500  
Boston, Massachusetts 02114-2151

To NRCS:

451 West Street  
Amherst, MA 01002-2953

or to such other address as any of the above parties shall designate from time to time by written notice to the other or that is reasonably ascertainable by the parties.

**V. OTHER**

**No Massachusetts deed excise stamps are affixed hereto as none are required by law.**



APPROVAL OF THE COMMONWEALTH OF MASSACHUSETTS

The undersigned \_\_\_\_\_, \_\_\_\_\_ of the Department of Agricultural Resources of the Commonwealth of Massachusetts hereby certifies that the foregoing Agricultural Preservation Restriction with Option to Purchase at Agricultural Value granted by Community Harvest Project, Inc. to the Commonwealth of Massachusetts with respect to the Premises located in 115 Prospect Hill Road, Harvard, Worcester County, Massachusetts and more particularly described in Exhibit A attached hereto, has been approved in the public interest pursuant to General Laws, Chapter 184, Sections 32 through 33, as amended and Chapter 20, Sections 23 through 26, as amended.

COMMONWEALTH OF MASSACHUSETTS

By: \_\_\_\_\_

\_\_\_\_\_  
Department of Agricultural Resources  
GRANTEE

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss \_\_\_\_\_, 2023.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned Notary Public, personally appeared the above-named \_\_\_\_\_ who proved to me through satisfactory evidence of identification, namely personal knowledge, to be the person whose name is signed on this approval document, and acknowledged to me that he signed it voluntarily for its stated purpose as Commissioner of the Department of Agricultural Resources, as the voluntary act of said Commonwealth.

\_\_\_\_\_  
; Notary Public

My Commission Expires :



APPROVAL OF THE MUNICIPALITY

MUNICIPALITY OF HARVARD

We, the members of the Board of Selectmen of the Municipality of Harvard, hereby approve the acceptance of the foregoing Agricultural Preservation Restriction granted by Community Harvest Project, Inc, to the Commonwealth of Massachusetts (with the Municipality of Harvard holding the Restriction jointly with the Commonwealth), with respect to Premises, as described therein, in the public interest pursuant to Massachusetts General Laws, Chapter 184, Sections 31 through and including 33 and, Chapter 20, Sections 23 through 26.

Date:

Municipality of Harvard Board of Selectmen/ City Council/ Conservation Commission

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss \_\_\_\_\_, 2023.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned Notary Public, personally appeared the above-named,

*Name:* \_\_\_\_\_ *Evidence of Identification:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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and proved to me through satisfactory evidence of identification as noted above, to be the persons whose names are signed on this document (namely, Agricultural Preservation Restriction and Option to Purchase at Agricultural Value) and acknowledged to me that as duly elected or appointed members of the \_\_\_\_\_ Board of Selectmen/City Council/Conservation Commission, they signed it voluntarily for Harvard for its stated purpose.

\_\_\_\_\_  
; Notary Public

My Commission Expires

## Exhibit A

### **LOT 2: To be Protected by an ACEP-ALE Agricultural Preservation Restriction**

That certain property located in Harvard, Worcester County, Massachusetts, more particularly shown as Lot 2 on that certain plan entitled "Plan of Land in Harvard, Massachusetts (Worcester County), Prospect Hill Road, dated April 25, 2021, Prepared For: Massachusetts Department of Agricultural Resources, by BSC Group of 803 Summer Street Boston, Massachusetts, scale: 1"=100' and recorded with the Worcester District Registry of Deeds at Plan Book 968, Plan 14 and is more particularly described as follows:

Beginning at a rebar set on the easterly side of Prospect Hill Road, a public way, at the northwest corner of the premises;

Thence: South 72°21'25" east, ninety-two and sixty-seven hundredths (92.67) feet to a point;

Thence: South 49°00'14" east, one hundred ninety-nine and twenty-eight hundredths (199.28) feet to a rebar set;

Thence: South 81°36'29" east, one hundred ninety-one and sixty-six hundredths (191.66) feet to a point;

Thence: North 8°46'14" east, three hundred seven and eighty hundredths (307.80) feet to a drill hole set in a stonewall, the last four courses being by Lot 1;

Thence: South 81°16'40" east, by a stonewall, one hundred fifteen and ninety-six hundredths (115.96) feet to a point;

Thence: South 81°30'23" east, by a stonewall, one hundred fourteen and sixty-three hundredths (114.63) feet to a point;

Thence: South 80°54'11" east, by a stonewall, one hundred ninety-eight and fifty-six hundredths (198.56) feet to a stone wall corner;

Thence: North 16°31'33" east, by a stonewall, three hundred fifteen and eighty-two hundredths (315.82) feet to a point;

Thence: North 17°07'50" east, by a stonewall, seventy-four and thirty hundredths (74.30) feet to a point;

Thence: North 15°59'59" east, by a stonewall, one hundred seven and six hundredths (107.06) feet to a point;

Thence: North 16°13'22" east, by a stonewall, one hundred seventy-four and twenty hundredths (174.20) feet to a point;

Thence: North 16°55'15" east, by a stonewall, one hundred eighty and eight hundredths (180.08) feet to a drill hole found at the corner of the stonewall, the last eight courses being by land now or formerly of Eve Wittenberg and Carhleen A. Corning;

Legal Final

Thence: North 8°51'50" east, by land now or formerly of Robert M. Moran and Jessica Rowse Moran, two hundred ninety-five and ninety-two hundredths (295.92) feet to a circle of stones found;

Thence: South 77°37'50" east, five hundred three and fifteen hundredths (503.15) feet to stones on ledge found;

Thence: South 72°20'34" east, three hundred thirty-five and forty-six hundredths (335.46) feet to a field stone bound in stones found, the last two courses being by land now or formerly of the Inhabitants of the Town of Harvard;

Thence: South 6°35'56" east, by land now or formerly of the Town of Harvard, nine hundred thirty-six and sixty-seven hundredths (936.67) feet to a stonewall corner;

Thence: South 8°34'47" east, by a stonewall, ninety-two and thirty-four hundredths (92.34) feet to a point;

Thence: South 8°46'31" east, by a stonewall, one hundred ninety-one and seventy-six hundredths (191.76) feet to a point;

Thence: South 8°34'10" east, by a stonewall, two hundred fifty-eight and eighty-nine hundredths (258.89) feet to a corner of stonewalls, the last three courses being by land now or formerly of the Town of Harvard;

Thence: South 10°47'37" east, by a stonewall, one hundred sixty-five and six hundredths (165.06) feet to a point;

Thence: South 11°14'34" east, by a stonewall, two hundred thirty-six and eighty hundredths (236.80) feet to a point;

Thence: South 8°20'28" east, by a stonewall, two hundred seventeen and seventy-eight hundredths (217.78) feet to a drill hole found in the stonewall;

Thence: South 9°01'50" east, by a stonewall, one hundred thirty-three and twenty-six hundredths (133.26) feet to a drill hole found in the stonewall, the last four courses being by land now or formerly of the Charles F. Davis, Jr. Family Trust of 1988 and the Patricia Libbey Davis Trust of 2006;

Thence: North 85°58'24" west, two hundred fifty-three and ninety-one hundredths (253.91) feet to a drill hole found in a concrete bound;

Thence: South 65°35'28" west, two hundred eleven and nine hundredths (211.09) feet to a drill hole found in a concrete bound, the last two courses being by land now or formerly of Aaron S. Nutt and Amy Brais Nutt;

Thence: North 34°41'44" west, one hundred eighty-two and sixty-one hundredths (182.61) feet to a drill hole found in a concrete bound;

Thence: North 26°57'39" west, two hundred one and forty-six hundredths (201.46) feet to a  
Legal Final

point;

Thence: South 69°24'26" west, two hundred sixty-eight and sixty-two hundredths (268.62) feet to a point on a stonewall;

Thence: South 29°41'55" east, by a stonewall, one hundred eighty-eight and fifty-six hundredths (188.56) feet to a point;

Thence: South 68°39'14" west, by a stonewall, fifty-two and seventy-two hundredths (52.72) feet to a point;

Thence: South 22°44'45" east, five hundred sixty-four and fifty-seven hundredths (564.57) feet to rebar with a "Ross Associates" yellow plastic cap found at the northerly side of Madigan Lane, a public way, the last six courses being by land now or formerly of David C. Erdos and Pamela A. Erdos;

Thence: North 82°08'51" west, by the northerly side of said Madigan Lane, two hundred eighteen and ninety-three hundredths (218.93) feet to a rebar with a "Ross Associates" yellow plastic cap found;

Thence: Northerly by a curved line to the right the radius of which is twenty-five (25.00) feet a length of forty-seven and eighty-nine (47.89) feet to a rebar with a "Ross Associates" yellow plastic cap found;

Thence: North 11°53'53" west, one hundred fifty-two and fifty hundredths (152.50) feet to a point;

Thence: Northerly by a curved line to the left the radius of which is one hundred seventy-five (175.00) feet a length of ninety-one and fifty-four (91.54) feet to a rebar with a "Ross Associates" yellow plastic cap found;

Thence: North 41°52'13" west, two hundred twenty-seven and eighty-six hundredths (227.86) feet to a drill hole found in a stonewall;

Thence: North 41°52'13" west, three hundred eighty-two and seventy-eight hundredths (382.78) feet to a point at a stonewall, the last five courses being by land now or formerly of Frank A. Culmone and Erica M. Tremblay;

Thence: North 14°00'49" west, by a stonewall, five hundred forty-five and ten hundredths (545.10) feet to a drill hole found at the corner of the stonewalls;

Thence: North 85°56'55" west, by a stonewall, two hundred eighty-six and seventy-one hundredths (286.71) feet to a drill hole found in the stonewall, the last two courses being by land now or formerly of Steve Nizus and George E. Triantaris;

Thence: North 83°50'22" west, by a stonewall, by land now or formerly of The McVea Family Holding Trust; three hundred sixty-six and thirty hundredths (366.30) feet to rebar set;

Thence: North 5°54'04" east, one hundred sixty-seven and eighty-four hundredths (167.84) feet to a point;

Legal Final

Thence: North 75°58'15" west, two hundred ninety-one and twenty-five hundredths (291.25) feet to a point;

Thence: North 65°50'59" west, eighty-eight and eighty-seven hundredths (88.87) feet to a drill hole set in a stonewall at the easterly side of Prospect Hill Road, the last three courses being by Lot 3;

Thence: North 30°10'17" east, along the easterly sideline of Prospect Hill Road, two hundred eighteen and seventy-eight hundredths (218.78) feet to the point of beginning.

Lot 2 contains 3,073,762 ± square feet or 70.564 ± acres.

### **LOT 1: To be Excluded from the ACEP-ALE Agricultural Preservation Restriction**

That certain property located in Harvard, Worcester County, Massachusetts, more particularly shown as Lot 1 on that certain plan entitled "Plan of Land in Harvard, Massachusetts (Worcester County), Prospect Hill Road, dated April 25, 2021, Prepared For: Massachusetts Department of Agricultural Resources, by BSC Group of 803 Summer Street Boston, Massachusetts, scale: 1"=100' and more particularly described as follows:

Beginning at a rebar set on the easterly side of Prospect Hill Road, a public way, at the northwest corner of the premises;

Thence: South 81°30'56" east, by a stonewall, one hundred fifty-seven and sixty hundredths (157.60) feet to a point;

Thence: South 81°57'16" east, by a stonewall, one hundred nine and ninety-nine hundredths (109.99) feet to a point;

Thence: South 81°16'40" east, by a stonewall, one hundred eleven and twenty-three hundredths (111.23) feet to a drill hole set in a stonewall, the last three courses being by land now or formerly of Eve Wittenberg and Carhleen A. Corning;

Thence: South 8°46'14" west, three hundred seven and eighty hundredths (307.80) feet to a point;

Thence: North 81°36'29" west, one hundred ninety-one and sixty-six hundredths (191.66) feet to a rebar set;

Thence: North 49°00'14" west, one hundred ninety-nine and twenty-eight hundredths (199.28) feet to a point;

Thence: North 72°21'25" west, ninety-two and sixty-seven hundredths (92.67) feet to a rebar set, the last four courses being by Lot 2;

Thence: North 30°10'17" east, by the easterly side of said Prospect Hill Road, two hundred and two hundredths (200.02) feet to the point of beginning.

Lot 1 contains 112,821 ± square feet or 2.590 ± acres.



# TOWN OF HARVARD

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## VOLUNTEER APPLICATION (12/02/2008)



Thank you for your interest in serving the town of Harvard. Please complete this application to be kept informed of volunteer opportunities and/or to apply for a specific position or fill a vacancy when one occurs. You may be also be contacted based on your stated areas of interest for other opportunities to volunteer. Your application will be kept on file for 3 years.

**Date of Application:** \_\_\_\_\_

**Applicant Information:**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Home/Work Phone #** \_\_\_\_\_ **Mobile Phone#** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Indicate below which Board(s) or Committee(s) are of interest to you:**

\_\_\_\_\_

**Have you previously been a member of a Board, Committee or Commission** (either in Harvard or elsewhere)? If so, please list the Board name and your approximate dates of service:

\_\_\_\_\_

**Do you have any time restrictions?** YES NO

**Are you a registered voter?** YES NO

**Please list your present occupation and employer** (you may also attach your résumé or CV)

\_\_\_\_\_

**Do you, your spouse, or your employer have any current or potential business relationship with the Town of Harvard that could create a conflict of interest?** (If YES, please describe the possible conflict)

\_\_\_\_\_

**Please outline any education, special training or other areas of interest you have that may be relevant to the appointment sought.**

\_\_\_\_\_

\_\_\_\_\_





Joseph L. Aio  
 P.O. Box 66  
 LITTLETON, MA 01460  
 508-572-5557

# JOB ESTIMATE

www.alogutters.com



MA HIC # 168979



E-MAIL ADDRESS: 57c01241@gnail.com

PHONE: 978-835-9909 DATE: 5-22-23

EST # 52223/sub 02 COLOR: 5" H/G WHIT

(50n-11-lac)

TO

Susan Colwell  
57 Pine Hill way  
Haverhill, Ma 01451  
2"SB/5" fascia wrapped

(10') w/ 5' ext  
(10') to grass  
(10') water barrel 63'

to H/O provided  
 rain barrel

25' 38'

(10')  
10'  
w/ 5' ext  
angled to grass

(10')  
10'  
B elbow to right  
w/ 5' ext

(Front)







Key revisions:

Section A (Purpose and Intent). Added (3) - Harmonize with Climate Action Plan

Section B (Permitted Uses) Changed (b) to multi-family units, clarified (f) and (h) to define Passive and Active Outdoor Recreation usage.

Section C(1) (Submittal Requirements) Added (j) Site Climate Mitigation Plan

Section C(3) (Approval Criteria) -Revised (d) to remove requirement for plan to be “superior” conventional subdivision plan.

Section D (Design Criteria) Revised (6) to reference MAAB 521 Accessibility Guidelines. Added (9) to include Climate Action Plan.

Section E(5) Landscaping Added paragraph (g) referencing Lighting Bylaw 125-40

Section G (Sinage) Reference to Sinage Bylaw 125-41

Section H Base Density: Changed base density of 1 unit per 1.5 acres, to 2 units per acre.

Section I Development Incentive Changed maximum incentive of maximum of 60% increase above base density for various features (a maximum of 1.6 units per 1.5 acres) The criteria included additional open space, Benefits to the town, senior housing and affordable housing

Incentives increased to a maximum density of 10 units per acre for meeting various criteria

Condition	Units per acre	Additional Units per acre
<b>Base Density</b>	2	
<b>(a) Additional Open Space Preservation</b>		2
<b>(b) Substantial Benefit to Town</b>		1.5
<b>(c) Senior Housing</b>		1.5
<b>(d) Affordable Housing</b>		2
<b>(e) Passive Haus</b>		3
<b>(f) Environmentally Conscious</b>		1.5
<b>Maximum Density if all conditions met</b>	<b>10</b>	

## § 125-35. Open Space and Conservation - Planned Residential Development (OSC-PRD).

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[Added 3-29-2003 ATM by Art. 32<sup>1</sup>]

This section establishes and regulates Open Space and Conservation Planned Residential Development (OSC-PRD). Development under this section is pursuant to a special permit granted by the Planning Board.

**A. Purpose and intent.** The purpose and intent of the OSC-PRD provision is to permit high-quality residential development that preserves open space, water resources, wetlands, habitat, prime agricultural land, scenic landscapes and natural features, reduces infrastructure and site development cost, and promotes a diversity of housing opportunities within the Town, while respecting and enhancing neighborhoods, and promoting attractive standards of appearance and aesthetics consistent with Town character.

- (1) A further purpose of the OSC-PRD provision is to reduce the anticipated negative fiscal impact on the Town associated with conventional residential development.
- (2) The OSC-PRD provision is designed to encourage the siting of homes in a manner that clusters units together in well-designed village settings, on buildable portions of the site, as a distinct alternative to the more arbitrary siting associated with lot by lot development typically reflected in plans submitted pursuant to Massachusetts General Laws Chapter 41, Sections 81K through 81GG, the Subdivision Control Law.
- (3) The OSC-PRD will aid the Town in developing sustainable housing and associated infrastructure in harmony, as much as possible, with the Town's Climate Action Plan.

**B. Applicability.** The Planning Board may grant a special permit for an OSC-PRD on an Agricultural-Residential (AR) zoned tract of land with definite boundaries ascertainable from a recorded or registered deed(s) or recorded or registered plan(s). Existing public and private ways need not constitute boundaries of the tract, but the area within such ways shall not be counted in determining tract size.

- (1) **Permitted uses in Open Space and Conservation Planned Residential Development.** Permitted uses include the following:
  - (a) Single-family detached dwellings.

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<sup>1</sup> Editor's Note: This article also repealed former § 125-35. Cluster development for open space conservation, added 3-31-1990 ATM by Art. 18, as amended.

- (b) Multi-family dwellings.
- (c) Agriculture and horticultural uses including but not limited to orchards, vineyards, forestry, farming for fruits and vegetables.
- (d) Open space.
- (e) Trails.
- (f) Passive outdoor recreation, cf. 301 Mass. Reg. 5.02.
- (g) Educational and religious uses and other uses not mentioned above which are exempt from regulation by zoning under Massachusetts General Laws Chapter 40A, Section 3.
- (h) Accessory residential recreational uses (e.g., tennis court, pool, playground).
- (i) Active outdoor recreation, cf. 301 Mass. Reg. 5.02.

**C. Requirements and process for approval.** An applicant who is the owner (or with the permission of the owner) of land in the AR District as described above, may submit to the Planning Board a plan and application for a special permit for an OSC-PRD in accordance with the provisions of this section, excepting the building lots or lot shown on such plans from the lot area and other dimensional requirements specified in other sections of this Bylaw. While a subdivision plan is not required to be submitted in conjunction with the provisions of this section, in the event that a subdivision plan is being proposed by the applicant, such plan shall be submitted to the Planning Board in accordance with the Subdivision Rules and Regulations of the Planning Board.

- (1) **Submittal requirements.** Prior to the granting of a special permit pursuant to this section, a duly submitted application for said special permit shall be submitted together with a site plan to the Planning Board, in accordance with § 125-38, Site plans, of the Bylaw, and any Site Plan Rules and Regulations adopted by the Planning Board. For purposes of this Bylaw, a landscape architect, architect, land surveyor, and professional engineer must participate in the preparation of such site plan, which shall include the following:
  - (a) The location of the proposed development.
  - (b) The size of the site in acres.
  - (c) The total number of the proposed buildings and/or lots, and the size of each in square feet.

- (d) The acreage and proposed use of permanent open space.
- (e) A statement on the disposition or manner of ownership of the proposed open space.
- (f) The lots or areas which are to be used as building areas or lots, and the lots or areas which are to remain as permanent open space.
- (g) Lines showing yard and setbacks as required by this Bylaw, within which dwellings or structures must lie.
- (h) Sufficient detail of proposed built and natural features as described in § 125-35D and § 125-35E to enable the Planning Board to make the required determinations of § 125-35C(3).
- (i) A landscape preservation plan sheet(s) to be included with the site plan, reflecting the existing, natural features to be preserved and proposed landscape features and details.<sup>2</sup>
- (j) Site Development Climate Mitigation Plan. All features which are sustainable and designed to help mitigate climate impact should be included in this plan. This plan should specifically address, but not be limited to, the following areas.

[1]. Heating and Cooling. How the development will be heated and cooled. The plans to use heat pumps or a geothermal system to heat and cool the buildings. Electrification of all systems and appliances.

[2]. Energy Generation. Solar panels should be considered to the maximum extent. Include how much power they will provide both in absolute kilowatt-hours and as a percentage of the total electricity requirements.

[3]. Energy Use and Resource Use Minimization. Roofing, insulation and windows that minimize heat loss and cooling loss. LED lights should be installed in all common areas. Water-saving fixtures should be installed in units as well as for landscaping.

[4]. Parking. EV chargers installed with infrastructure to expand capacity based on anticipated growth. Include percentage of the anticipated automobile population that will be served by the chargers and the anticipated expansion readiness. Parking to be pervious to reduce runoff.

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<sup>2</sup> Editor's Note: See Ch. 130, Subdivision Control.

[5]. Landscaping. Any trees removed from the site to be replaced with trees of equal size or compensated by more trees than removed. Shade trees be planted in areas to offset heat from parking areas. Drought-tolerant and native plants to be used in the landscaping.

[6]. Site Infrastructure. Composting and recycling stations available to all residents. Rain water collection site to reduce water usage.

- (2) **Submittal of preliminary plan.** An applicant must submit a plan of the required form and content standards as a "Preliminary Plan" in accordance with the Massachusetts General Laws Chapter 41, Section 81S and Harvard Planning Board governing laws for Subdivision Plans. Such plan, although not a formal subdivision plan filing, and submitted for conceptual purposes only, shall include a perimeter survey prepared by a registered land surveyor, location of wetlands, and topography based upon the most recent United States Geological Survey map. The applicant shall demonstrate to the satisfaction of the Board that a subdivision plan, if formally filed, would be buildable without reliance on significant waivers of the subdivision regulations.
- (3) **Approval criteria.** After notice and a public hearing in accordance with Massachusetts General Laws Chapter 40A, Section 9, 11, and 15 and after following the procedure outlined in this Bylaw, the Planning Board may grant such a special permit with any conditions, safeguards, and limitations, if it determines:
- (a) That the application form and content referred to in § 125-35C(1), herein is properly completed.
  - (b) That the site plan referred to in § 125-35C(1) is properly completed.
  - (c) That all the other requirements of this Section and Bylaw are fully met.
  - (d) That the design and layout of the proposed OSC-PRD preserves open space for conservation and recreation; that it preserves natural features of the land; allows more efficient provision of streets, utilities and other public services; and, that it provides a high degree of design quality, based on the criteria and considerations enumerated herein in § 125-35E.
  - (e) That if development of single family homes is being proposed on separate lots, as opposed to a clustered village concept that is a major objective of this Bylaw, exemplary site planning is demonstrated, and other determinations in § 125-35D, are met.

**D. Design criteria.** In its consideration of an OSC-PRD, the Planning Board shall give particular attention to, and shall use as a basis for its decision, all of the following:

- (1) Lots, streets, off-street parking, sidewalks, pathways and buildings which achieve the harmonious integration of the proposed development with surrounding properties.
- (2) Overall layout and design that achieves the relationship between the proposed development and the land under consideration.
- (3) Appropriately sized and configured open spaces for active or passive recreation, and where possible, links to adjoining common open space areas.
- (4) Protection of natural features such as streams, mature trees or clusters of trees, rock outcrops, bluffs, slopes, high points, views, vistas, and historic or archeological features.
- (5) Provision of buffer areas, composed of existing vegetation, to surround building groupings and building envelope areas, to discourage site clearing and encourage preservation of existing land cover and mature vegetation.
- (6) Provision of accessibility to open spaces for all, consistent with Massachusetts Architectural Access Board 521 CMR Accessibility Guidelines.
- (7) Use of open spaces for preserving, enhancing, or providing scenic vistas; preservation and protection of historic resources.
- (8) Adequacy of provisions for public safety, protection from fire and flood, and maintenance of public facilities, streets, utilities, and open space.
- (9) Consistent with the Town of Harvard Climate Action Plan, with sufficient conservation and sustainability in the design of the development.

**E. Design quality.** Project design for an OSC-PRD shall be reviewed by the Planning Board with input from Town officials, any review consultant(s), and others as appropriate. This section is to be interpreted as guidelines to be applied flexibly by the Planning Board as appropriate to the situation under review, including factors such as foundation and soil characteristics and other extraordinary site constraints. While these guidelines apply to all site improvements and buildings and structures, it is not the intent of this section to prescribe or proscribe use of materials or methods of construction regulated by the state building code, but rather to enhance the appearance of the built environment within an OSC-PRD.

- (1) **Building and structure placement.** The placement of buildings and structures in an OSC-PRD should:



- (a) Provide for maximum buffering of buildings and structures to adjoining properties either within the proposed OSC-PRD or to adjacent land uses. Such buffering includes, but is not limited to: landscaping, screening materials, natural barriers, fencing, and related measures.
  - (b) Preserve attractive views from major vantage points, especially from major thoroughfares and residential neighborhoods.
  - (c) Avoid regular spacings and building placements that will be viewed as continuous walls from important vantage points, which may be identified in an OSC-PRD pre-application conference.
  - (d) Avoid the placement of structures, common area facilities, and private space related to individual units in a manner that eclipses views or access to open space areas described in § 125-35K.
  - (e) Ensure that an appropriate number of units are designed to be fully accessible consistent with Massachusetts Architectural Access Board 521 CMR Accessibility Guidelines. If greater than 4 but fewer than 10 units, one unit must be accessible. If greater than 10 and fewer than 19, two units must be made accessible. For more than 20 units, 10% must be made accessible. .
- (2) **Building massing/articulation.** The massing/articulation of buildings should:
- (a) Avoid unbroken building facades longer than 50 feet.
  - (b) Provide human-scale features, especially for pedestrians and at lower levels.
  - (c) Avoid unarticulated and monotonous building facades and window placement.
- (3) **Building appearance and treatment.** To the extent not inconsistent with or pre-empted by the state building code, the following should be considered as applicable:
- (a) Materials and building treatments that reduce the visibility of the buildings from distant vantage points, and that are compatible with backgrounds and surroundings.
  - (b) Materials and colors compatible with other quality buildings of similar scale in the vicinity.

- (c) Green building technologies and materials, wherever possible, to minimize adverse environmental impacts.
- (4) **Roofline articulation.** The design of buildings should:
- (a) Provide a variety of building heights and varied roofline articulation that stresses New England vernacular architecture.
  - (b) Locate taller buildings away from major streets, abutting and off-site single-family residential areas and homes.
- (5) **Landscaping.** Landscaping criteria are as follows:
- (a) All open areas, exclusive of areas to remain in an existing natural state within an OSC-PRD, should be landscaped in an appropriate manner, utilizing both natural and man-made materials such as indigenous grasses, trees, shrubs, and other appropriate elements.
  - (b) Deciduous trees should be placed along new and existing streets and ways. Outdoor lighting should be considered in the landscaping plan, and should be designed to complement both man-made and natural elements of the OSC-PRD and adjacent areas.
  - (c) Intensive, high-quality landscaping or preservation of existing vegetation should be provided within the OSC-PRD where it abuts major streets, existing residential areas, and along internal drives.
  - (d) Preservation of existing vegetation or tree-lined areas should be maintained.
  - (e) Parking areas and lots should use landscaping and terracing to break up large areas of pavement and to enhance residential flavor and appearance; trees and shrubs should be used to the maximum extent feasible.
  - (f) Features such as shade trees, forest trees, and expansive planting areas should be preserved and/or introduced along external property boundaries and on the perimeter of the OSC-PRD itself, to buffer the site from adjoining parcels.
  - (g) Any lighting in the proposed development shall comply with Lighting Bylaw §125-40.
- F. Utilities.** To the maximum extent feasible, all utilities should be located underground.

- G. Signage.** All signs shall comply with Protective Bylaw § 125-41. However, within the development, signs, not to exceed two square-feet each, of a number and location to be approved as part of the OSC-PRD, may be permitted for the sole purposes of orientation and direction, and of identifying common building spaces.
- H. Base development density.** The maximum number of dwelling units per acre permitted in an OSC-PRD shall not exceed two units per acre of land area, and in no event exceed the maximum number of lots or dwelling units obtainable under a conventional subdivision plan for the land area under consideration, except as provided in § 125-35I.
- I. Development incentive.**
- (1) The Planning Board may authorize an increase in lots or dwelling units up to a maximum of ten units per acre. Increased permissible density will be allocated as the following conditions are met:
- (a) Additional Open Space Preservation
- [1] The applicant proposes a significant increase in open space above 50%, and preserves significant natural resources.
- [2] There is permanent preservation of land devoted or set aside for agricultural use or other unique preservation strategy, including preservation of historic structures or barns, or other special features of the built environment.
- (If (a)[1] or (a)[2] above are found to be satisfied, in the opinion of Planning Board, it may authorize a 2 unit per acre increase over base density.)
- (b) The applicant proposes public improvements or amenities that result in substantial benefit to the Town and the general public, provided:
- [1] There are significant improvements to the environmental quality or condition of the site and its surrounding areas, including a decrease in stormwater runoff from what would otherwise result from a conventional subdivision plan.
- [2] There are provisions contributing to off-site public facilities or environmental improvements beyond those necessary to mitigate the impacts of the proposed development.
- (If (b)[1] and (b)[2] above are found to be satisfied, in the opinion of Planning Board, it may authorize a 1.5 unit per acre increase over base density.)

- (c) Housing units for senior citizens and persons aged 55 years and over housing is provided. Such units should conform to §125-57E, Age Appropriate Design.

(If (c) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 1.5 unit per acre increase over base density.)

- (d) The applicant sets aside 15% or more of lots or dwelling units on the site for Affordable Housing for purchase or rental by those with households of low or moderate incomes. Such units must count toward the Town’s Subsidized Housing Inventory, and be in accordance with the provisions of 760 CMR 45.00, as may be amended. The Planning Board shall review and approve the actual percentage distribution of qualifying low versus moderate income units.

(If (d) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 2 unit per acre increase over base density.)

- (e) Units are designed to conform with Passive Haus Design standards.

(if (e) above is found to be satisfied, in the opinion of the Planning Board, it may authorize a 3 unit per acre increase over base density).

- (f) The development incorporates at least five elements of environmentally conscious design including, but not limited to heat pump/geothermal climate controls, smart windows, solar panels, smart outlets, LED lighting, substantial use of pervious pavement, conservation-minded landscaping, and low-flow water fixtures.

(If (f) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 1.5 unit per acre increase over base density.)

Condition	Units per acre	Additional Units per acre
<b>Base Density</b>	2	
<b>(a) Additional Open Space Preservation</b>		2
<b>(b) Substantial Benefit to Town</b>		1.5
<b>(c) Senior Housing</b>		1.5
<b>(d) Affordable Housing</b>		2
<b>(e) Passive Haus</b>		3

Condition	Units per acre	Additional Units per acre
(f) Environmentally Conscious		1.5
Maximum Density if all conditions met	10	

**J. Dimensional requirements.** The following provisions shall apply:

- (1) The Planning Board may waive the minimum requirements for frontage and/or yard requirements that would normally be applicable to land within the AR District in order to achieve maximum open space area, and may permit more than one single or two-family dwelling be located on a lot in an OSC-PRD, as provided below.
- (2) The parcel proposed for development must have a minimum of 50 feet of frontage on a public way or private way which is open to the public.
- (3) The minimum distance between clusters of multiple unit dwellings, shall be 50 feet.
- (4) A minimum width of 150 feet of landscaped area shall be established and maintained between any property adjacent to the OSC-PRD and the nearest dwelling unit or units in the OSC. [Amended 4-2-2005 ATM by Art. 34]
- (5) The minimum setback from internal roads shall be 25 feet.
- (6) The maximum height of proposed buildings shall be 35 feet, and shall not exceed 3 stories.
- (7) Except as provided in this Bylaw, any lot in an OSC-PRD shall comply with any other dimensional requirements of the zoning district in which it is located.

**K. Common open space.** A minimum of 50% of the OSC-PRD parcel shall be devoted to contiguous open space, completely devoid of any structure, parking, loading and unloading space, access ways thereto, or as private yards, patios, or gardens for the exclusive or principal use by residents of individual dwelling units. To the greatest extent possible, such open space shall be left in its undisturbed natural condition or shall be appropriate in size, shape, dimension, location, and character to assure its use as a conservation area, and where appropriate, a recreational area, and be a visual and natural amenity for the development and the Town. The common open space described herein is in substitution of and supersedes any other reference to common open space that may be described elsewhere in the Bylaw.

- (1) **Open space criteria.** The following criteria define open space, and open space that is considered usable for outdoor recreation within an OSC-PRD parcel:
  - (a) No more than 25% of common open space in an OSC-PRD shall be wetlands and wetland buffer.
  - (b) Unless approved by the Planning Board, common open space shall not be considered usable if the slope of the finished grade exceeds 33%.
  - (c) No common open space shall be considered usable unless it is compact and contiguous and has no dimension of less than 50 feet.
  - (d) All usable open space shall be open to the sky and pervious.

**L. Open space conveyance.**

- (1) The common open space shall be conveyed in the following ways as approved by the Planning Board:
  - (a) To a corporation or trust comprising a homeowners association whose membership includes the owners of all lots or units contained in the development. The developer shall include in the deed to owners beneficial rights in said open land, and shall grant a perpetual open space restriction to the Town of Harvard or a non-profit corporation or organization over such land to insure that it be kept in an open state and not be built upon for residential use, or developed for accessory uses such as parking or roadways. Such restriction shall be in such form and substance as the Planning Board shall prescribe, and may contain such additional restrictions on development and use of the open space as the Planning Board may deem appropriate.
  - (b) To a non-profit organization, the principal purpose of which is the conservation of open space. The developer or non-profit organization shall grant an open space restriction as set forth above.
  - (c) To the Town for a park or open space use, subject to the approval of the Select Board, for management by the Park and Recreation Commission if a park, otherwise by the Conservation Commission, with a clause insuring that it be maintained as open space. [Amended 10-22-2018 STM by Art. 2]
- (2) **Multiple conveyance.** To provide flexibility, and when deemed in the public interest, the Planning Board may approve more than one organization to accept the open space conveyance, particularly when it is appropriate that a major portion of such land be conveyed to the Town or a non-profit

conservation organization, and another portion of such land is more appropriately conveyed to an owners association.

**M. Passageways.** Private roadways and common driveways shall be allowed in OSCPRD parcels. While roadway surface widths may be narrower than widths associated with a traditional subdivision, the durability of passageway surfaces and subsurfaces must be comparable to those in a conventional subdivision. [Amended 4-2-2005 ATM by Art. 34]

- (1) **Criteria for passageways.** The following criteria shall guide the development of these passageways:
  - (a) Cleared widths for traveled ways (excluding on-street parking spaces and passing turnouts) shall not be more than 22 feet or less than 12 feet. A cleared height of not less than 16 feet above the entire passageway shall be established and maintained.
  - (b) Drainage and surface runoff from all passageways must be suitably accommodated by an approved drainage system, using best management practices.
  - (c) All OSC-PRD plans shall specify that such passageways will not be dedicated to the Town, but are to remain private ways; all deeds or other instruments conveying any portion of land or structure in an OSC-PRD containing such a passageway(s), shall specify that such passageway(s) are and shall remain private way(s);

**N. Site improvements.** Site improvements specific to an OSC-PRD are listed below. To assist the Planning Board's evaluation of site changes and improvements from any OSC-PRD plan, the applicant shall submit said plan to the Town's Conservation Commission and Board of Health for review and recommendations to the Planning Board.

- (1) **Water supply.** Each lot and the development in its entirety shall be served by water supply systems.
- (2) **Sewage disposal.** Privately owned and maintained on-site sewage disposal or treatment systems may be approved to serve buildings and lots in an OSCPRD, if owned, maintained, operated, and monitored by a residents association, notwithstanding the provisions of § 125-32D of this Bylaw, if such treatment facility or system is approved by the Board of Health and in compliance with the requirements of Title 5, 310 CMR 15.00, or approved in accordance with the requirements of 314 CMR 5.00 (the Ground Water Discharge Permit Program). An approved system may be located on land owned in common by the owners of the building lots or residential units within the development.

- (3) **Parking.** Unless otherwise approved by the Planning Board, a maximum of 1.5 off-street parking spaces shall be provided for each unit, exclusive of spaces within garages. The Planning Board may also approve, based upon the nature of the development proposed and exclusive of the 1.5 parking space ratio provided, areas for visitor parking.
  - (4) **Storm runoff control.** The applicant shall demonstrate that, as compared with the situation that would exist on the site without the development, no phase of the proposed OSC-PRD will result in an increase in the peak rate of storm runoff at the parcel boundary for the OSC-PRD as a whole for the 25-, 50- and 100-year design storms, and that there will be no net loss in flood storage capacity for the 100-year design storm. In making such determinations, any state or local orders or requirements of the Wetlands Protection Act or the Town's Wetlands Protection Bylaw<sup>3</sup> shall be assumed in the calculations of runoff and flood storage without the OSC-PRD, but alternative forms of development shall not be assumed.
  - (5) **On-site runoff and erosion control.** The applicant shall demonstrate that any adverse existing off-site runoff and erosion conditions or off-site runoff and erosion conditions which would result from the development of the OSC-PRD, are fully identified and that workable and acceptable mitigation measures are proposed as part of the submission of a final plan, consistent with .§ 125-58 herein;
- O. Residents association.** In order to ensure that common open space and common facilities within the development will be properly maintained, each OSC-PRD shall have a residents association, which may be in the form of a corporation, non-profit organization, or trust, established in accordance with appropriate State law by a suitable legal instrument or instruments properly recorded with the Worcester County Registry of Deeds or registered in the Worcester County Registry District of the Land Court. As part of the final OSC-PRD site plan submission, the applicant shall supply to the Planning Board copies of such proposed instruments, which shall at a minimum provide the information required by said OSC-PRD submission requirements, § 125-35L of this Bylaw, and Site Plan Rules and Regulations in effect at the time of final submission.
- (1) **Responsibilities of the residents association.** Said legal instruments pertaining to the residents association shall specify that the residents association shall be solely responsible for all related improvements, and all costs associated with the operation of the development, including:

- (a) Roadway maintenance.

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<sup>3</sup> Editor's Note: See Ch. 119, Wetlands Protection.



- (b) Snow-plowing.
- (c) Maintenance of street lighting and on-site improvements and utilities.

**P. Amendments without public hearing.** Following the granting of a special permit pursuant to this Section, the Planning Board may, upon application and for good cause shown, without public hearing, amend the OSC-PRD plan solely to make changes in lot lines shown on the plan, which lot lines are not part of the perimeter of the site, or other minor engineering changes, provided, however, that no such amendment shall:

- (1) Grant any reduction in the size or change in location of the open space as provided in the permit;
- (2) Grant any change in the layout of the ways as provided in the permit;
- (3) Increase the number of lots or units as provided in the permit; or
- (4) Decrease other dimensional requirements of any lot below the minima permitted by the approval of the initial site plan and special permit.

**Q. Amendments requiring public hearing.** Any proposed change to an existing OSC-PRD special permit considered substantial by the Planning Board, shall require notice and a formal public hearing in accordance with Massachusetts General Laws Chapter 40A, Section 9, 11, and 15 and an amendment to the special permit decision made pursuant to this section.

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

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

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

DATE: 5/19/23 TIME: 1:32  
 CLERK: 14 TERMINAL: 632  
 SALESPERSON: 14 DANIEL BOUCHER  
 TAX: NON NON TAXABLE SALE

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

SHIP TO:

**INVOICE: 967702/1**

LINE	QTY	UM	SKU	DESCRIPTION	UNITS	SUGG	PRICE/ PER	EXTENSION	
1	1	RL	4378469	2X4 MESH 4'X50' 14GA.GALV FENCE	1		79.99 /RL	79.99	N
2	2	RL	4394078	6419 1X36 50FT POULTRY NETTING	2		49.99 /RL	99.98	N
				<i>pollinator supplies</i>					

TAXABLE 0.00  
 NON-TAXABLE 179.97  
 SUBTOTAL 179.97

\*\* AMOUNT CHARGED TO STORE ACCOUNT \*\* 179.97  
 9.00

TAX AMOUNT 0.00

**TOTAL 179.97**

TOT WT: 28.60

*W. Sisson / Con Com*  
 Received By

**TOWN OF HARVARD**

**BARE HILL POND WATERSHED MANAGEMENT COMMITTEE**

**BEN BARON  
PABLO CARBONELL  
MEGAN GLEW  
MOREY KRAUS, ASSOCIATE MEMBER  
BRUCE LEICHER, CHAIR  
PETER VON LOESECKE  
RAINER PARK  
JOE PETTIROSSI  
KERRY SHRIVES**

**May 17, 2023**

**Subject: Notice of Intent Submission**

Herewith, please find a Notice of Intent. The Bare Hill Pond Watershed Management Committee seeks to renew the Order of Conditions for future Pond drawdowns, which expire later this year.

The drawdown is in accordance with the Massachusetts Lake and Pond GEIR to control phosphorus and invasive aquatic species, is subject to annual monitoring as approved by the Conservation Commission, and is consistent with the Order of Conditions for the past fifteen years.

Our proposal reflects the current Order of Conditions (attached), which details all the rules we are obligated to follow and only authorizes the Committee to initiate activity after providing data from the prior year and obtaining authorization from the Conservation Commission. We will continue to provide [monitoring data \(https://tinyurl.com/59v9jaz7\)](https://tinyurl.com/59v9jaz7) related to the Bare Hill Pond watershed to the Town of Harvard Conservation Commission. Before the subsequent drawdown in autumn 2023, we will share spring/summer 2023 data.

**Sincerely Yours,**



**The Pond Committee**

**Cc: Conservation Committee; Select Board, Board of Health, Planning Board**

FORM A  
NOTICE OF FILING

DATE: 17 May 2023 RE: Property located at: Bare Hill Pond, Pond Road, Harvard

FROM: Bare Hill Pond Watershed Management Committee  
(applicant)

Address: 13 Ayer Road, Harvard, MA 01451

Telephone: 508-335-3045

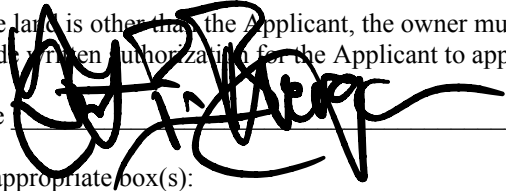
A. Pursuant to the requirements of M.G.L. Chapter 131 §. 40 and /or the Harvard Wetlands Bylaw I am submitting herewith a complete copy of a Request for Determination of Applicability or an Application for a Harvard Wetland Permit. Copies of this complete application have been submitted as required under subsection 147-14 Notice to Town Boards by certified mail or hand delivery as follows:

	Date of Submittal
Conservation Commission (10 copies)	_____
Department of Environmental Protection (2 copies)	_____
_____	_____
_____	_____
_____	_____

(add boards as specified at time of filing)

B. Have the abutters to the property on which the work is proposed, been notified about the filing of this application, on Form B?  Yes (attach a certified list of abutters)  No

C. If the owner of the land is other than the Applicant, the owner must either sign this application in the space provided or provide written authorization for the Applicant to apply.

Owner's Signature  Date: 5-17-23

D. Please check the appropriate box(es):

- Request for Determination of Applicability
- Notice of Intent
- Abbreviated Notice of Intent
- Abbreviated Notice of Resource Area Delineation
- Amendment of the Order of Conditions

E. Have the appropriate Town filing fees been included?  Yes  No

FORM B  
NOTIFICATION TO ABUTTERS  
MASSACHUSETTS WETLAND PROTECTION ACT  
AND HARVARD WETLANDS PROTECTION BYLAW

DATE: 17 May 2023 Certified Mail # \_\_\_\_\_  
or Date of Hand Delivery: \_\_\_\_\_

TO: \_\_\_\_\_  
(abutter) (address)  
FROM: Bare Hill Pond Watershed 13 Ayer Road, Harvard, MA 978-456-4100  
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # 21 Parcel 77  
The address of the lot where the activity is proposed is:  
Bare Hill Pond, Pond Road, Harvard, MA 01451

Pursuant to the requirements of the Harvard Wetlands Protection Bylaw and the second paragraph of Massachusetts General Laws Chapter 131 §40, you are hereby notified that the following forms have been filed with the Harvard Conservation Commission:

- A Notice of Intent or Abbreviated Notice of Intent seeking permission to conduct one or more of the following, remove, fill, dredge, or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, §40) and the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).
- \_\_\_\_\_ An Abbreviated Notice of Resource Area Delineation for confirmation of the delineation of a Bordering Vegetated Wetland (BVW) for projects in the buffer zone under the Wetlands Protection Act (General Law Chapter 131, § 40) and the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).
- \_\_\_\_\_ A Request for Determination of Applicability of the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).and the State Wetlands Protection Act (General Laws Chapter 131, §40)
- \_\_\_\_\_ Amendment to the Order of Conditions under the Harvard Wetland Bylaw (Chapter 119 of the Code of the Town of Harvard)

The Harvard Wetlands Protection Bylaw defines abutters as those persons whose property is within 300 feet of the boundary of the property or whose property lies across a traveled way or railroad bed from the property identified above. Notices shall be sent to the most recent owner of the property according to the most recent Assessors record. The list of abutters shall be certified by the Board of Assessors.

The Harvard Conservation Commission will hold a public hearing on the filing within twenty-one (21) days upon receipt of the complete application. Notice of this public hearing will be given at least five (5) days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at [www.harvard.ma.us](http://www.harvard.ma.us).

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may be obtained from the Applicant's Representative by calling the following telephone number 508 - 335 - 3045 between the hours of 9 and 5 on the following days of the week Monday - Friday.

The hearing can be subsequently continued to a later date by the Commission with the agreement of the Applicant.

To contact the Central Region DEP office call 508-792-7650.

FORM E

PERMISSION TO BILL APPLICANT DIRECTLY FOR LEGAL NOTICE

TO: Harvard Conservation Commission  
13 Ayer Road  
Harvard, MA 01451

FROM: Bare Hill Pond Watershed Committee  
13 Ayer Road  
Harvard, MA 01451

I hereby authorize Harvard Press to bill me directly for the legal notice published for a public hearing with the Harvard Conservation Commission.

Signed:   
*Owner or Authorized Applicant from Form A part C*

Date 5/17/2023

**TOTAL FEE PAYABLE TO THE TOWN OF HARVARD**

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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

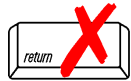
MassDEP File Number

Document Transaction Number

City/Town

**Important:**

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



Note:  
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

## A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

Pond Road  
 a. Street Address  
 Harvard  
 b. City/Town  
 01451  
 c. Zip Code  
 42.4913N  
 d. Latitude  
 71.59611W  
 e. Longitude  
 Map 21  
 f. Assessors Map/Plat Number  
 Parcel 77  
 g. Parcel /Lot Number

2. Applicant:

Town of Harvard, Bare Hill Pond Watershed Management Committee  
 a. First Name  
 b. Last Name  
 c. Organization  
 13 Ayer Road  
 d. Street Address  
 Harvard  
 e. City/Town  
 MA  
 f. State  
 01451  
 g. Zip Code  
 978-456-4100  
 h. Phone Number  
 i. Fax Number  
 Kshrives01451@gmail.com  
 j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

Town of Harvard, Board of Selectmen  
 a. First Name  
 b. Last Name  
 c. Organization  
 13 Ayer Road  
 d. Street Address  
 Harvard  
 e. City/Town  
 MA  
 f. State  
 01451  
 g. Zip Code  
 978-456-4100  
 h. Phone Number  
 i. Fax Number  
 Jdoucet@harvard-ma.gov  
 j. Email address

4. Representative (if any):

Kerry  
 a. First Name  
 Shrives  
 b. Last Name  
 c. Company  
 13 Ayer Road  
 d. Street Address  
 Harvard  
 e. City/Town  
 MA  
 f. State  
 01451  
 g. Zip Code  
 kshrives01451@gmail.com  
 h. Phone Number  
 i. Fax Number  
 j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

a. Total Fee Paid  
 b. State Fee Paid  
 c. City/Town Fee Paid





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

**A. General Information (continued)**

6. General Project Description:

The draw-down is in accordance with the Massachusetts Lake and Pond GEIR to control phosphorus and invasive species, is subject to annual monitoring as approved by The Conservation Commission, and is consistent with the Order of Conditions for the past fifteen years.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1.  Yes  No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (~~310~~ **310** CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Worcester	
a. County	b. Certificate # (if registered land)
3060	409
c. Book	d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- 1.  Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2.  Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



**Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands**

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

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Document Transaction Number

City/Town

**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	3404800 1. square feet	3404800 2. square feet
	0 3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection  
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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	_____	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement stream crossings



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## C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to:

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581**

8/1/2021

- b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

- Percentage/acreage of property to be altered:

(a) within wetland Resource Area \_\_\_\_\_  
percentage/acreage

(b) outside Resource Area \_\_\_\_\_  
percentage/acreage

- Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

(a)  Project description (including description of impacts outside of wetland resource area & buffer zone)

(b)  Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection  
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### C. Other Applicable Standards and Requirements (cont'd)

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d)  Vegetation cover type map of site

- (e)  Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1.  Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_

3.  Separate MESA review completed.  
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and  
the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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### C. Other Applicable Standards and Requirements (cont'd)

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a.  Yes  No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a.  Yes  No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a.  Yes  No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  2.  A portion of the site constitutes redevelopment
  3.  Proprietary BMPs are included in the Stormwater Management System.
- b.  No. Check why the project is exempt:
1.  Single-family house
  2.  Emergency road repair
  3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

### D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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**D. Additional Information (cont'd)**

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title

b. Prepared By

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.

6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8.  Attach NOI Wetland Fee Transmittal Form

9.  Attach Stormwater Report, if needed.

**E. Fees**

1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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Provided by MassDEP:

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MassDEP File Number

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Document Transaction Number

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City/Town

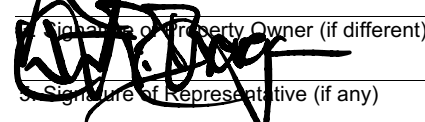
## F. Signatures and Submittal Requirements

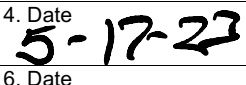
I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

  
 \_\_\_\_\_  
 1. Signature of Applicant  
 On behalf of Bare Hill Pond Watershed Management Committee

  
 \_\_\_\_\_  
 2. Date

  
 \_\_\_\_\_  
 4. Signature of Property Owner (if different)

\_\_\_\_\_   
 4. Date  
  
 \_\_\_\_\_  
 6. Date

\_\_\_\_\_   
 5. Signature of Representative (if any)

### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

### Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

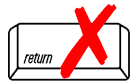
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.





Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



## A. Applicant Information

### 1. Location of Project:

a. Street Address	b. City/Town
c. Check number	d. Fee amount

### 2. Applicant Mailing Address:

a. First Name	b. Last Name	
c. Organization		
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address

### 3. Property Owner (if different):

a. First Name	b. Last Name	
c. Organization		
d. Mailing Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

## B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.



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**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee: \_\_\_\_\_  
 a. Total Fee from Step 5

State share of filing Fee: \_\_\_\_\_  
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: \_\_\_\_\_  
 c. 1/2 Total Fee **plus** \$12.50

**C. Submittal Requirements**

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
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**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee: \_\_\_\_\_  
 a. Total Fee from Step 5

State share of filing Fee: \_\_\_\_\_  
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: \_\_\_\_\_  
 c. 1/2 Total Fee **plus** \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
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 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee: \_\_\_\_\_  
 a. Total Fee from Step 5

State share of filing Fee: \_\_\_\_\_  
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: \_\_\_\_\_  
 c. 1/2 Total Fee **plus** \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



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 Bureau of Resource Protection - Wetlands  
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 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee: \_\_\_\_\_  
 a. Total Fee from Step 5

State share of filing Fee: \_\_\_\_\_  
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: \_\_\_\_\_  
 c. 1/2 Total Fee **plus** \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
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 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Step 5/Total Project Fee:** \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee: \_\_\_\_\_  
 a. Total Fee from Step 5

State share of filing Fee: \_\_\_\_\_  
 b. 1/2 Total Fee **less** \$12.50

City/Town share of filing Fee: \_\_\_\_\_  
 c. 1/2 Total Fee **plus** \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



**TOWN OF HARVARD**  
ASSESSORS OFFICE  
13 AYER ROAD  
HARVARD, MA 01451  
978-456-4100 X315

**RECEIVED**  
MAY - 4 2023

BOARD OF ASSESSORS  
TOWN OF HARVARD

**REQUEST FOR CERTIFIED ABUTTERS LIST**

I

*DIRECT ABUTTERS*

**PROPERTY LOCATION:** *300 FT BARE HILL RD*

**MAP/BLOCK/LOT:** \_\_\_\_\_

**PROPERTY OWNERS:** \_\_\_\_\_

**REQUIRED FOOTAGE:** \_\_\_\_\_

**CONTACT INFORMATION**

**EMAIL ADDRESS:** *LSURIVES01451@GMAIL.COM*

**MAILING ADDRESS IF DIFFERENT FROM PROPERTY LOCATION:**  
\_\_\_\_\_

**FEE: \$25.00**

To be paid with completed Abutters List request by Cash or Check  
*N/A*  
payable to the Town of Harvard

**\*\*Please allow 10 working days for your request to be processed\*\***

If you have questions or concerns, please contact the Assessors office at  
assessingdept@havard-ma.gov or 978-456-4100x315

• Emailed Package: 5/8/23

• Originals IN Bare Hill Pond mailbox 5/8/23



**Abutters List Report**  
Town of Harvard, MA

Date: May 8, 2023  
Parcel Number: 021-077-000  
Property Address: Bare Hill Pond -Direct Abutters  
Abutters To: 100ft

The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed:  \_\_\_\_\_

Date: 5/8/23

Carol Dearborn  
Assistant Assessor  
(978) 456-4100 x315

FINANCE DEPARTMENT - ACCOUNTANT, ASSESSORS, TREASURER/COLLECTOR

13 Ayer Road, Harvard, Massachusetts 01451-1458

[www.harvard-ma.gov](http://www.harvard-ma.gov)





# Bare Hill Pond - Direct Abutters

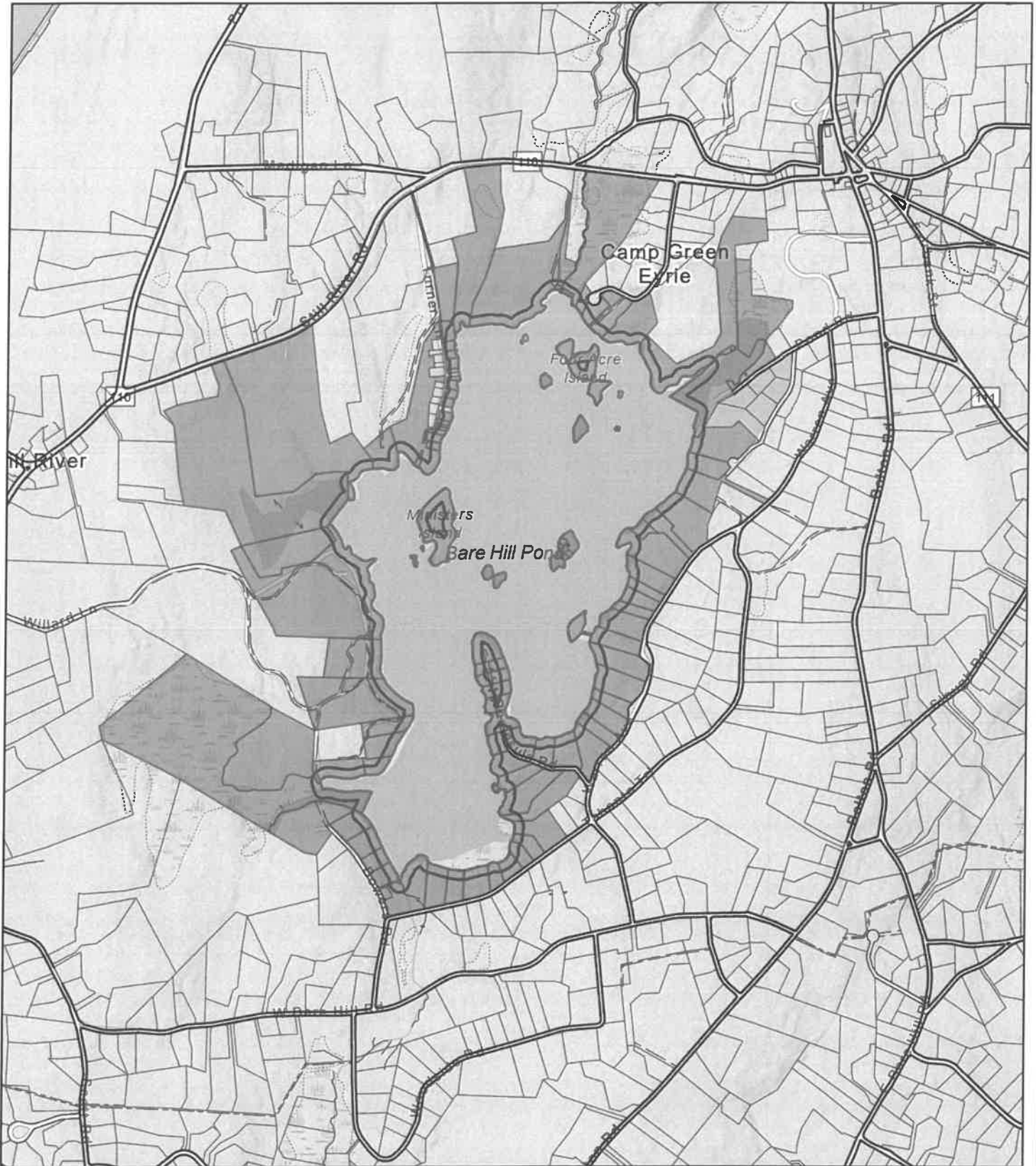
Town of Harvard, MA

1 inch = 1504 Feet



[www.cai-tech.com](http://www.cai-tech.com)

May 8, 2023



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# 100 feet Abutters List Report

Harvard, MA  
May 08, 2023

## Subject Property:

Parcel Number: 021-077-000-000  
CAMA Number: 021-077-000-000  
Property Address: BARE HILL POND

Mailing Address: HARVARD, TOWN OF  
13 AYER RD  
HARVARD, MA 01451

## Abutters:

Parcel Number: 016-019-000-000  
CAMA Number: 016-019-000-000  
Property Address: STILL RIVER RD

Mailing Address: GIRL SCOUTS OF CENTRAL AND  
WESTERN MASSACHUSETTS,  
81 GOLDSTAR BLVD  
WORCESTER, MA 01606

Parcel Number: 021-030-000-000  
CAMA Number: 021-030-000-000  
Property Address: STILL RIVER RD

Mailing Address: GIRL SCOUTS OF CENTRAL AND  
WESTERN MASSACHUSETTS,  
115 CENTURY DR  
WORCESTER, MA 01606

Parcel Number: 021-032-000-000  
CAMA Number: 021-032-000-000  
Property Address: 31 TURNER LN

Mailing Address: RUZE REALTY TR  
4 CONCORD GREENE UNIT 6  
CONCORD, MA 01742

Parcel Number: 021-033-000-000  
CAMA Number: 021-033-000-000  
Property Address: 33 TURNER LN

Mailing Address: GRIESBACH, MICHAEL T & BARBARA C  
33 TURNER LN  
HARVARD, MA 01451

Parcel Number: 021-034-000-000  
CAMA Number: 021-034-000-000  
Property Address: 37 TURNER LN

Mailing Address: 37 TURNER LANE, LLC  
412 GREAT ROAD  
STOW, MA 01775

Parcel Number: 021-035-000-000  
CAMA Number: 021-035-000-000  
Property Address: 39 TURNER LN

Mailing Address: CAVICCHIO, JR., PAUL F  
412 GREAT RD  
STOW, MA 01775

Parcel Number: 021-036-000-000  
CAMA Number: 021-036-000-000  
Property Address: 43 TURNER LN

Mailing Address: CAVICCHIO, PAUL F JR & YAKOVLEV,  
NATASHA  
412 GREAT RD  
STOW, MA 01775

Parcel Number: 021-037-000-000  
CAMA Number: 021-037-000-000  
Property Address: 45 TURNER LN

Mailing Address: BYRNE, JOHN A & IRENE M  
PO BOX 148  
HARVARD, MA 01451

Parcel Number: 021-038-000-000  
CAMA Number: 021-038-000-000  
Property Address: 47 TURNER LN

Mailing Address: HUGHES, ROBERT H & LUCILLE T  
PO BOX 79  
STILL RIVER, MA 01467

Parcel Number: 021-039-000-000  
CAMA Number: 021-039-000-000  
Property Address: 49 TURNER LN

Mailing Address: EDWARD G. LYON, TRUSTEE OF THE  
NLSS INVESTMENT TRU  
49 TURNER LN  
HARVARD, MA 01451



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number: 021-040-000-000  
CAMA Number: 021-040-000-000  
Property Address: 53 TURNER LN

Mailing Address: CAVICCHIO, NICOLA  
20 SUNNYSIDE STREET, APT#9  
JAMAICA PLAIN, MA 02130

Parcel Number: 021-041-000-000  
CAMA Number: 021-041-000-000  
Property Address: 55 TURNER LN

Mailing Address: SARAH R PORTER 2006 REVOCABLE  
TRUST  
PO BOX 206  
STILL RIVER, MA 01467

Parcel Number: 021-042-000-000  
CAMA Number: 021-042-000-000  
Property Address: 59 TURNER LN

Mailing Address: SAWYER, JANE L & WENDY M  
PO BOX 39  
BERLIN, MA 01503

Parcel Number: 021-043-000-000  
CAMA Number: 021-043-000-000  
Property Address: 61 TURNER LN

Mailing Address: SAWYER, JANE L & WENDY M  
PO BOX 39  
BERLIN, MA 01503

Parcel Number: 021-044-000-000  
CAMA Number: 021-044-000-000  
Property Address: 63 TURNER LN

Mailing Address: BILODEAU, CHRISTIAN  
PO BOX 422  
HARVARD, MA 01451

Parcel Number: 021-045-000-000  
CAMA Number: 021-045-000-000  
Property Address: TURNER LN

Mailing Address: WEISS, ALISSA, TTE  
33 WARREN AVE  
HARVARD, MA 01451

Parcel Number: 021-046-000-000  
CAMA Number: 021-046-000-000  
Property Address: ROCK ISLAND

Mailing Address: HILDRETH, MARY-LU, HILDRETH,  
JONATHAN  
P.O. BOX 468  
HARVARD, MA 01451

Parcel Number: 021-047-000-000  
CAMA Number: 021-047-000-000  
Property Address: SPECTACLE ISLAND

Mailing Address: FOSTER, TIMOTHY S & LINDA D  
15 CODMAN HILL RD  
BOXBOROUGH, MA 01719

Parcel Number: 021-048-000-000  
CAMA Number: 021-048-000-000  
Property Address: MINISTERS ISLAND

Mailing Address: WEISS, ALISSA, TTE  
33 WARREN AVE  
HARVARD, MA 01451

Parcel Number: 021-048-001-000  
CAMA Number: 021-048-001-000  
Property Address: BARE HILL POND

Mailing Address: SNELL, CAROL S  
6 PRESTON RD  
LEXINGTON, MA 02420

Parcel Number: 021-049-000-000  
CAMA Number: 021-049-000-000  
Property Address: BARE HILL POND

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 021-057-000-000  
CAMA Number: 021-057-000-000  
Property Address: TURNER LN

Mailing Address: TURNER, ARTHUR S & ROBERT  
TURNER  
630 GREENLEAF DR  
RICHARDSON, TX 75080



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number: 021-057-002-000 CAMA Number: 021-057-002-000 Property Address: TURNER LN	Mailing Address: GRIESBACH, MICHAEL T & BARBARA C 33 TURNER LN HARVARD, MA 01451
Parcel Number: 021-057-005-000 CAMA Number: 021-057-005-000 Property Address: TURNER LN	Mailing Address: SAWYER, JANE L PO BOX 39 BERLIN, MA 01503
Parcel Number: 021-057-006-000 CAMA Number: 021-057-006-000 Property Address: TURNER LN	Mailing Address: PORTER, SARAH R PO BOX 206 STILL RIVER, MA 01467
Parcel Number: 021-060-000-000 CAMA Number: 021-060-000-000 Property Address: 153 STILL RIVER RD	Mailing Address: HARVARD, TOWN OF, CONSERVATION 13 AYER RD HARVARD, MA 01451
Parcel Number: 021-061-000-000 CAMA Number: 021-061-000-000 Property Address: STILL RIVER RD	Mailing Address: HARVARD, TOWN OF, CONSERVATION 13 AYER RD HARVARD, MA 01451
Parcel Number: 021-075-000-000 CAMA Number: 021-075-000-000 Property Address: STILL RIVER RD	Mailing Address: HARVARD, TOWN OF, CONSERVATION 13 AYER RD HARVARD, MA 01451
Parcel Number: 021-076-000-000 CAMA Number: 021-076-000-000 Property Address: BARE HILL POND	Mailing Address: STILL RIVER REALTY TR PO BOX 128 STILL RIVER, MA 01467
Parcel Number: 022-052-000-000 CAMA Number: 022-052-000-000 Property Address: 72 WARREN AV	Mailing Address: JOHNSON, WILLIAM N & LAURA T 72 WARREN AV HARVARD, MA 01451
Parcel Number: 022-053-000-000 CAMA Number: 022-053-000-000 Property Address: 70 WARREN AV	Mailing Address: CALLAHAN, THOMAS E TRUSTEE 70 WARREN AV HARVARD, MA 01451
Parcel Number: 022-054-000-000 CAMA Number: 022-054-000-000 Property Address: 68 WARREN AV	Mailing Address: NORMAN SCOTT INVESTMENT TRUST 70 WARREN AVE HARVARD, MA 01451
Parcel Number: 022-055-000-000 CAMA Number: 022-055-000-000 Property Address: 64 WARREN AV	Mailing Address: MAUREEN H. PETTIROSSI TRUST PO BOX 875 HARVARD, MA 01451
Parcel Number: 022-056-001-000 CAMA Number: 022-056-001-000 Property Address: 58 WARREN AV	Mailing Address: LEICHER, BRUCE A. 58 WARREN AVE HARVARD, MA 01451



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number: 022-057-001-000  
CAMA Number: 022-057-001-000  
Property Address: 46 WARREN AV

Mailing Address: GORMLEY III, J THOMAS & JENNY MURRAY  
46 WARREN AV  
HARVARD, MA 01451

Parcel Number: 022-057-002-000  
CAMA Number: 022-057-002-000  
Property Address: WARREN AV

Mailing Address: LEICHER, BRUCE A  
58 WARREN AVE  
HARVARD, MA 01451

Parcel Number: 022-058-001-000  
CAMA Number: 022-058-001-000  
Property Address: WARREN AV

Mailing Address: GORMLEY, J THOMAS III & JENNY MURRAY  
46 WARREN AV  
HARVARD, MA 01451

Parcel Number: 022-063-000-000  
CAMA Number: 022-063-000-000  
Property Address: 32 WHITMAN RD

Mailing Address: ORTLER, LISABETH, TRUSTEE OF THE PO BOX 323  
HARVARD, MA 01451

Parcel Number: 022-064-000-000  
CAMA Number: 022-064-000-000  
Property Address: 30 WHITMAN RD

Mailing Address: TRACY KRAUS LIVING TR  
30 WHITMAN RD  
HARVARD, MA 01451

Parcel Number: 022-065-000-000  
CAMA Number: 022-065-000-000  
Property Address: BARE HILL POND

Mailing Address: SHEEP ISLAND ASSOCIATION TR  
17 RAINBOW RIDGE RD  
WINDSOR, NY 13865-2420

Parcel Number: 022-066-000-000  
CAMA Number: 022-066-000-000  
Property Address: SHEEP ISLAND

Mailing Address: DICKSON, JR., WALTER  
64 CHAPMAN PLACE  
LEOMINSTER, MA 01453

Parcel Number: 022-067-000-000  
CAMA Number: 022-067-000-000  
Property Address: SHEEP ISLAND

Mailing Address: KERR-SLATTERY, LAURA & SLATTERY, PATRICK  
BOX 222  
HARVARD, MA 01451

Parcel Number: 022-068-000-000  
CAMA Number: 022-068-000-000  
Property Address: SHEEP ISLAND

Mailing Address: EDMANDS, P.SPENCER & CONTENTO, CANDIS E  
17 RAINBOW RIDGE RD  
WINDSOR, NY 13865

Parcel Number: 022-069-000-000  
CAMA Number: 022-069-000-000  
Property Address: SHEEP ISLAND

Mailing Address: COPPINGER, KERRYANN  
42 SKYVIEW DR  
FITCHBURY, MA 01420

Parcel Number: 022-070-000-000  
CAMA Number: 022-070-000-000  
Property Address: SHEEP ISLAND

Mailing Address: HICKS KIMBERLEY E REVOC TRUST TTE  
C/O KIMBERLEY E. HICKS, TRUSTE 343 MAIN ST  
SOUTH DENNIS, MA 02660

Parcel Number: 026-005-000-000  
CAMA Number: 026-005-000-000  
Property Address: BARE HILL POND

Mailing Address: WILLARD SHORES INC  
PO BOX 424  
BOLTON, MA 01740



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number: 026-006-000-000  
CAMA Number: 026-006-000-000  
Property Address: CLINTON SHORE DR

Mailing Address: CLINTON SHORE DR ASSOCIATION  
PO BOX 63  
STILL RIVER, MA 01467

Parcel Number: 026-007-000-000  
CAMA Number: 026-007-000-000  
Property Address: 133 CLINTON SHORE DR

Mailing Address: NICKERSON, KELSEY  
133 CLINTON SHORE DR  
STILL RIVER, MA 01467-0071

Parcel Number: 026-008-000-000  
CAMA Number: 026-008-000-000  
Property Address: 24 COVE DR

Mailing Address: MARCELLO REALTY TRUST  
24 COVE DR  
HARVARD, MA 01451

Parcel Number: 026-009-000-000  
CAMA Number: 026-009-000-000  
Property Address: 18 COVE DR

Mailing Address: HUGHES, ADAM  
20 SHAKER RD  
HARVARD, MA 01451

Parcel Number: 026-010-000-000  
CAMA Number: 026-010-000-000  
Property Address: 12 COVE DR

Mailing Address: KDLK HOLDINGS, LLC  
33 ALLEN HILL RD  
PRINCETON, MA 01541

Parcel Number: 026-012-000-000  
CAMA Number: 026-012-000-000  
Property Address: COVE DR

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 026-013-000-000  
CAMA Number: 026-013-000-000  
Property Address: WILLARD LN

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 026-026-000-000  
CAMA Number: 026-026-000-000  
Property Address: 41 BOWERS RD

Mailing Address: GATES, SHEILA  
112 LITTLETON CNTY RD  
HARVARD, MA 01451

Parcel Number: 026-028-000-000  
CAMA Number: 026-028-000-000  
Property Address: BOWERS RD

Mailing Address: BRACKETT, GREGORY  
37 BOWERS RD  
HARVARD, MA 01451

Parcel Number: 026-029-000-000  
CAMA Number: 026-029-000-000  
Property Address: BOWERS RD

Mailing Address: BRACKETT, GREGORY J  
17 BOWERS RD  
HARVARD, MA 01451

Parcel Number: 026-030-000-000  
CAMA Number: 026-030-000-000  
Property Address: BOWERS RD

Mailing Address: TUCKER EAGLE REALTY LLC  
26 BOWERS RD  
HARVARD, MA 01451

Parcel Number: 026-031-000-000  
CAMA Number: 026-031-000-000  
Property Address: 26 BOWERS RD

Mailing Address: HERRALL, THOMAS R & NANCY L  
26 BOWERS RD  
HARVARD, MA 01451



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number:	026-032-000-000	Mailing Address:	18 BOWERS ROAD REALTY TRUST
CAMA Number:	026-032-000-000		18 BOWERS RD
Property Address:	18 BOWERS RD		HARVARD, MA 01451

Parcel Number:	026-033-000-000	Mailing Address:	BARROS, BRETT A.
CAMA Number:	026-033-000-000		122 TAHANTO TR
Property Address:	122 TAHANTO TR		HARVARD, MA 01451

Parcel Number:	026-034-000-000	Mailing Address:	MASS, COMMONWEALTH OF
CAMA Number:	026-034-000-000		100 CAMBRIDGE ST
Property Address:	TAHANTO TR		BOSTON, MA 02202

Parcel Number:	026-035-000-000	Mailing Address:	MONICA ROMMEL
CAMA Number:	026-035-000-000		110 TAHANTO TR
Property Address:	110 TAHANTO TR		HARVARD, MA 01451

Parcel Number:	026-036-000-000	Mailing Address:	W. ALLEN MARR
CAMA Number:	026-036-000-000		98 TAHANTO TRAIL
Property Address:	TAHANTO TR		HARVARD, MA 01451

Parcel Number:	026-037-000-000	Mailing Address:	THE W ALLEN MARR 2011 TRUST
CAMA Number:	026-037-000-000		98 TAHANTO TR
Property Address:	98 TAHANTO TR		HARVARD, MA 01451

Parcel Number:	026-038-000-000	Mailing Address:	HOWLAND, DAVID M.
CAMA Number:	026-038-000-000		94 TAHANTO TR
Property Address:	94 TAHANTO TR		HARVARD, MA 01451

Parcel Number:	026-039-000-000	Mailing Address:	GULATI, SANJAY & PRESTIA-GULATI,
CAMA Number:	026-039-000-000		CHRYSA
Property Address:	92 TAHANTO TR		92 TAHANTO TRAIL
			HARVARD, MA 01451

Parcel Number:	026-040-000-000	Mailing Address:	ROSS, PAMELA & JOEL TRUSTEES OF
CAMA Number:	026-040-000-000		THE
Property Address:	88 TAHANTO TR		88 TAHANTO TR
			HARVARD, MA 01451

Parcel Number:	026-041-000-000	Mailing Address:	PARK, RAINER
CAMA Number:	026-041-000-000		8 WINGATE LN
Property Address:	7 PENINSULA RD		ACTON, MA 01720

Parcel Number:	026-042-000-000	Mailing Address:	LAURSEN, WILLIAM J & LYNN E S
CAMA Number:	026-042-000-000		13 PENINSULA RD
Property Address:	13 PENINSULA RD		HARVARD, MA 01451

Parcel Number:	026-043-000-000	Mailing Address:	HOFFMAN, ALLEN H & CAROL A
CAMA Number:	026-043-000-000		PO BOX 333
Property Address:	21 PENINSULA RD		STERLING, MA 01564



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number: 026-044-000-000  
CAMA Number: 026-044-000-000  
Property Address: 23 PENINSULA RD

Mailing Address: ALMA GREGORY SORENSON  
23 PENINSULA RD  
HARVARD, MA 01451

Parcel Number: 026-045-000-000  
CAMA Number: 026-045-000-000  
Property Address: 27 PENINSULA RD

Mailing Address: TURNBULL, KATHLEEN A  
27 PENINSULA RD  
HARVARD, MA 01451

Parcel Number: 026-046-000-000  
CAMA Number: 026-046-000-000  
Property Address: 31 PENINSULA RD

Mailing Address: DUNTON, EZRA L & MARDIS M  
31 PENINSULA ROAD  
HARVARD, MA 01451

Parcel Number: 026-047-000-000  
CAMA Number: 026-047-000-000  
Property Address: 37 PENINSULA RD

Mailing Address: REYNOLDS, SARA-GRACE  
37 PENINSULA RD  
HARVARD, MA 01451

Parcel Number: 026-048-000-000  
CAMA Number: 026-048-000-000  
Property Address: 44 PENINSULA RD

Mailing Address: FINN, JOHN JR.  
44 PENINSULA ROAD  
HARVARD, MA 01451

Parcel Number: 026-049-000-000  
CAMA Number: 026-049-000-000  
Property Address: 38 PENINSULA RD

Mailing Address: GIGUERE, MICHAEL  
8 LANTHORN RD  
NORTHBOROUGH, MA 01532

Parcel Number: 026-050-000-000  
CAMA Number: 026-050-000-000  
Property Address: 34 PENINSULA RD

Mailing Address: 34 PENINSULA REALTY TRUST  
34 PENINSULA RD  
HARVARD, MA 01451

Parcel Number: 026-051-000-000  
CAMA Number: 026-051-000-000  
Property Address: 18 PENINSULA RD

Mailing Address: DAISY, PHYLLIS M  
10 MEETING HOUSE HILL RD  
DOVER, MA 02038

Parcel Number: 026-052-000-000  
CAMA Number: 026-052-000-000  
Property Address: 12 PENINSULA RD

Mailing Address: BOYNTON, JOHN W  
12 PENINSULA RD  
HARVARD, MA 01451

Parcel Number: 026-006-000-000  
CAMA Number: 026-2506-000-000  
Property Address: 111 CLINTON SHORE DR

Mailing Address: BAER, GARRY R & DIANA R, TTEES  
237 WHEELER ROAD  
ASHBY, MA 01431

Parcel Number: 026-006-000-000  
CAMA Number: 026-2706-000-000  
Property Address: 113 CLINTON SHORE DR

Mailing Address: BARRY A. JORDAN  
PO BOX 82  
STILL RIVER, MA 01467

Parcel Number: 026-006-000-000  
CAMA Number: 026-2806-000-000  
Property Address: 112 CLINTON SHORE DR

Mailing Address: CUMMINS,ROBERT C&PANASEVICH  
C,KAREN  
PO BOX 47  
STILL RIVER, MA 01467



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# 100 feet Abutters List Report

Harvard, MA  
May 08, 2023

Parcel Number: 026-006-000-000  
CAMA Number: 026-2906-000-000  
Property Address: 115 CLINTON SHORE DR

Mailing Address: STROLLER, RICHARD A.  
115 CLINTON SHORE DR UNIT#29  
HARVARD, MA 01451

Parcel Number: 026-006-000-000  
CAMA Number: 026-3006-000-000  
Property Address: 114 CLINTON SHORE DR

Mailing Address: BERGEN, JOSEPH  
173 LITTLETON CNTY RD  
HARVARD, MA 01451

Parcel Number: 026-006-000-000  
CAMA Number: 026-3106-000-000  
Property Address: 117 CLINTON SHORE DR

Mailing Address: SIMARD, WILLIAM & LINDA  
117 CLINTON SHORE DR  
HARVARD, MA 01451

Parcel Number: 026-006-000-000  
CAMA Number: 026-3206-000-000  
Property Address: 116 CLINTON SHORE DR

Mailing Address: NEE, ANDREA M  
22 ARTHUR ST  
CLINTON, MA 01510

Parcel Number: 026-006-000-000  
CAMA Number: 026-3306-000-000  
Property Address: 119 CLINTON SHORE DR

Mailing Address: BLOWER, BRADLEY  
7414 BUFFALO AVE  
TAKOMA PARK, MD 20912

Parcel Number: 026-006-000-000  
CAMA Number: 026-3406-000-000  
Property Address: 118 CLINTON SHORE DR

Mailing Address: LONG, ANDREA LYNN  
118 CLINTON SHORE DR, UNIT 34  
HARVARD, MA 01451

Parcel Number: 026-006-000-000  
CAMA Number: 026-3506-000-000  
Property Address: 125 CLINTON SHORE DR

Mailing Address: STAMSKI, BRUCE M & PLATT,  
ALEXANDER D, TTEES  
PO BOX 157  
STILL RIVER, MA 01467

Parcel Number: 026-006-000-000  
CAMA Number: 026-3606-000-000  
Property Address: 122 CLINTON SHORE DR

Mailing Address: ORR, JEFFREY F  
PO BOX 2  
STILL RIVER, MA 01467

Parcel Number: 026-006-000-000  
CAMA Number: 026-3706-000-000  
Property Address: 121 CLINTON SHORE DR

Mailing Address: STAMSKI, BRUCE M., MACKNIGHT,  
REBECCA E., STAMSKI,  
PO BOX 157  
STILL RIVER, MA 01451

Parcel Number: 026-006-000-000  
CAMA Number: 026-3806-000-000  
Property Address: 131 CLINTON SHORE DR

Mailing Address: MITCHELL, VERILYN  
15 OTIS ST  
CLINTON, MA 01510

Parcel Number: 026-006-000-000  
CAMA Number: 026-3906-000-000  
Property Address: 123 CLINTON SHORE DR

Mailing Address: GARDNER, MICHAEL JOSEPH  
28 HIDDEN BROOK DR  
STAMFORD, CT 06907

Parcel Number: 026-006-000-000  
CAMA Number: 026-4106-000-000  
Property Address: 127 CLINTON SHORE DR

Mailing Address: O'TOOLE, DAVID R & MICHAEL J JR  
61 ST ANDREWS DR  
CLIFTON PARK, NY 12065 1210



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Harvard, MA  
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Parcel Number: 026-006-000-000  
CAMA Number: 026-4306-000-000  
Property Address: 129 CLINTON SHORE DR

Mailing Address: CARLISLE HARVARD NOMINEE TRUST  
7 PROVIDENCE PLACE  
LEXINGTON, VA 24450

Parcel Number: 027-009-000-000  
CAMA Number: 027-009-000-000  
Property Address: 3 PENINSULA RD

Mailing Address: CHAPMAN, RICHARD  
3 PENINSULA RD  
HARVARD, MA 01451

Parcel Number: 027-011-000-000  
CAMA Number: 027-011-000-000  
Property Address: 10 PENINSULA RD

Mailing Address: BYKHOVSKY, DMITRY & OLGA  
649 MASS AV  
BOXBOROUGH, MA 01719

Parcel Number: 027-012-000-000  
CAMA Number: 027-012-000-000  
Property Address: WARREN AV

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 027-013-000-000  
CAMA Number: 027-013-000-000  
Property Address: 110 WARREN AV

Mailing Address: KHURANA PRADEEP & MARISA  
110 WARREN AV  
HARVARD, MA 01451

Parcel Number: 027-014-000-000  
CAMA Number: 027-014-000-000  
Property Address: 100 WARREN AV

Mailing Address: STEININGER, ROBERT & CAROLYN  
HOFFMAN  
100 REED ST  
CAMBRIDGE, MA 02140

Parcel Number: 027-015-000-000  
CAMA Number: 027-015-000-000  
Property Address: 90 WARREN AV

Mailing Address: CURRAGHDUFF, LLC  
33 WARREN AVE  
HARVARD, MA 01451

Parcel Number: 027-016-000-000  
CAMA Number: 027-016-000-000  
Property Address: 84 WARREN AV

Mailing Address: VON LOESECKE, ALICE J INVST TRUST  
  
84 WARREN AV  
HARVARD, MA 01451

Parcel Number: 027-017-000-000  
CAMA Number: 027-017-000-000  
Property Address: 82 WARREN AV

Mailing Address: JOHNSTON, SUZANNE  
82 WARREN AV  
HARVARD, MA 01451

Parcel Number: 027-018-000-000  
CAMA Number: 027-018-000-000  
Property Address: 80 WARREN AV

Mailing Address: BARE HILL PARTNERS TR  
150 AYER RD  
HARVARD, MA 01451

Parcel Number: 027-019-000-000  
CAMA Number: 027-019-000-000  
Property Address: 76 WARREN AV

Mailing Address: JANET S WALDRON  
76 WARREN AV  
HARVARD, MA 01451

Parcel Number: 17C-003-002-001  
CAMA Number: 17C-003-002-001  
Property Address: STILL RIVER RD

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number: 17C-017-000-000  
CAMA Number: 17C-017-000-000  
Property Address: STILL RIVER RD

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 22A-014-000-000  
CAMA Number: 22A-014-000-000  
Property Address: POND RD

Mailing Address: HARVARD, TOWN OF  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 22A-015-000-000  
CAMA Number: 22A-015-000-000  
Property Address: POND RD

Mailing Address: HARVARD, TOWN OF  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 22A-021-000-000  
CAMA Number: 22A-021-000-000  
Property Address: 29 WILLOW RD

Mailing Address: DONALDSON, ROBERT J.F.  
29 WILLOW RD  
HARVARD, MA 01451

Parcel Number: 22A-021-001-000  
CAMA Number: 22A-021-001-000  
Property Address: 27 WILLOW RD

Mailing Address: WICKMAN DARRELL & WICKMAN WILLIE  
TRUSTEE  
27 WILLOW RD  
HARVARD, MA 01451

Parcel Number: 22A-022-000-000  
CAMA Number: 22A-022-000-000  
Property Address: 42 WILLOW RD

Mailing Address: RUZE, PATRICIA  
42 WILLOW RD  
HARVARD, MA 01451

Parcel Number: 22A-023-000-000  
CAMA Number: 22A-023-000-000  
Property Address: WHITNEY ISLAND

Mailing Address: HUPPI, BENJAMIN J.  
6 FAIRLANE TERR  
WINCHESTER, MA 01890

Parcel Number: 22A-024-000-000  
CAMA Number: 22A-024-000-000  
Property Address: 5 FOUR ACRE ISLAND

Mailing Address: MARSHALL, WAYNE  
19 CORPORAL BURNS RD  
CAMBRIDGE, MA 02138

Parcel Number: 22A-025-000-000  
CAMA Number: 22A-025-000-000  
Property Address: 3 FOUR ACRE ISLAND

Mailing Address: KENNEDY, JOSEPH  
66 WEST UNION ST  
ASHLAND, MA 01721

Parcel Number: 22A-026-000-000  
CAMA Number: 22A-026-000-000  
Property Address: 1 FOUR ACRE ISLAND

Mailing Address: CHRISTIAN BILODEAU  
63 TURNER LN  
HARVARD, MA 01451

Parcel Number: 22A-027-000-000  
CAMA Number: 22A-027-000-000  
Property Address: WILLOW RD

Mailing Address: KENNEDY, JOSEPH  
66 WEST UNION ST  
ASHLAND, MA 01721

Parcel Number: 22A-028-000-000  
CAMA Number: 22A-028-000-000  
Property Address: BARE HILL POND

Mailing Address: HARVARD, TOWN OF  
13 AYER RD  
HARVARD, MA 01451



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# 100 feet Abutters List Report

Harvard, MA

May 08, 2023

Parcel Number: 22A-033-000-000  
CAMA Number: 22A-033-000-000  
Property Address: STILL RIVER RD

Mailing Address: GIRL SCOUTS OF CENTRAL AND  
WESTERN MASSACHUSETTS,  
115 CENTURY DR  
WORCESTER, MA 01606

Parcel Number: 22A-035-000-000  
CAMA Number: 22A-035-000-000  
Property Address: SAXL ISLAND

Mailing Address: HILDRETH, MARY-LU, HILDRETH,  
JONATHAN  
P.O. BOX 468  
HARVARD, MA 01451

Parcel Number: 22A-036-000-000  
CAMA Number: 22A-036-000-000  
Property Address: POND RD

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451



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18 BOWERS ROAD REALTY TRU  
18 BOWERS RD  
HARVARD, MA 01451

BLOWER, BRADLEY  
7414 BUFFALO AVE  
TAKOMA PARK, MD 20912

CAVICCHIO, PAUL F JR & YA  
412 GREAT RD  
STOW, MA 01775

34 PENINSULA REALTY TRUST  
34 PENINSULA RD  
HARVARD, MA 01451

BOYNTON, JOHN W  
12 PENINSULA RD  
HARVARD, MA 01451

CHAPMAN, RICHARD  
3 PENINSULA RD  
HARVARD, MA 01451

37 TURNER LANE, LLC  
412 GREAT ROAD  
STOW, MA 01775

BRACKETT, GREGORY  
37 BOWERS RD  
HARVARD, MA 01451

CHRISTIAN BILODEAU  
63 TURNER LN  
HARVARD, MA 01451

ALMA GREGORY SORENSON  
23 PENINSULA RD  
HARVARD, MA 01451

BRACKETT, GREGORY J  
17 BOWERS RD  
HARVARD, MA 01451

CLINTON SHORE DR ASSOCIAT  
PO BOX 63  
STILL RIVER, MA 01467

BAER, GARRY R & DIANA R,  
237 WHEELER ROAD  
ASHBY, MA 01431

BYKHOVSKY, DMITRY & OLGA  
649 MASS AV  
BOXBOROUGH, MA 01719

COPPINGER, KERRYANN  
42 SKYVIEW DR  
FITCHBURY, MA 01420

BARE HILL PARTNERS TR  
150 AYER RD  
HARVARD, MA 01451

BYRNE, JOHN A & IRENE M  
PO BOX 148  
HARVARD, MA 01451

CUMMINS,ROBERT C&PANASEVI  
PO BOX 47  
STILL RIVER, MA 01467

BARROS, BRETT A.  
122 TAHANTO TR  
HARVARD, MA 01451

CALLAHAN, THOMAS E TRUSTE  
70 WARREN AV  
HARVARD, MA 01451

CURRAGHDUFF, LLC  
33 WARREN AVE  
HARVARD, MA 01451

BARRY A. JORDAN  
PO BOX 82  
STILL RIVER, MA 01467

CARLISLE HARVARD NOMINEE  
7 PROVIDENCE PLACE  
LEXINGTON, VA 24450

DAISY, PHYLLIS M  
10 MEETING HOUSE HILL RD  
DOVER, MA 02038

BERGEN, JOSEPH  
173 LITTLETON CNTY RD  
HARVARD, MA 01451

CAVICCHIO, JR., PAUL F  
412 GREAT RD  
STOW, MA 01775

DICKSON, JR. , WALTER  
64 CHAPMAN PLACE  
LEOMINSTER, MA 01453

BILODEAU, CHRISTIAN  
PO BOX 422  
HARVARD, MA 01451

CAVICCHIO, NICOLA  
20 SUNNYSIDE STREET, APT#9  
JAMAICA PLAIN, MA 02130

DONALDSON, ROBERT J.F.  
29 WILLOW RD  
HARVARD, MA 01451

DUNTON, EZRA L & MARDIS M  
31 PENINSULA ROAD  
HARVARD, MA 01451

GORMLEY III, J THOMAS & J  
46 WARREN AV  
HARVARD, MA 01451

HOWLAND, DAVID M.  
94 TAHANTO TR  
HARVARD, MA 01451

EDMANDS, P.SPENCER & CONT  
17 RAINBOW RIDGE RD  
WINDSOR, NY 13865

GORMLEY, J THOMAS III & J  
46 WARREN AV  
HARVARD, MA 01451

HUGHES, ADAM  
20 SHAKER RD  
HARVARD, MA 01451

EDWARD G. LYON, TRUSTEE O  
49 TURNER LN  
HARVARD, MA 01451

GRIESBACH, MICHAEL T & BA  
33 TURNER LN  
HARVARD, MA 01451

HUGHES, ROBERT H & LUCILL  
PO BOX 79  
STILL RIVER, MA 01467

FINN, JOHN JR.  
44 PENINSULA ROAD  
HARVARD, MA 01451

GULATI, SANJAY & PRESTIA-  
92 TAHANTO TRAIL  
HARVARD, MA 01451

HUPPI, BENJAMIN J.  
6 FAIRLANE TERR  
WINCHESTER, MA 01890

FOSTER, TIMOTHY S & LINDA  
15 CODMAN HILL RD  
BOXBOROUGH, MA 01719

HARVARD, TOWN OF  
13 AYER RD  
HARVARD, MA 01451

JANET S WALDRON  
76 WARREN AV  
HARVARD, MA 01451

GARDNER, MICHAEL JOSEPH  
28 HIDDEN BROOK DR  
STAMFORD, CT 06907

HARVARD, TOWN OF, CONSERV  
13 AYER RD  
HARVARD, MA 01451

JOHNSON, WILLIAM N & LAUR  
72 WARREN AV  
HARVARD, MA 01451

GATES, SHEILA  
112 LITTLETON CNTY RD  
HARVARD, MA 01451

HICKS KIMBERLEY E REVOC T  
C/O KIMBERLEY E. HICKS, TRUSTE  
343 MAIN ST  
SOUTH DENNIS, MA 02660

JOHNSTON, SUZANNE  
82 WARREN AV  
HARVARD, MA 01451

GIGUERE, MICHAEL  
8 LANTHORN RD  
NORTHBOROUGH, MA 01532

HILDRETH, MARY-LU, HILDRE  
P.O. BOX 468  
HARVARD, MA 01451

KDLK HOLDINGS, LLC  
33 ALLEN HILL RD  
PRINCETON, MA 01541

GIRL SCOUTS OF CENTRAL AN  
115 CENTURY DR  
WORCESTER, MA 01606

HOFFMAN, ALLEN H & CAROL  
PO BOX 333  
STERLING, MA 01564

KENNEDY, JOSEPH  
66 WEST UNION ST  
ASHLAND, MA 01721

GIRL SCOUTS OF CENTRAL AN  
81 GOLDSTAR BLVD  
WORCESTER, MA 01606

HORRALL, THOMAS R & NANCY  
26 BOWERS RD  
HARVARD, MA 01451

KERR-SLATTERY, LAURA & SL  
BOX 222  
HARVARD, MA 01451

KHURANA PRADEEP & MARISA  
110 WARREN AV  
HARVARD, MA 01451

MONICA ROMMEL  
110 TAHANTO TR  
HARVARD, MA 01451

ROSS, PAMELA & JOEL TRUST  
88 TAHANTO TR  
HARVARD, MA 01451

LAURSEN, WILLIAM J & LYNN  
13 PENINSULA RD  
HARVARD, MA 01451

NEE, ANDREA M  
22 ARTHUR ST  
CLINTON, MA 01510

RUZE REALTY TR  
4 CONCORD GREENE UNIT 6  
CONCORD, MA 01742

LEICHER, BRUCE A  
58 WARREN AVE  
HARVARD, MA 01451

NICKERSON, KELSEY  
133 CLINTON SHORE DR  
STILL RIVER, MA 01467-0071

RUZE, PATRICIA  
42 WILLOW RD  
HARVARD, MA 01451

LEICHER, BRUCE A.  
58 WARREN AVE  
HARVARD, MA 01451

NORMAN SCOTT INVESTMENT T  
70 WARREN AVE  
HARVARD, MA 01451

SARAH R PORTER 2006 REVOC  
PO BOX 206  
STILL RIVER, MA 01467

LONG, ANDREA LYNN  
118 CLINTON SHORE DR, UNIT 34  
HARVARD, MA 01451

ORR, JEFFREY F  
PO BOX 2  
STILL RIVER, MA 01467

SAWYER, JANE L  
PO BOX 39  
BERLIN, MA 01503

MARCELLO REALTY TRUST  
24 COVE DR  
HARVARD, MA 01451

ORTLER, LISABETH, TRUSTEE  
PO BOX 323  
HARVARD, MA 01451

SAWYER, JANE L & WENDY M  
PO BOX 39  
BERLIN, MA 01503

MARSHALL, WAYNE  
19 CORPORAL BURNS RD  
CAMBRIDGE, MA 02138

O'TOOLE, DAVID R & MICHAEL  
61 ST ANDREWS DR  
CLIFTON PARK, NY 12065 1210

SHEEP ISLAND ASSOCIATION  
17 RAINBOW RIDGE RD  
WINDSOR, NY 13865-2420

MASS, COMMONWEALTH OF  
100 CAMBRIDGE ST  
BOSTON, MA 02202

PARK, RAINER  
8 WINGATE LN  
ACTON, MA 01720

SIMARD, WILLIAM & LINDA  
117 CLINTON SHORE DR  
HARVARD, MA 01451

MAUREEN H. PETTIROSSI TRU  
PO BOX 875  
HARVARD, MA 01451

PORTER, SARAH R  
PO BOX 206  
STILL RIVER, MA 01467

SNELL, CAROL S  
6 PRESTON RD  
LEXINGTON, MA 02420

MITCHELL, VERILYN  
15 OTIS ST  
CLINTON, MA 01510

REYNOLDS, SARA-GRACE  
37 PENINSULA RD  
HARVARD, MA 01451

STAMSKI, BRUCE M & PLATT,  
PO BOX 157  
STILL RIVER, MA 01467

STAMSKI, BRUCE M., MACKNI  
PO BOX 157  
STILL RIVER, MA 01451

W. ALLEN MARR  
98 TAHANTO TRAIL  
HARVARD, MA 01451

STEININGER, ROBERT & CARO  
100 REED ST  
CAMBRIDGE, MA 02140

WEISS, ALISSA, TTE  
33 WARREN AVE  
HARVARD, MA 01451

STILL RIVER REALTY TR  
PO BOX 128  
STILL RIVER, MA 01467

WICKMAN DARRELL & WICKMAN  
27 WILLOW RD  
HARVARD, MA 01451

STROLLER, RICHARD A.  
115 CLINTON SHORE DR  
UNIT#29  
HARVARD, MA 01451

WILLARD SHORES INC  
PO BOX 424  
BOLTON, MA 01740

THE W ALLEN MARR 2011 TRU  
98 TAHANTO TR  
HARVARD, MA 01451

TRACY KRAUS LIVING TR  
30 WHITMAN RD  
HARVARD, MA 01451

TUCKER EAGLE REALTY LLC  
26 BOWERS RD  
HARVARD, MA 01451

TURNBULL, KATHLEEN A  
27 PENINSULA RD  
HARVARD, MA 01451

TURNER, ARTHUR S & ROBERT  
630 GREENLEAF DR  
RICHARDSON, TX 75080

VON LOESECKE, ALICE J IN  
84 WARREN AV  
HARVARD, MA 01451





**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 5 - Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
 Code of the Town of Harvard Wetland Protection Bylaw, Chapter 119

Provided by MassDEP:  
 MassDEP File #:177-0659  
 eDEP Transaction #:958146  
 City/Town:HARVARD  
 Harvard#0817-02

**A. General Information**

1. Conservation Commission HARVARD  
 2. Issuance a.  OOC b.  Amended OOC  
 3. Applicant Details  
 a. First Name b. Last Name  
 c. Organization TOWN OF HARVARD-BARE HILL POND WATERSHED MANAGEMENT COMMITTEE  
 d. Mailing Address 13 AYER ROAD  
 e. City/Town HARVARD f. State MA g. Zip Code

**4. Property Owner**

a. First Name b. Last Name  
 c. Organization  
 d. Mailing Address  
 e. City/Town f. State g. Zip Code

**5. Project Location**

a. Street Address POND ROAD  
 b. City/Town HARVARD c. Zip Code 01451  
 d. Assessors MAP 21 e. Parcel/Lot# PARCEL 77  
 Map/Plat#  
 f. Latitude 42.49141N g. Longitude 71.59629W

**6. Property recorded at the Registry of Deed for:**

<b>a. County</b>	<b>b. Certificate</b>	<b>c. Book</b>	<b>d. Page</b>
WORCESTER		3060	409

**7. Dates**

a. Date NOI Filed : 8/18/2017 b. Date Public Hearing Closed: 9/7/2017 c. Date Of Issuance: 9/27/2017

**8. Final Approved Plans and Other Documents**

<b>a. Plan Title:</b>	<b>b. Plan Prepared by:</b>	<b>c. Plan Signed/Stamped by:</b>	<b>d. Revised Final Date:</b>	<b>e. Scale:</b>
BARE HILL POND IN-LAKE WATER QUALITY AND PLANT SURVEYS 2016-17 DRAWDOWN REPORT AND FALL 2017 DRAW DOWN PLANS; NOTICE OF INTENT FILING	AQUATIC RESTORATION CONSULTING, LLC	N/A	August 2017	N/A
	BARE HILL POND WATERSHED MANAGEMENT COMMITTEE	N/A	August 16, 2017	N/A

**B. Findings**

1. Findings pursuant to the Massachusetts Wetlands Protection Act

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**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 5 - Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File #:177-0659  
 eDEP Transaction #:958146  
 City/Town:HARVARD

Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

a. <input type="checkbox"/> Public Water Supply	b. <input type="checkbox"/> Land Containing Shellfish	c. <input checked="" type="checkbox"/> Prevention of Pollution
d. <input checked="" type="checkbox"/> Private Water Supply	e. <input checked="" type="checkbox"/> Fisheries	f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat
g. <input checked="" type="checkbox"/> Ground Water Supply	h. <input checked="" type="checkbox"/> Storm Damage Prevention	i. <input checked="" type="checkbox"/> Flood Control

2. Commission hereby finds the project, as proposed, is:

Approved subject to:

- a.  The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

- b.  The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c.  The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act , and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

- 3.  Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

a.            linear feet

**Inland Resource Area Impacts:(For Approvals Only):**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	<u>          </u> a. linear feet	<u>          </u> b. linear feet	<u>          </u> c. linear feet	<u>          </u> d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	<u>          </u> a. square feet	<u>          </u> b. square feet	<u>          </u> c. square feet	<u>          </u> d. square feet
6. <input checked="" type="checkbox"/> Land under Waterbodies and Waterways	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>          </u> a. square feet	<u>          </u> b. square feet	<u>          </u> c. square feet	<u>          </u> d. square feet
	<u>          </u> e. c/y dredged	<u>          </u> f. c/y dredged		



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 5 - Order of Conditions**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File #:177-0659  
 eDEP Transaction #:958146  
 City/Town:HARVARD

7. <input type="checkbox"/> <b>Bordering Land Subject to Flooding</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
Cubic Feet Flood Storage	a. square feet	b. square feet	c. square feet	d. square feet
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> <b>Isolated Land Subject to Flooding</b>	<u>          </u>	<u>          </u>		
Cubic Feet Flood Storage	a. square feet	b. square feet		
	<u>          </u>	<u>          </u>		
	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> <b>Riverfront Area</b>	<u>          </u>	<u>          </u>		
Sq ft within 100 ft	a. total sq. feet	b. total sq. feet		
	<u>          </u>	<u>          </u>		
Sq ft between 100-200 ft	c. square feet	d. square feet	e. square feet	f. square feet
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
	g. square feet	h. square feet	i. square feet	j. square feet

**Coastal Resource Area Impacts:**

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> <b>Designated Port Areas</b>	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> <b>Land Under the Ocean</b>	<u>          </u>	<u>          </u>		
	a. square feet	b. square feet		
	<u>          </u>	<u>          </u>		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> <b>Barrier Beaches</b>	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> <b>Coastal Beaches</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. <input type="checkbox"/> <b>Coastal Dunes</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. <input type="checkbox"/> <b>Coastal Banks</b>	<u>          </u>	<u>          </u>		
	a. linear feet	b. linear feet		
16. <input type="checkbox"/> <b>Rocky Intertidal Shores</b>	<u>          </u>	<u>          </u>		
	a. square feet	b. square feet		
17. <input type="checkbox"/> <b>Salt Marshes</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> <b>Land Under Salt Ponds</b>	<u>          </u>	<u>          </u>		
	a. square feet	b. square feet		
	<u>          </u>	<u>          </u>		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> <b>Land Containing Shellfish</b>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
	a. square feet	b. square feet	c. square feet	d. square feet



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20.  Fish Runs

Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above

                                           
c. c/y dredged d. c/y dredged

21.  Land Subject to Coastal Storm Flowage

                                           
a. square feet b. square feet

22.

Restoration/Enhancement (For Approvals Only)

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please entered the additional amount here.

                      
a. square feet of BVW

                      
b. square feet of Salt Marsh

23.

Streams Crossing(s)

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

                      
a. number of new stream crossings

                      
b. number of replacement stream crossings

**C. General Conditions Under Massachusetts Wetlands Protection Act**

**The following conditions are only applicable to Approved projects**

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
  - a. the work is a maintenance dredging project as provided for in the Act; or
  - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



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9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..

10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

" Massachusetts Department of Environmental Protection"  
[or "MassDEP"]  
File Number : "177-0659"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

**NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS**

19. The work associated with this Order(the "Project") is (1)  is not (2)  subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period



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- erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
  - c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.*) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.*) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
  - d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
  - e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
  - f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
  - g) The responsible party shall:
    1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
    2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission")



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- upon request; and
3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
  - i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
  - j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
  - k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
  - l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

**Special Conditions:**

SEE ATTACHED "SPECIAL CONDITIONS" PAGES 8A - 8D



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**D. Findings Under Municipal Wetlands Bylaw or Ordinance**

1. Is a municipal wetlands bylaw or ordinance applicable?  Yes  No

2. The Conservation Commission hereby (check one that applies):

a.  DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw \_\_\_\_\_

2. Citation \_\_\_\_\_

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b.  APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw WETLAND PROTECTION BYLAW

2. Citation CHAPTER 119

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:  
SEE ATTACHED "SPECIAL CONDITIONS" PAGE 8A - 8D



These special conditions are written to cause the applicant to take steps that will result in having only clean water leave the work site and in maintaining the integrity of the wetlands. The Harvard Conservation Commission shall have the right to inspect the site before, during and after all demolition/construction to ensure compliance with this Order and the **Harvard Wetland Protection Bylaw** under which Bylaw this Order is also issued as a **Permit**

Note that General Condition no. 9 on page 5 of the Order of Conditions does not permit any work to take place until the order has been recorded in the Registry of Deeds or the Land Court.

#### **ABUTTER NOTIFICATION**

Prior to drawdown implementation, the abutters downstream of Bare Hill Pond, along Bowers Brook, will be notified of any potential rise in the water level, so as to protect any materials, property, or dam structures. Abutters of Bare Hill Pond will like wise be notified. Confirmation of that notification will be delivered to the Conservation Commission before the draw down initiation.

#### **PRE-DRAWDOWN CONDITIONS**

- a. The person employed to execute the drawdown or any related activities within the Wetland Resource Areas or the Buffer Zone, must be provided with a copy of this Order and thereafter said contractor will be held jointly responsible for any violation and the penalties under the law for such violation.
- b. This Order of Conditions shall be incorporated into all construction contracts for this project. All contractors working at the site shall be made aware of the provisions contained within this Order of Conditions and shall adhere to the special provisions contained herein.
- c. The applicant shall hold a drawdown meeting with the person or persons responsible for work at the project site, the design engineer, and the erosion control monitor to review the Conditions of this Order and to insure understanding and compliance therewith.
- d. This Order shall apply to any persons or entity in partial or full control, whether by ownership or otherwise, and to any successor in control or successor in interest, of the property described in the Notice of Intent and accompanying plans and any revisions thereof.
- e. Book, page and date of mandatory recording of this Order is to be received by the Harvard Conservation Commission before work commences.

#### **ON-SITE CONSTRUCTION CONDITIONS**

- a. For the duration of the drawdown project, the person employed to execute the drawdown, and all others involved with its implementation, shall have a copy of this Order and the plans referenced to herein at the site, shall familiarize themselves with the conditions of this permit, and shall adhere to said conditions. Any member or agent of the Conservation Commission may, at any time while on the site, ask to see the Orders of Conditions from the individuals listed above. Failure to present the Orders of Conditions as requested shall be sufficient cause to stop the project.
- b. All vehicles shall access the site directly from Willow Street driveway. Vehicles will have access to the dam only, NO construction equipment is allowed to work within the pond area.
- c. The fording of streams with equipment is prohibited. All haul roads and temporary access roads shall not be within any wetland or on the wetland side of any erosion barrier.
- d. Natural vegetation within 100 feet of the wetland shall be retained when practical.

#### **FERTILIZERS, HERBICIDES, PESTICIDES (PERMANENT CONDITION)**

Within the 100-foot buffer zone, no chemical fertilizers, herbicides or pesticides shall be used during and after work. **This is a permanent condition.**

**DRAWDOWN INITIATION**

Drawdown may be initiated at any point after September 15<sup>th</sup>, with the Conservation Commission being notified at least one week before commencement of the drawdown. The drawdown rate is not to exceed 3 inches per day, as measured over a four day interval. Responsibility for compliance with this and the next four conditions (Depth, Maintenance, Water Level Tracking and Refill) will rest with the Chair of the Bare Hill Pond Watershed Management Committee (BHPWMC) and will be monitored by the Conservation Commission.

**DRAWDOWN DEPTHS**

Each year in advance of drawdown initiation, the Conservation Commission must approve the targeted drawdown depth requested by the BHPWMC. The normal full pond elevation (defined as 29 inches below the top surface of the concrete dam), and a maximum drawdown depth of up to six feet below the normal full pond elevation is authorized by this Order of Conditions.

**DRAWDOWN MAINTENANCE**

Once the target drawdown level has been achieved or the date of November 15<sup>th</sup> of each year arrives, whichever occurs first, flow will be reduced to mimic background flows. Outflow controls will be adjusted as necessary to maintain the water level within three inches of the targeted drawdown depth below the normal full elevation, twenty-nine inches below the top of the dam. The chairman of the BHPWMC will notify the Commission of the achieved drawdown level during the last week of November of each year.

**WATER LEVEL TRACKING PROCEDURES**

Water levels should be monitored and documented in response to all drawdown activities, from the time of drawdown initiation to completion of refill. A protocol for monitoring water levels and discharge rates at the dam will be developed prior to drawdown initiation. The water levels are measured at the dam and when below 5 feet by markers on the pipe per the procedures used in 2008-2012. At its discretion, additional monitoring devices may be installed. All water level and flow records will be made available to the Conservation Commission on a weekly basis. After the drawdown is complete, water level monitoring will take place on at least a weekly basis.

**MINIMUM FLOW RATE**

A minimum flow will be maintained in order to maintain a flow through the culvert under Route 110 (Still River Road). BHPWMC will provide discharge rate information to the Conservation Commission on a weekly basis as stated under Water Level Tracking Procedures.

**REFILL INITIATION**

The refill will be initiated no later than February 15<sup>th</sup> each year. This is expected to allow adequate refill time to have a full pond by late March or mid-April, at the worst. These target refill dates are based on refill duration estimates of twenty-seven days, under normal inflow conditions, to fifty-four days in a dry year. The refill may be initiated sooner if an approximately 30-day period of adequate dryness and sub-freezing temperatures has been experienced (typically in December and/or January), or if it is apparent that no such period is likely to occur prior to February 15<sup>th</sup> (due to lasting snow cover or projected warm weather). The refill may also be initiated earlier if weather forecasts indicate that refill before mid-April may be difficult with a mid-February start. The BHPWMC will confer with its consultants and the Conservation Commission in making this decision. This conference will take place by mid-January, in the event that long-term forecasting suggests the need to allow additional refill time. The Conservation Commission reserves the right to determine whether a refill will be initiated ahead of schedule.

**DRAWDOWN FREQUENCY**

Successive drawdowns, of up to six feet may occur in each of the three years authorized by this permit when needed to control invasive aquatic species and phosphorous levels, subject to the annual review and approval of the Conservation Commission based on the presentation of invasive species growth and

phosphorous levels recorded each year and reported to the Commission. The annual review shall take place during a public meeting by September 15th of each year. The Commission reserves the right to modify existing conditions, or require additional conditions, as deemed necessary.

### **CHARACTERISTICS OF WELLS**

Prior to any increase in the depth of drawdown beyond four feet, the potential for water supply to be impaired will be further investigated. Any well that is suspected of being shallow enough to be impacted by an increase drawdown should be investigated prior to drawdown. Mitigation of shallow wells that become known will occur prior to drawdown. A contact will be established to accept calls from anyone who experiences decreased water supply during the drawdown, and the phone number for that contact will be publicized. Any call must be investigated within a day and contingency procedures should be in place for handling that the temporary water needs until the problem can be solved. Responsibility for compliance will rest with the chairman of the BHPWMC.

### **PHYSICAL LAKE HABITAT FEATURES**

Ten representative 100 feet lengths of the shoreline and the associated drawdown zone will be videotaped (dated) once the drawdown target level has been reached, and after refill in each year of drawdown, to document any changes in the physical features of these areas. The primary intent is to facilitate an evaluation of any physical impacts to the shoreline and drawdown zone that affect habitat. Documentation of the range of shoreline conditions will thereby be provided. A narrative describing any observable impacts to wetland resources (I.e., Land Under Water, Bank, BVW) will be prepared. BHPWMC and/or its consultants will be responsible for compliance.

### **VEGETATED MONITORING PROGRAM**

#### **Rooted Aquatic Plant Community**

In-lake vegetation will be surveyed at the same locations and by the same method applied in 1998 and 2001 (reference in the ENSR studies) on an annual basis to document any changes.

#### **Contiguous Wetland**

Vegetation sample plots in the emergent wetland in Bare Hill Pond will be monitored annually for impacts due to the proposed water level drawdown. Established transects from 1998 and 2001 will be used (reference in the ENSR studies). Any changes will be documented.

#### **Downstream Wetland Communities**

Naturally vegetated communities north of the Town Dam along Bowers Brook will be monitored annually, using the vegetative transects from 1998 and 2001 (referenced in the ENSR studies).

### **REPTILES AND AMPHIBIANS**

A simple reptile and amphibian survey will be devised and implemented annually, such as a count of turtles and frogs along ten shoreline segments of 100 ft at the same time on three dates ranging from late spring to early summer. These segments will represent the range of shoreline conditions found at the lake and will coincide with segments chosen for physical examination and photographic documentation (see Physical Lake Habitat Features). Each segment is to be walked on a sunny day between 9 and 11 am with temperatures above 75° F. Each segment will be walked with the qualified observer close to the shoreline, and the number of frogs and turtles observed will be recorded. Wherever possible, the species of frog or turtle will be recorded. Other reptile and amphibian species encountered should also be noted. (Spring breeding survey mentioned below)

**WILDLIFE**

A general mammalian habitat survey will be conducted in the spring or summer in the same areas established during the 2001 survey. Signs of activity or actual sightings will be recorded on at least one day prior to each permitted draw down after 2002. The intent will be to establish the presence and use patterns for mammalian species at the pond, and any changes potentially due to drawdown. A survey of bird species will be conducted in concert with the mammalian habitat survey. An annual amphibian breeding survey will be conducted for reptiles and amphibians, at an appropriate time in the spring, based on expected breeding activity (largely temperature dependent), to document presence and apparent breeding success. The BHPWMC and/or its consultant will be responsible for compliance. A fish survey will be devised and implemented. An assessment of fish growth patterns could be conducted using scales acquired from fish caught and released. Monitoring of largemouth bass, pickerel, and a sunfish species is recommended. A qualified observer(s) will conduct these surveys.

**WATER QUALITY MONITORING**

The Conservation Commission encourages the BHPWMC to develop a monitoring program, possibly volunteer-based, that will provide water quality data useful in evaluating the overall condition of Bare Hill Pond. Assessment of temperature/DO profiles during summer stratification might be a part of this program. Measurements of phosphorus at multiple stations at multiple depths at multiple times on multiple years might supply data for evaluating overall lake fertility changes, in conjunction with water clarity assessment by Secchi disk. The Conservation Commission encourages BHPWMC to develop a program that will incorporate this type of data collection.

**RECORDS AND REPORTING**

An annual report will be prepared and delivered to the Conservation Commission **by August 31 of each year** through the duration of this permit, presenting cumulative results of the monitoring program. The chairman of the BHPWMC and/or its consultant will be responsible for compliance. (Note earlier conditions regarding separate reporting requirements to be delivered to the Conservation Commission on a different schedule). In addition, the Conservation Commission will be kept advised of all complaints received by the BHPWMC from pond and Bowers Brook downstream abutters.

**ADDITIONAL EXPECTATIONS**

The BHPWMC will develop criteria by which it will determine the impact of drawdowns on the levels of nuisance aquatic weeds in Bare Hill Pond. The BHPWMC and/or its consultant will include these criteria in its annual report to the Conservation Commission.

**Wetland Protection Bylaw Rules, The Code of the Town of Harvard, Chapter 119-ARTICLE VIII  
Appeal**

Any person aggrieved by the decision of the Conservation Commission, whether or not previously a party to the preceding, may appeal according to the Massachusetts General Laws.

The appeal shall be made within 10 days of the signing and/or issuance of said decision, whichever is the later. Notice of the appeal and a copy of the complaint shall be sent by Certified Mail, or hand delivered, to the Commission, its authorized representative or assigns, and the Town Council so as to be received within 10 days.

The appeal shall contain any facts pertinent to the issue, a copy of the decision being appealed, bearing the date of filing thereof, the complete name and address of the attorney, if any, representing the person filing the appeal and the relief being sought.

If the complaint is filed by some person or persons other than the original applicant, appellant or petitioner, such original applicant, appellant and all members of the Conservation Commission shall be named as parties defendant.



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**E. Signatures**

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

9/27/2017  
1. Date of Original Order

Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

4  
2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

Don Ritchie  
James Woodard  
Janet J. Waldek

M W Siss

by hand delivery on

by certified mail, return receipt requested, on

Date

9/27/2017

Date

**F. Appeals**

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

ATTEST: WORC. Anthony J. Vigliotti, Register

**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 7 – Extension Permit for Orders of Conditions**177-659  
Provided by DEP  
HARVARD#  
0817-02Massachusetts Wetlands Protection Act M.G.L. c. 131, §40  
Code of the Town of Harvard – Chapter 119 Wetland Protection Bylaw**A. General Information**

## 1. Applicant:

Town of Harvard - Bare Hill Pond Watershed Management Committee

Name

13 Ayer Road

Mailing Address

Harvard

City/Town

MA

State

01451

Zip Code

## 2. Property Owner (if different):

Town of Harvard

Name

13 Ayer Road

Mailing Address

Harvard

City/Town

MA

State

01451

Zip Code

**B. Authorization**

The Order of Conditions (or Extension Permit) issued to the applicant or property owner listed above on:

September 27, 2017

Date

Issued by:

Town of Harvard

Conservation Commission

for work at:

Pond Road

Street Address

Map 21

Assessor's Map/Plat Number

Parcel 77

Parcel/Lot Number

recorded at the Registry of Deeds for:

Worcester

County

58334

Book

1

Page

Certificate (if registered land)

is hereby extended until:

September 27, 2023

Date

N/A

Date the Order was last extended (if applicable)

This date can be no more than 3 years from the expiration date of the Order of Conditions or the latest extension. Only unexpired Orders of Conditions or Extension may be extended.

This Extension Permit must be signed by a majority of the Conservation Commission and a copy sent to the applicant and the appropriate DEP Regional Office (<https://www.mass.gov/service-details/massdep-regional-offices-by-community>).



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 7 – Extension Permit for Orders of Conditions**

177-659

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

Provided by DEP

Code of the Town of Harvard – Chapter 119 Wetland Protection Bylaw

HARVARD#

0817-02

**B. Authorization (cont.)**

Electronic Signature allowed by M.G.L. c. 110

Vote recorded at the Worcester Registry of Deeds in Book 62418 page 139

Signatures:

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Liz Allard - Conservation Agent

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name

Printed Name



**Massachusetts Department of Environmental Protection**  
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HARVARD#

Code of the Town of Harvard – Chapter 119 Wetland Protection Bylaw

0817-02

**C. Recording Confirmation**

The applicant shall record this document in accordance with General Condition 8 of the Order of Conditions (see below), complete the form attached to this Extension Permit, have it stamped by the Registry of Deeds, and return it to the Conservation Commission.

Note: General Condition 8 of the Order of Conditions requires the applicant, prior to commencement of work, to record the final Order (or in this case, the Extension Permit for the Order of Conditions) in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, it shall be noted in the Registry's Granter Index under the name of the owner of the land upon which the proposed work is to be done. In the case of registered land, it shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done.

Detach this page and submit it to the Conservation Commission prior to the expiration of the Order of Conditions subject to this Extension Permit.

To:

Town of Harvard  
Conservation Commission

Please be advised that the Extension Permit to the Order of Conditions for the project at:

Pond Road (21.77)  
Project Location

177-659  
DEP File Number

has been recorded at the Registry of Deeds of:

Worcester  
County

for:

Town of Harvard - Bare Hill Pond Watershed Management Committee  
Property Owner

and has been noted in the chain of title of the affected property in accordance with General Condition 8 of the original Order of Conditions on:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Book

\_\_\_\_\_  
Page

If recorded land the instrument number which identifies this transaction is:

\_\_\_\_\_  
Instrument Number

If registered land, the document number which identifies this transaction is:

\_\_\_\_\_  
Document Number

\_\_\_\_\_  
Signature of Applicant





Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability**

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

Municipality \_\_\_\_\_

**A. General Information**

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



1. Applicant: GUY HERMANN  
 First Name Last Name  
32 Madigan Lane  
 Address  
Harvard MA 01451  
 City/Town State Zip Code  
508-259-0665 jocrystoff@gmail.com  
 Phone Number Email Address

2. Property Owner (if different from Applicant):  
SAME  
 First Name Last Name  
 Address  
 City/Town State Zip Code  
 Phone Number Email Address (if known)

3. Representative (if any)  
NONE  
 First Name Last Name  
 Company Name  
 Address  
 City/Town State Zip Code  
 Phone Number Email Address (if known)

**B. Project Description**

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):  
32 Madigan Lane Harvard  
 Street Address City/Town  
42.50118 N 71.60686 W  
 Latitude (Decimal Degrees Format with 5 digits after decimal Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)  
16 1250160000800000  
 Assessors' Map Number Assessors' Lot/Parcel Number

b. Area Description (use additional paper, if necessary):  
Eastern portion of circular driveway as shown on plan.

c. Plan and/or Map Reference(s): (use additional paper if necessary)  
32 Madigan Lane Driveway Project Sketch Plan 18 May 2023  
 Title Date  
 Title Date

RECEIVED  
MAY 18 2023

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



**B. Project Description (cont.)**

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

1. CLOSE OFF EASTERLY DRIVEWAY ENTRANCE AND REMOVE APPROXIMATELY 1,200 SF OF EXISTING ASPHALT DRIVEWAY.
2. REGRADE AND REPLANT AREA WHERE PAVEMENT HAS BEEN REMOVED.
3. FILL IN STONEWALL GAP, IF STONE IS AVAILABLE.
4. REPAVE REMAINING EXISTING DRIVEWAY.

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

None

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability**

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

Municipality \_\_\_\_\_

**C. Determinations**

1. I request the HARVARD make the following determination(s). Check any that apply:  
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

HARVARD

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

18 MAY 2023

Date

Signature of Representative (if any)

Date



FORM A  
NOTICE OF FILING

DATE: 18 May 2023 RE: Property located at: 32 Madigan Lane

FROM: Guy Hermann  
(applicant)

Address: 32 Madigan Lane, Harvard, MA 01451

Telephone: 860-857-7363

RECEIVED  
MAY 18 2023

A. Pursuant to the requirements of M.G.L. Chapter 131 §. 40 and /or the Harvard Wetlands Bylaw I am submitting herewith a complete copy of a Request for Determination of Applicability or an Application for a Harvard Wetland Permit. Copies of this complete application have been submitted as required under subsection 147-14 Notice to Town Boards by certified mail or hand delivery as follows:

	Date of Submittal
Conservation Commission (10 copies)	<u>18 May 2023</u>
Department of Environmental Protection (2 copies)	<u>18 May 2023</u>
_____	_____
_____	_____
_____	_____

(add boards as specified at time of filing)

B. Have the abutters to the property on which the work is proposed, been notified about the filing of this application, on Form B?  Yes (attach a certified list of abutters)  No

C. If the owner of the land is other than the Applicant, the owner must either sign this application in the space provided or provide written authorization for the Applicant to apply.

Owner's Signature \_\_\_\_\_ Date: \_\_\_\_\_

D. Please check the appropriate box(s):

- Request for Determination of Applicability
- Notice of Intent
- Abbreviated Notice of Intent
- Abbreviated Notice of Resource Area Delineation
- Amendment of the Order of Conditions

E. Have the appropriate Town filing fees been included?  Yes  No

FORM B  
NOTIFICATION TO ABUTTERS  
MASSACHUSETTS WETLAND PROTECTION ACT  
AND HARVARD WETLANDS PROTECTION BYLAW

DATE: \_\_\_\_\_ Certified Mail # \_\_\_\_\_  
or Date of Hand Delivery: \_\_\_\_\_

TO: \_\_\_\_\_  
(abutter) (address)

FROM: \_\_\_\_\_  
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # \_\_\_\_\_ Parcel \_\_\_\_\_  
The address of the lot where the activity is proposed is:  
\_\_\_\_\_. 32 Madigan Lane, Harvard . \_\_\_\_\_

Pursuant to the requirements of the Harvard Wetlands Protection Bylaw and the second paragraph of Massachusetts General Laws Chapter 131 §40, you are hereby notified that the following forms have been filed with the Harvard Conservation Commission:

\_\_\_\_\_ A Notice of Intent or Abbreviated Notice of Intent seeking permission to conduct one or more of the following, remove, fill, dredge, or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, §40) and the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).

\_\_\_\_\_ An Abbreviated Notice of Resource Area Delineation for confirmation of the delineation of a Bordering Vegetated Wetland (BVW) for projects in the buffer zone under the Wetlands Protection Act (General Law Chapter 131, § 40) and the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).

XX A Request for Determination of Applicability of the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).and the State Wetlands Protection Act (General Laws Chapter 131, §40)

\_\_\_\_\_ Amendment to the Order of Conditions under the Harvard Wetland Bylaw (Chapter 119 of the Code of the Town of Harvard)

The Harvard Wetlands Protection Bylaw defines abutters as those persons whose property is within 300 feet of the boundary of the property or whose property lies across a traveled way or railroad bed from the property identified above. Notices shall be sent to the most recent owner of the property according to the most recent Assessors record. The list of abutters shall be certified by the Board of Assessors.

The Harvard Conservation Commission will hold a public hearing on the filing within twenty-one (21) days upon receipt of the complete application. Notice of this public hearing will be given at least five (5) days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at [www.harvard.ma.us](http://www.harvard.ma.us).

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may be obtained from the Applicant's Representative by calling the following telephone number 860-857-7363 between the hours of \_\_\_ 9 AM \_\_\_ and \_\_\_ 8 PM \_\_\_ on the following days of the week \_\_\_\_\_ MTWThFSS \_\_\_\_\_.

The hearing can be subsequently continued to a later date by the Commission with the agreement of the Applicant.

To contact the Central Region DEP office call 508-792-7650.

FORM C

REQUEST FOR WAIVER

HARVARD WETLANDS PROTECTION BYLAW

Date: \_\_\_\_\_

To: Harvard Conservation Commission

From: \_\_\_\_\_  
(name of petitioner)

\_\_\_\_\_  
(address of petitioner)

RE: Harvard Wetlands Rules and Regulations

Request for Waiver

Pursuant to the provisions of §147-3 of the Regulations for the administration of The Harvard Wetlands Protection Bylaw, I hereby request a waiver from the Commission for compliance with the following section of the regulations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The waiver is requested for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of petitioner \_\_\_\_\_


Telephone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

FORM D  
PERMISSION FOR ACCESS

TO: Harvard Conservation Commission  
13 Ayer Road  
Harvard, MA 01451

From:     Guy Hermann      
    32 Madigan Lane      
    Harvard, MA 01451    

Pursuant to §147-6.D. or §147-11.D. of the Wetlands Protection Bylaw Rules, I do hereby grant the Harvard Conservation Commission and/or its consultants access to the project site under consideration for a Determination of Applicability, Notice of Intent, Abbreviated Notice of Intent, Abbreviated Notice of a Resource Area Delineation or an Amendment to the Order of Conditions any time from the receipt of such notice through the issuance of a Certificate of Compliance, Negative Determination, expiration of a Positive Determination and/or an Order of Resource Area Delineation.

Signed:  \_\_\_\_\_ Date     18 May 2023      
*Owner or Authorized Applicant from Form A part C*



FORM E

PERMISSION TO BILL APPLICANT DIRECTLY FOR LEGAL NOTICE

TO: Harvard Conservation Commission  
13 Ayer Road  
Harvard, MA 01451

FROM:     Guy Hermann      
    32 Madigan Lane      
    Harvard, MA 01451    

I hereby authorize Harvard Press to bill me directly for the legal notice published for a public hearing with the Harvard Conservation Commission.

Signed:   
*Owner or Authorized Applicant from Form A part C*

Date     18 May 2023

FORM F

Wetland filing fees calculation worksheet for work in resource areas

	Fee	Total
<b><u>Notice of Intent Fees</u></b>		
1) <i>Single family</i>		
Septic Repair or Upgrade (Enter Fee & Skip to Total Fee)	\$200.00	_____
New Construction or alteration involving 500sf or less of total construction	\$300.00	_____
New Construction or alteration involving 501sf to 1499sf of total construction	\$600.00	_____
New Construction or alteration involving 1500 sf or more of total construction	\$900.00	_____
2) <i>Subdivision/mini Subdivision</i>		
Roads and Utilities only	\$1,500.00	_____
Multifamily/Condominium Structures construction	\$1,500.00	_____
3) <i>Commercial or Industrial Projects</i>	\$1,500.00	_____
<b><u>Additional charges under a Notice of Intent for disturbance within the buffer zone</u></b>		
1) Disturbance within the buffer zone	_____ sf	x 0.25 = _____
2) Confirmation delineated wetland line	_____ linear ft	x 0.50 = _____
3) Alteration or replication of wetlands	_____ sf	x 1.00 = _____
<b>TOTAL FILING FEE</b>		_____
<b>Fee doubled if Notice of Intent is filed after work began or an Enforcement Order was issued</b>		_____
<b><u>Other fees</u></b>		
Request for an amendment to an Order of Conditions	\$200.00	_____
Request for an extension to an Order of Conditions	\$125.00	_____
Request for a reissued Certificate of Compliance	\$100.00	_____
Request for an Emergency Certificate of Compliance	\$200.00	_____
Request for an Emergency Certification Form	\$200.00	_____
Request for Certificate of Compliance with Expired OOC or Partial Certificate of Compliance	\$125.00	_____ <u>125.00</u>
Request for Determination of Applicability (RDA)	\$100.00	_____
Abbreviated Notice of Resource Area Delineation (ANRAD) (Minimum \$100.00, Maximum \$1,500.00)	_____ linear ft	x \$1.50= _____

Note: These fees are in addition to recording and advertising fees, and to the State Wetlands Program Fees charged under MGL. Ch. 131 Sec.40 and 310 CMR 4.10(8)(n).

**TOTAL FEE PAYABLE TO THE TOWN OF HARVARD**

\$125.00



Civil Engineering • Land Planning • Land Surveying

Engineering Solutions  
for Land & Structures

May 30, 2023

Harvard Planning Board & Conservation Commission  
13 Ayer Road  
Harvard, MA 01451

Re: 203 Ayer Road, Harvard MA - Revision Summary Letter

Plan References:

1. "Commercial Development – Ayer Road Village Special Permit – 203 Ayer Road, Harvard, MA" prepared for Wheeler Realty Trust & Yvonne Chern by Goldsmith, Prest & Ringwall, Inc. dated March 2022, Revised through 5/23/23. Job No. 211009.
2. "Commercial Development – Wetland Replication Plan – 203 Ayer Road, Harvard, MA" prepared for Wheeler Realty Trust & Yvonne Chern by Goldsmith, Prest & Ringwall, Inc. dated March 2022, Revised through 5/23/23. Job No. 211009.

Dear Planning Board / Conservation Commission Members:

The intent of this Revision Summary Letter is to highlight the changes made in the latest round of revisions (5/23/2023) to the two plans noted above. The revisions are as follows.

- On Sheet C1.1 (of the *Commercial Development – Ayer Road Village Special Permit* plan set), the Site Data section has been revised to account for the basement area of Building A and the 2<sup>nd</sup> floor apartment area of Building B, with the total GFA updated to reflect the new areas.
- All Plan Sheets (of the *Commercial Development – Ayer Road Village Special Permit* plan set) that previously depicted the 25' radii of the driveway entrance from Ayer Road have been revised to have a 30' radius. Sheet C3.2 specifically calls out the 30' radii.

**Goldsmith, Prest & Ringwall, Inc.**

39 Main Street, Suite 301, Ayer, MA 01432 • (978) 772-1590 • Fax (978) 772-1591  
info@gpr-inc.com • www.gpr-inc.com

- All Plan Sheets (of the *Commercial Development – Ayer Road Village Special Permit* plan set) that previously depicted the edge of the approved wetland replication with an area of 23,660± SF have been revised to show a wetland replication with an area of 23,900± SF. The *Commercial Development – Wetland Replication Plan* specifically calls out the 23,900± SF area.

Please contact our office if you have any questions or need further documentation.

Sincerely,  
Goldsmith, Prest & Ringwall, Inc.

  
James, Project Engineer

Copy: File  
Client



WETLAND REPLICATION

PART 1 GENERAL

- 1.01 EXTENT OF WORK
A. THE TOWN OF HARVARD CONSERVATION COMMISSION WILL BE NOTIFIED 72 HOURS IN ADVANCE OF THE COMMENCEMENT OF THE WETLAND REPLICATION CONSTRUCTION.
B. THE WORK INCLUDES THE FURNISHING OF ALL PLANT, LABOR, EQUIPMENT, MATERIALS AND REQUIRED PROFESSIONAL SERVICES IN CONNECTION WITH THE PROTECTION, REPLICATION AND PROVISION OF SPECIFIC MITIGATION AND ENHANCEMENT MEASURES TO MINIMIZE AND COMPENSATE FOR IMPACTS TO WETLANDS.

PART 2 EXECUTION

- 2.01 GENERAL
A. THE APPLICANT SHALL PLAN AND EXECUTE OPERATIONS IN A MANNER MINIMIZING THE AMOUNT OF EXCAVATED AND EXPOSED FILL, OR OTHER FOREIGN MATERIALS THAT MAY BE WASHED OR OTHERWISE CARRIED INTO THE REPLICATION AREAS.
2.02 EROSION/SEDIMENTATION CONTROL
A. THE APPLICANT SHALL INSTALL STRAW WATTLES AND/OR SILTATION FENCING AND UTILIZE EROSION/SEDIMENTATION CONTROL METHODS PRIOR TO THE COMMENCEMENT OF ANY WORK.
2.03A REPLICATION AREA PREPARATION
A. THE REPLICATION AREAS ARE TO BE CONSTRUCTED IN FULL PRIOR TO THE COMMENCEMENT OF ANY OTHER SITE WORK.
B. BEFORE PLANTING THE REPLICATION AREAS, THE APPLICANT SHALL REMOVE ALL TREES, SHRUBS, STUMPS, AND SOIL FROM THE REPLICATION AREAS.
C. DURING THE REMOVAL OF THE TREES, SHRUBS, STUMPS AND SOIL, SOME OF THE SOILS (WITHIN THE REPLICATION AREAS) WILL LIKELY BE REMOVED DURING THE PROCESS.
D. THE REPLICATION AREAS SHALL BE EXCAVATED TO A DEPTH OF 12 INCHES BELOW PROPOSED FINISH GRADES.
E. ALL FILL MUST BE STOCKPILED BEYOND THE RESOURCE AREAS AND BUFFER ZONES.
F. ANY SIGNIFICANT FIELD CHANGES, DEEMED NECESSARY TO ACHIEVE FINAL GRADING WITHIN TWELVE INCHES FROM THE GROUNDWATER TABLE, MUST BE APPROVED BY THE WETLAND SCIENTIST (IN THE FIELD) AND REPORTED TO THE CONSERVATION COMMISSION IN THE WEEKLY REPORT.
G. THE OUTER EDGES OF THE REPLICATION AREAS SHALL BE BERMED TO PREVENT WATER DRAINING FROM REPLICATION AREAS.
H. UPON COMPLETION OF THE REPLICATION AREAS, SILTATION FENCE SHALL BE PLACED AROUND THE ENTIRE PERIMETER (OF THE REPLICATION AREAS) TO PROTECT THE REPLICATION AREAS DURING THE REMAINDER OF CONSTRUCTION.
I. AFTER REPLICATION CONSTRUCTION IS COMPLETE, FERTILIZER, LIMESTONE, SUPERPHOSPHATE, MULCH OR OTHER AMENDMENTS SHALL BE ADDED TO THE WETLAND SOILS.

PART 3 REMOVING, STORING, AND REPLANTING OF EXISTING WETLAND TREES AND SHRUBS

- A. IN ANY DISTURBED WETLAND (WHERE PRACTICAL), THE APPLICANT MAY, AT HIS OPTION, DIG UP, STORE AND MAINTAIN EXISTING WETLAND TREES AND SHRUBS FOR USE IN THE REPLICATION AREAS. TREES SHALL BE A MINIMUM OF ONE INCH CALIPER AND SHRUBS SHALL BE TWENTY-FIVE INCHES IN SPREAD OR HEIGHT. ALL PLANTS SHALL BE VIGOROUS AND WELL FORMED SPECIMENS. ALL PLANT MATERIALS DUG FOR THIS PURPOSE SHALL BE DUG BY HAND, HYDRAULIC TREE SPADE SPECIFICALLY DESIGNED FOR THIS PURPOSE OR OTHER SUITABLE EQUIPMENT OF SUITABLE SIZE TO REMOVE THE ROOTBALL. ROOTBALL SIZE SHALL BE THE MINIMUM SPECIFIED BY THE AMERICAN ASSOCIATION OF NURSERYMEN FOR EACH SPECIES. FOR HAND DUG PLANTS, A SUITABLE BURLAP OR OTHER WRAP OR CONTAINER SHALL BE PROVIDED TO KEEP THE ROOTBALL INTACT.
A.1. ALL PLANTS DUG FOR REUSE SHALL BE IMMEDIATELY MOVED TO A PROTECTIVE STORAGE AREA APPROVED BY THE WETLAND SCIENTIST. PLANTS SHALL BE SET PLUMB ON GRADE OR IN PREPARED HOLES AND GUYED AS NECESSARY. THE AREA OR HOLES SHALL BE BACKFILLED WITH SUITABLE TOPSOIL TO COVER THE ROOTBALLS ENTIRELY MULCHED TO PREVENT EROSION. ALL STORED VEGETATION SHALL BE MAINTAINED IN A DAMP CONDITION BY REGULAR WATERING. ALL HORTICULTURAL MEASURES REQUIRED FOR THE SURVIVAL OF COLLECTED PLANTINGS SHALL BE UTILIZED BY THE APPLICANT.
A.2. AFTER THE REPLICATION AREAS HAVE BEEN CONSTRUCTED, STOCKPILED PLANTS SHALL BE REPLANTED IN LOCATIONS SPECIFIED AND APPROVED BY THE WETLAND SCIENTIST.

PART 4 WETLAND REPLICATION PLANTING

- A. WETLAND PLANTING SHALL BE PERFORMED BETWEEN MARCH 1 AND OCTOBER 30 OR AS RECOMMENDED BY THE WETLAND SCIENTIST.
B. WETLAND PLANTING TYPE AND QUANTITY SHALL BE PER PROVIDED PLANT LIST. TREES SHALL BE PLANTED NO FARTHER APART THAN TWENTY-FIVE FEET ON CENTER AND SHRUBS PLANTED NO FARTHER APART THAN EIGHT FEET ON CENTER.
C. THE APPLICANT SHALL HAVE THE OPTION OF DIGGING, STORING AND REPLANTING EXISTING TREES AND SHRUBS PER PART 3 OF THIS SCHEDULE, OR ALTERNATIVELY, PROVIDING AND PLANTING NEW WETLAND SPECIES, PURCHASED BY THE APPLICANT FROM NURSERY STOCK, AND APPROVED BY THE WETLAND SCIENTIST.
D. EXISTING FALLEN TREE SECTIONS/LARGE BRANCHES ON SITE MAY BE USED FOR WETLAND REPLICATION AREA AS APPROVED BY THE WETLAND SCIENTIST.
E. WETLAND PLANTING, IN THE REPLICATION AREAS, WILL BE PERFORMED IN A MANNER WHICH REPRODUCES THE PLACEMENT AND PROPORTIONS OF THE PLANT SPECIES THAT WERE FOUND IN THE ORIGINAL WETLAND AREAS.
F. ALL WETLAND PLANTINGS PERFORMED BY HAND, BURLAP WILL BE REMOVED FROM THE TOP THIRD OF THE ROOTBALLS AND ROPES, TWINE AND WIRE BASKETS WILL BE COMPLETELY REMOVED FROM THE ROOTBALLS. COMPLETELY REMOVE ALL PLASTIC BURLAP, ROPE, TWINE AND WIRE BASKETS FROM THE REPLICATION AREAS. CONTAINERS OF FERTILIZER AND MULCH FROM THE POTTED PLANTS WHILE KEEPING THE SOIL AROUND THE ROOTS UNBROKEN.
G. PRIOR TO THE START OF WETLAND CONSTRUCTION DETAILED MEASUREMENTS OF THE DEPTH OF THE SOIL 0 AND A HORIZONS WITHIN THE WETLAND TO BE LOST DURING CONSTRUCTION SHALL BE CONDUCTED. THE PROJECT SHALL USE THIS INFORMATION TO DETERMINE THE SUITABILITY OF THESE HORIZONS FOR REUSE IN THE REPLICATION AREA AND TO CALCULATE THE NEED FOR ADDITIONAL SOIL MATERIALS. THE TOP 12 INCHES OF SOIL FROM THE ORIGINAL WETLAND MUST BE TRANSPORTED WITH SOIL STRUCTURE, ESPECIALLY LAMINATION AND DENSITY PROFILE, INTACT TO THE REPLICATION AREA. THIS IS INTENDED TO PRESERVE PLANT, INVERTEBRATE AND PLANKTONIC COMMUNITIES OF THE WETLAND AND INHIBIT THE BLOSSOMING OF INVASIVE SPECIES.
H. SOIL MATERIALS TO BE REUSED (FROM THE WETLAND TO BE LOST DURING CONSTRUCTION) SHALL BE REMOVED AND PLACED IN THE PREPARED REPLICATION AREA WITHIN ONE DAY. IF THIS IS NOT POSSIBLE, THESE SOILS SHALL BE STOCKPILED FOR THE MINIMUM AMOUNT OF TIME FEASIBLE AND KEPT LOOSELY COVERED AND MOIST AT ALL TIMES. EACH DAY ANY SOILS ARE STOCKPILED, THE PROJECT MANAGER SHALL NOTIFY THE COMMISSION IN WRITING OF THE STOCKPILED SOILS. THE VOLUME OF SOILS STOCKPILED, THE REASON THEREFORE, AND THE EXPECTED DURATION OF THE STOCKPIILING, THE NOTIFICATION SHALL CONTAIN A CERTIFICATION SIGNED BY THE WETLAND SCIENTIST THAT HE/SHE HAS INSPECTED THE STOCKPILE THAT DAY AND THAT IT IS LOOSELY COVERED AND MOIST.
I. THE PROPOSED REPLICATION AREA SHALL BE EXCAVATED TO A DEPTH OF ONE FOOT BELOW THE PROPOSED FINAL GRADE AND TO BE REFERRED TO IN THE

ORDER OF CONDITIONS. THE SUBSOIL WITHIN THE REPLICATION AREA SHALL BE EXAMINED BY THE WETLAND SCIENTIST TO DETERMINE WHETHER IT IS FINE TEXTURED (FINE SANDY LOAM OR FINER, AS DEFINED BY NROS STANDARDS). IF THE SUBSOIL IS COARSE-TEXTURED, IT SHALL BE REPLACED WITH FINE-TEXTURED MATERIAL TO ALLOW FOR THE DEVELOPMENT OF A CAPILLARY FRINGE BETWEEN THE GROUNDWATER AND THE SOIL SURFACE.
J. FOLLOWING REPLACEMENT OF TOP SOIL, A MINIMUM OF 48 HOURS SHALL PASS PRIOR TO PLANTING OF WETLAND VEGETATION TO ALLOW FOR REBOUND OF BURIED OR COMPACTED PEAT. THE FINAL GRADE SHALL BE ADJUSTED AS NECESSARY.
K. AFTER PLANTINGS ARE COMPLETED, THE REPLICATION AREAS SHALL BE HAND RAKED TO ELIMINATE ANY DEPRESSIONS, GREATER THAN FOUR INCHES IN DEPTH, WHICH MAY BE CREATED DURING DIGGING AND TO ELIMINATE COMPACTED PEAT AS MUCH AS POSSIBLE.
K.1. ONCE PLANTING IS COMPLETED, LEAVES (COLLECTED FROM UPLAND AREAS OF THE PROPOSED SITE CONSTRUCTION) SHALL BE SPREAD THROUGHOUT THE REPLICATION AREAS.
L. THE INTENT OF THIS SCHEDULE IS TO INSURE THAT AT LEAST 75 PERCENT OF THE REPLICATION SURFACE AREA IS RE-ESTABLISHED WITH INDIGENOUS WETLAND PLANT SPECIES WITHIN THREE GROWING SEASONS OF THEIR PLANTING. IN ACCORDANCE WITH THE MASSACHUSETTS DEP WETLANDS PROTECTION ACT REGULATIONS, PURPLE LOOSESTRIPE (LYTHRUM SALICARIA) AND EUROPEAN BUCKTHORN (RIHAMNUS FRANGULA) SHALL NOT BE PLANTED IN THE REPLICATION AREAS. IF AFTER THREE GROWING SEASONS, IT IS EVIDENT IN THE OPINION OF THE BOTANIST THAT IT IS UNLIKELY THAT THE 75 PERCENT RE-ESTABLISHMENT REQUIREMENT WILL BE ACHIEVED, THE APPLICANT SHALL SUPPLEMENT THE PLANTINGS AS NECESSARY TO ACHIEVE THE REQUIRED COVERAGE. IF AFTER THE END OF THREE GROWING SEASONS, 75 PERCENT RE-ESTABLISHMENT HAS NOT BEEN ACHIEVED, THE APPLICANT SHALL PROVIDE AND PLANT HEALTHY WETLAND VEGETATION IN SUFFICIENT QUANTITIES TO ACHIEVE THE 75 PERCENT RE-ESTABLISHMENT.

PART 5 WETLAND REPLICATION MONITORING

- A. ONCE JAPANESE KNOTWEED AND OTHER INVASIVE SPECIES HAVE BEEN REMOVED AND THE AREAS SEEDED, THEY SHALL BE MONITORED IN THE FOLLOWING YEAR TO ENSURE NO NEW INVASIVE GROWTH AND RESTORATION OF NATURAL CONDITION HAS BEEN SUCCESSFUL.
B. THE WETLAND SCIENTIST SHALL VISIT THE REPLICATION AREA WEEKLY FOLLOWING PLANTING AND SEEDING FOR THE DURATION OF THE FIRST GROWING SEASON TO DETERMINE THE NEED FOR IRRIGATION AND ADDITIONAL FERTILIZATION AND TO INFORM THE SITE CONTRACTOR OF THESE REQUIREMENTS.
C. THE WETLAND SCIENTIST SHALL INSPECT WETLAND REPLICATION AREA TWICE A YEAR DURING LATE SPRING AND DURING THE MID TO LATE SUMMER OF THE FIRST TWO FULL GROWING SEASONS. A WRITTEN REPORT SHALL BE SUBMITTED TO THE COMMISSION AT THE END OF EACH GROWING SEASON. A BOND SHALL BE POSTED THAT WILL ENABLE THE COMMISSION TO COMPLETE THE REPLICATION SHOULD THE APPLICANT FAIL TO FULFILL OBLIGATIONS SET FORTH IN THE ORDER OF CONDITIONS.
D. THE WETLAND SCIENTIST SHALL INSPECT WETLAND REPLICATION AREA TWICE A YEAR DURING LATE SPRING AND DURING THE MID TO LATE SUMMER OF THE FIRST TWO FULL GROWING SEASONS. A WRITTEN REPORT SHALL BE SUBMITTED TO THE COMMISSION AT THE END OF EACH GROWING SEASON. A BOND SHALL BE POSTED THAT WILL ENABLE THE COMMISSION TO COMPLETE THE REPLICATION SHOULD THE APPLICANT FAIL TO FULFILL OBLIGATIONS SET FORTH IN THE ORDER OF CONDITIONS.

REPLICATION NOTES:

- 1. SELECTION AND QUANTITY OF WETLAND REPLICATION PLANTS SHALL BE DETERMINED BY WETLAND SCIENTIST, AS APPROVED BY THE TOWN OF HARVARD CONSERVATION COMMISSION.
2. EXISTING TREES WITHIN WETLAND REPLICATION AREAS SHALL BE MAINTAINED TO THE MAXIMUM PRACTICABLE, AS DETERMINED BY THE WETLAND SCIENTIST.
3. NEW ENGLAND WETMIX SEED MIX SHALL BE SPREAD WITHIN THE LIMIT OF THE PROPOSED WETLAND REPLICATION AREA.

INVASIVE PLANT CONTROL:

INVASIVE SPECIES ONSITE INCLUDE BUT NOT LIMITED TO: JAPANESE KNOTWEED (POLYGONUM CUSPIDATUM)

BACKGROUND:

JAPANESE KNOTWEED SPREADS QUICKLY TO FORM DENSE THICKETS THAT EXCLUDE NATIVE VEGETATION AND GREATLY ALTERS NATURAL ECOSYSTEMS. IT POSES A SIGNIFICANT THREAT TO RIPARIAN AREAS, WHERE IT CAN SURVIVE SEVERE FLOODS AND RAPIDLY COLONIZE SCOURED SHORES AND ISLANDS. ONCE ESTABLISHED, POPULATIONS ARE EXTREMELY PERSISTENT. JAPANESE KNOTWEED SPREADS PRIMARILY BY VEGETATIVE MEANS WITH THE HELP OF ITS LONG, STOUT RHIZOMES. IT IS OFTEN TRANSPORTED TO NEW SITES AS A CONTAMINANT IN FILL. SEEDS ARE FREQUENTLY DISTRIBUTED BY WATER, AND CARRIED TO A LESSER EXTENT BY WIND. DISCARDED CUTTINGS ARE COMMON ROUTES OF DISPERSAL. KNOTWEED PREVENTS ESTABLISHMENT OF NATIVE TREES AND SHRUBS, REDUCES ACCESS TO THE WATER, AND ITS COARSE RHIZOMES DO NOT STABILIZE THE BANKS AS WELL AS THE FINER ROOTS OF TREES OR GRASSES. MANAGEMENT REQUIRES TREATMENT OF THE RHIZOME SYSTEM, AND WILL TAKE AT LEAST TWO YEARS.

CONTROL:

CUT AND PAINT METHOD DOES NOT WORK WHEN THE GROUND IS FROZEN AND IS LESS EFFECTIVE IN THE SPRING WHEN PLANT SAP IS RUNNING OUT OF THE ROOTS. CONTROL AT THE SITE SHALL CONSIST OF CUTTING THE STEM JUST AFTER FLOWERING (TYPICALLY LATE JUNE OR JULY) AND IMMEDIATELY INJECTING A 25% GLYPHOSATE SOLUTION INTO CUT STEMS. THE GLYPHOSATE PRODUCT SHALL BE ONE APPROVED FOR USE NEAR WETLANDS. A FOLLOW-UP TREATMENT SHALL OCCUR IN SEPTEMBER, FOLLOWING THE SAME PROCEDURE.

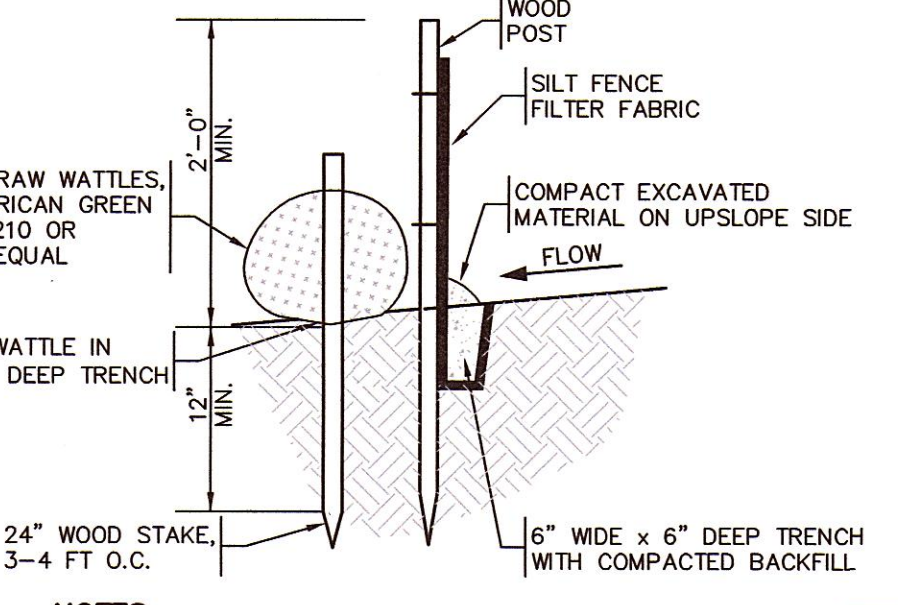
WETLAND REPLICATION PLANT LIST

Table with columns: Symbol, Botanical Name, Common Name, Size, Quantity, Condition. Lists various tree and shrub species like Acer rubrum, Fraxinus pennsylvanica, Vaccinium corymbosum, etc.

SEED MIX

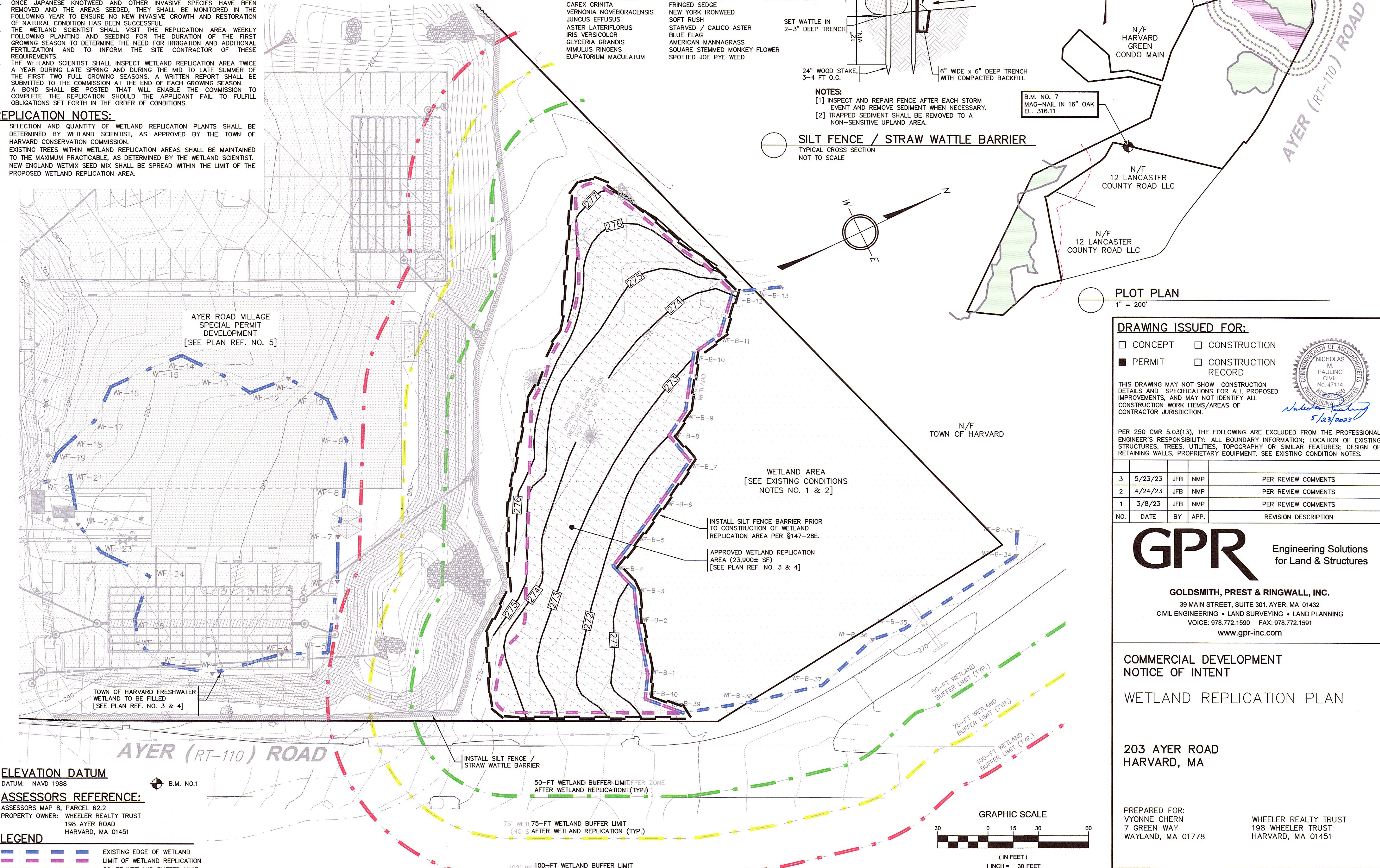
NEW ENGLAND WETMIX (WETLAND SEED MIX) APPLIED AT 18 LBS/ACRE : 2,500 SF/LB OR GREATER.

Table with columns: Botanical Name, Common Name. Lists various weed species like Carex vulpinoidea, Carex scoparia, Carex lurida, etc.



- NOTES:
[1] INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
[2] TRAPPED SEDIMENT SHALL BE REMOVED TO A NON-SENSITIVE UPLAND AREA.

SILT FENCE / STRAW WATTLE BARRIER
TYPICAL CROSS SECTION
NOT TO SCALE



ELEVATION DATUM

DATUM: NAVD 1988

ASSESSORS REFERENCE:

ASSESSORS MAP 8, PARCEL 62.2
PROPERTY OWNER: WHEELER REALTY TRUST
198 AYER ROAD
HARVARD, MA 01451

LEGEND

- EXISTING EDGE OF WETLAND
LIMIT OF WETLAND REPLICATION
50-FT WETLAND BUFFER LIMIT
75-FT WETLAND BUFFER LIMIT
100-FT WETLAND BUFFER LIMIT

EXISTING CONDITIONS NOTES:

- 1. EXISTING CONDITION INFORMATION BASED ON AN ON-THE-GROUND TOPOGRAPHIC AND BOUNDARY SURVEY PERFORMED BY GOLDSMITH, PREST & RINGWALL, INC. DATED JUNE 2021.
2. EDGE OF WETLAND DELINEATION WAS PREVIOUSLY APPROVED AS PART OF AN ORDER OF CONDITIONS (MASSEDP #177-0707) AS ISSUED BY THE TOWN OF HARVARD CONSERVATION COMMISSION ON JUNE 2021.

PLAN REFERENCES:

- 1. ORDER OF CONDITIONS ISSUED FOR 69 LANCASTER COUNTY ROAD & AYER ROAD, HARVARD, MA. BY THE TOWN OF HARVARD CONSERVATION COMMISSION, MASSEDP #177-0587, HARVARD #010-02, DATED 11/18/2010, RECORDED AT THE WORCESTER REGISTRY OF DEEDS, BOOK 46829, PAGE 295.
2. "PUBLIC WATER SUPPLY, NOTICE OF INTENT - 69 LANCASTER COUNTY ROAD & 203 AYER ROAD, HARVARD, MA" PREPARED BY GOLDSMITH, PREST & RINGWALL, INC. DATED OCTOBER 2010. JOB NO. 991168.
3. ORDER OF CONDITIONS ISSUED FOR 203 AYER ROAD, HARVARD, MA. BY THE TOWN OF HARVARD CONSERVATION COMMISSION, MASSEDP #177-0707, HARVARD #0721-02, DATED 9/27/2021, RECORDED AT THE WORCESTER REGISTRY OF DEEDS, BOOK 47179, PAGE 189.
4. "COMMERCIAL DEVELOPMENT - 203 AYER ROAD, HARVARD, MA" PREPARED FOR WHEELER REALTY TRUST BY GOLDSMITH, PREST & RINGWALL, INC. DATED JULY 2021, LAST REVISED 8/9/21, JOB NO. 211009A.
5. "COMMERCIAL DEVELOPMENT - AYER ROAD VILLAGE SPECIAL PERMIT - 203 AYER ROAD, HARVARD, MA" PREPARED FOR WHEELER REALTY TRUST & YVONNE CHERN BY GOLDSMITH, PREST & RINGWALL, INC. DATED MARCH 2022, REVISED THROUGH 5/23/23, JOB NO. 211009.

PLOT PLAN
1" = 200'

DRAWING ISSUED FOR:

- CONCEPT
CONSTRUCTION
PERMIT
CONSTRUCTION RECORD

THIS DRAWING MAY NOT SHOW CONSTRUCTION DETAILS AND SPECIFICATIONS FOR ALL PROPOSED IMPROVEMENTS, AND MAY NOT IDENTIFY ALL CONSTRUCTION WORK ITEMS/AREAS OF CONTRACTOR JURISDICTION.

PER 250 CMR 5.03(13), THE FOLLOWING ARE EXCLUDED FROM THE PROFESSIONAL ENGINEER'S RESPONSIBILITY: ALL BOUNDARY INFORMATION; LOCATION OF EXISTING STRUCTURES, TREES, UTILITIES, TOPOGRAPHY OR SIMILAR FEATURES; DESIGN OF RETAINING WALLS, PROPRIETARY EQUIPMENT. SEE EXISTING CONDITION NOTES.

Table with columns: NO., DATE, BY, APP., REVISION DESCRIPTION. Shows revision history for the drawing.

GPR Engineering Solutions for Land & Structures

GOLDSMITH, PREST & RINGWALL, INC.
39 MAIN STREET, SUITE 301, AYER, MA 01432
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING
VOICE: 978.772.1500 FAX: 978.772.1501
www.gpr-inc.com

COMMERCIAL DEVELOPMENT
NOTICE OF INTENT
WETLAND REPLICATION PLAN

203 AYER ROAD
HARVARD, MA

PREPARED FOR:
YVONNE CHERN
7 GREEN WAY
WAYLAND, MA 01778
WHEELER REALTY TRUST
198 WHEELER TRUST
HARVARD, MA 01451

Table with columns: DES. BY, CHK. BY, DATE, JOB, OF. Shows project details and dates.

P:\211009\DWG\PERMIT\REV 3 - 203 AYER ROAD NOI SITE PLAN (2023 05 26).DWG 05-30-23 10:57:34 AM - LAYOUT WETLAND REPLICATION

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## SITE DATA

LOT AREA:	11.03± AC. (480,379± SF)
WATER SUPPLY:	PUBLIC WATER SUPPLY
APPROXIMATE WATER USE:	1,622 GPD FOR BLDG A, 930 GPD FOR BLDG B, 600 GPD FOR BLDG C
SEWAGE DISPOSAL:	ONSITE SEWAGE DISPOSAL SYSTEM
APPROXIMATE SEWAGE FLOW:	1,622 GPD FOR BLDG A, 930 GPD FOR BLDG B, 600 GPD FOR BLDG C
ZONING DISTRICT:	COMMERCIAL - C
OVERLAY DISTRICT:	WIRELESS COMMUNICATION
PROPOSED HABITABLE SPACE:	
BUILDING A	29,998 SF (BASEMENT: 3,383 SF)
BUILDING B	15,500 SF (2ND FLOOR APARTMENTS: 7,500 SF)
BUILDING C	8,000 SF
TOTAL GFA:	56,881 SF (11.84% OF 480,379 SF)

# Ayer Road Village Special Permit & Mixed Use Village Development 203 AYER ROAD HARVARD, MA

## GENERAL NOTES

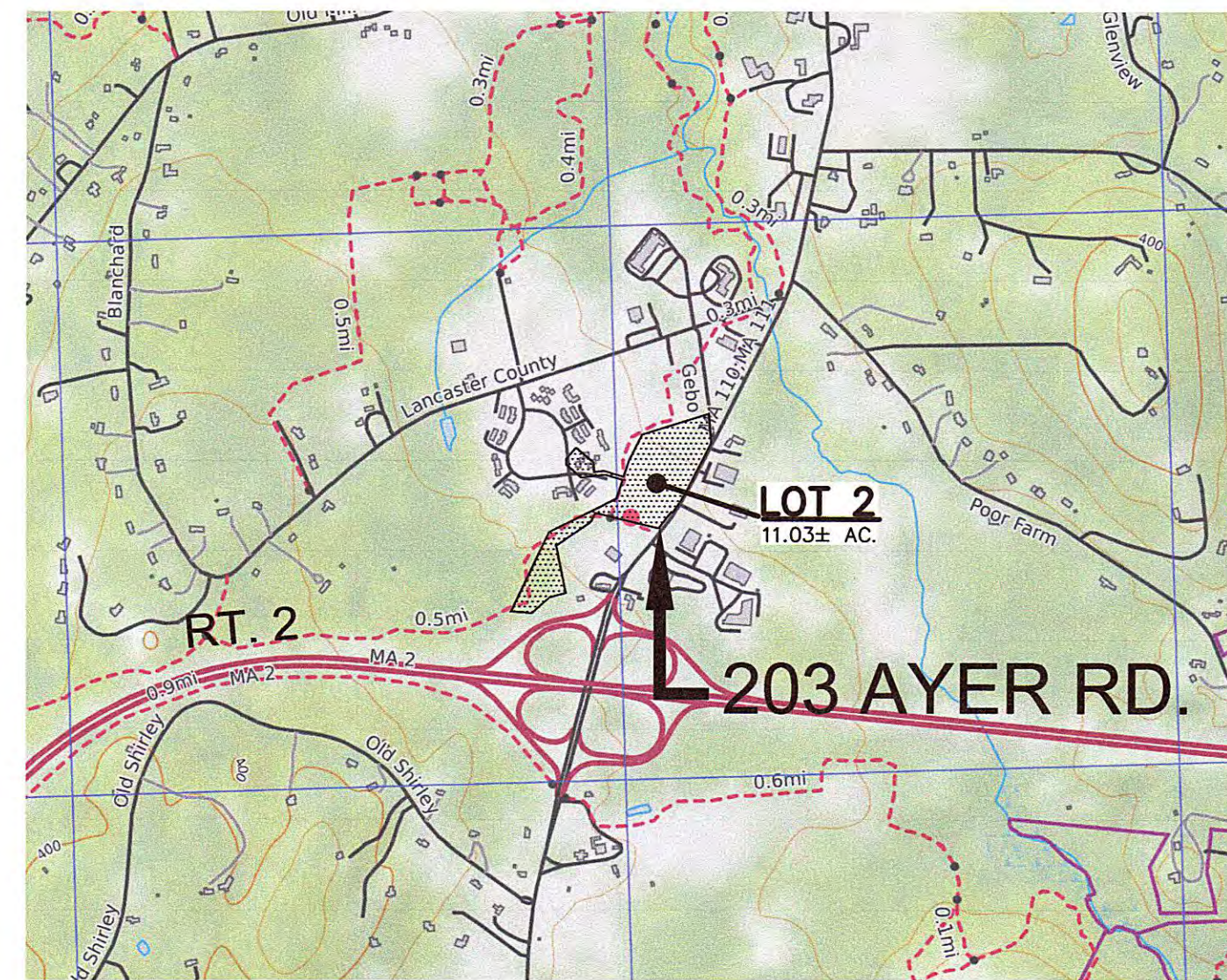
- LOCATIONS OF EXISTING UNDERGROUND UTILITIES/OBSTRUCTIONS/SYSTEMS SHOWN HEREON ARE APPROXIMATE ONLY. ALL UTILITIES/OBSTRUCTIONS/SYSTEMS MAY NOT BE SHOWN. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UNDERGROUND UTILITIES/OBSTRUCTIONS/SYSTEMS, WHETHER OR NOT SHOWN HEREON.
- UNLESS OTHERWISE SHOWN, ALL NEW UTILITIES SHALL BE UNDERGROUND.
- BURIED UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THEIR RESPECTIVE COMPANY SPECIFICATIONS.
- CONSTRUCTION LAYOUT OF BUILDING AND SITE IMPROVEMENTS SHALL BE PERFORMED BY A LICENSED PROFESSIONAL LAND SURVEYOR. LOCATIONS OF EXISTING FEATURES OR PROPOSED IMPROVEMENTS DERIVED BY SCALING DRAWINGS MAY NOT BE ACCURATE. PROPERTY LINES SHOWN HEREON ARE APPROXIMATE. SEE PLAN REFERENCE HEREON.
- SAFETY MEASURES, CONSTRUCTION METHODS, AND CONTROL OF WORK SHALL BE RESPONSIBILITY OF CONTRACTOR.
- CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR AND/OR REPLACEMENT OF ANY EXISTING UTILITY OR STRUCTURE DAMAGED DURING CONSTRUCTION THAT ARE NOT DESIGNATED FOR DEMOLITION AND/OR REMOVAL HEREON. DAMAGED UTILITY OR STRUCTURE SHALL BE REPAIRED TO THE SATISFACTION OF THEIR RESPECTIVE OWNERS.
- ANY INTENDED REVISION OF THE HORIZONTAL AND/OR VERTICAL LOCATION OF IMPROVEMENTS TO BE CONSTRUCTED AS SHOWN HEREON SHALL BE REVIEWED AND APPROVED BY ENGINEER PRIOR TO IMPLEMENTATION.
- CONTRACTOR SHALL NOTIFY ENGINEER UPON COMMENCEMENT OF CONSTRUCTION IN ORDER TO ENSURE THAT REQUIRED INSPECTIONS ARE PERFORMED IN A TIMELY AND EFFICIENT MANNER.
- CONTRACTOR SHALL PROMPTLY NOTIFY ENGINEER UPON DISCOVERY OF ANY UNFORESEEN SURFACE OR SUBSURFACE CONDITIONS THAT MAY IMPACT SITE CONSTRUCTION.
- FINISH RIM ELEVATIONS SHOULD MATCH PAVEMENT, GRADING OR LANDSCAPING, UNLESS SPECIFICALLY INDICATED OTHERWISE.
- WHERE EXISTING UTILITY LINES/STRUCTURES ARE TO BE CUT/BROKEN DOWN/ABANDONED, LINES/STRUCTURES SHALL BE PLUGGED/CAPPED/FILLED IN ACCORDANCE WITH UTILITY OWNER REQUIREMENTS.
- EROSION CONTROL MEASURES, SUCH AS SILT FENCE OR STRAW WATTLES AS MAY BE SHOWN HEREON, SHALL BE INSTALLED BEFORE EARTH DISTURBANCE OCCURS WITHIN BUFFER ZONE, AND SHALL SERVE AS THE LIMIT OF WORK.
- WHERE THE WORD "INSTALL" IS USED HEREIN, IT IS INTENDED TO DIRECT CONTRACTOR TO "FURNISH, INSTALL, AND PLACE IN OPERATION" THE COMPONENT REFERRED TO.
- LIMITS OF WORK SHALL BE STAKED IN THE FIELD PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL STORM DRAIN PIPE TO BE SMOOTH INTERIOR HDP PIPE, 2.0 PSI GASKETED JOINT, UNLESS OTHERWISE NOTED.
- WHERE SHOWN, CONSTRUCTION NOTES ARE INTENDED TO SUMMARIZE AND CLARIFY MAJOR ITEMS OF WORK. THESE NOTES SHOULD NOT BE CONSTRUED AS AN EXHAUSTIVE LISTING OF ALL WORK REQUIRED. CONTRACTOR SHOULD CONTACT ENGINEER WHEN FURTHER CLARIFICATION OF DEPICTED WORK IS DESIRED.
- CONSTRUCTION OF FIRE WATER SUPPLY IMPROVEMENTS SHALL CONFORM TO TOWN OF HARVARD REQUIREMENTS.
- CONSTRUCTION OF DOMESTIC WATER SUPPLY IMPROVEMENTS SHALL CONFORM TO UTILITY OWNER REQUIREMENTS.
- WHERE DIMENSIONS INVOLVE CURB, DIMENSIONS ARE TO FACE OF CURB. WHERE SLOPED GRANITE CURB OR CAPE COD BERM SPECIFIED, FACE OF CURB IS EDGE OF FINISH PAVEMENT AT TOE OF CURB.
- NO DEBRIS, JUNK, RUBBISH OR OTHER NON-BIODEGRADABLE MATERIALS, FILL CONTAINING HAZARDOUS MATERIALS OR WASTES, OR STUMPS SHALL BE BURIED ON ANY LAND ON THIS SITE, OR LEFT ON ANY LOT OR ON THE STREET RIGHT OF WAY.

## REGULATORY NOTES

- CONTRACTOR SHALL CONTACT DIG-SAFE FOR UNDERGROUND UTILITY MARKING AT 888.344.7233 AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR SHALL GIVE TWENTY-FOUR (24)-HOUR NOTICE TO PERTINENT TOWN DEPARTMENTS BEFORE COMMENCING ANY WORK IN THE FIELD.
- CONTRACTOR SHALL COORDINATE AND OBTAIN ALL CONSTRUCTION PERMITS REQUIRED BY REGULATORY AUTHORITIES.
- CONTRACTOR SHALL BE AWARE OF ALL CONSTRUCTION REQUIREMENTS, CONDITIONS, AND LIMITATIONS IMPOSED BY PERMITS AND APPROVALS ISSUED BY REGULATORY AUTHORITIES PRIOR TO COMMENCEMENT OF ANY WORK.
- ALL WORK OUTSIDE OF BUILDING THAT IS LESS THAN 10 FEET FROM THE INSIDE FACE OF BUILDING FOUNDATION SHALL CONFORM WITH THE UNIFORM STATE PLUMBING CODE OF MASSACHUSETTS, 248 CMR 2.00.
- GENERAL COMPLIANCE WITH 28 CFR PART 36 - 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN AND 521 CMR PART C, EXTERIOR OF THE MASSACHUSETTS ARCHITECTURAL ACCESS BOARD REGULATIONS IS INTENDED. CONTRACTOR SHALL VERIFY COMPLIANCE DURING CONSTRUCTION AND SHALL NOTIFY THE OWNER OF ANY NON-COMPLIANCE ISSUES AS SOON AS DISCOVERED.

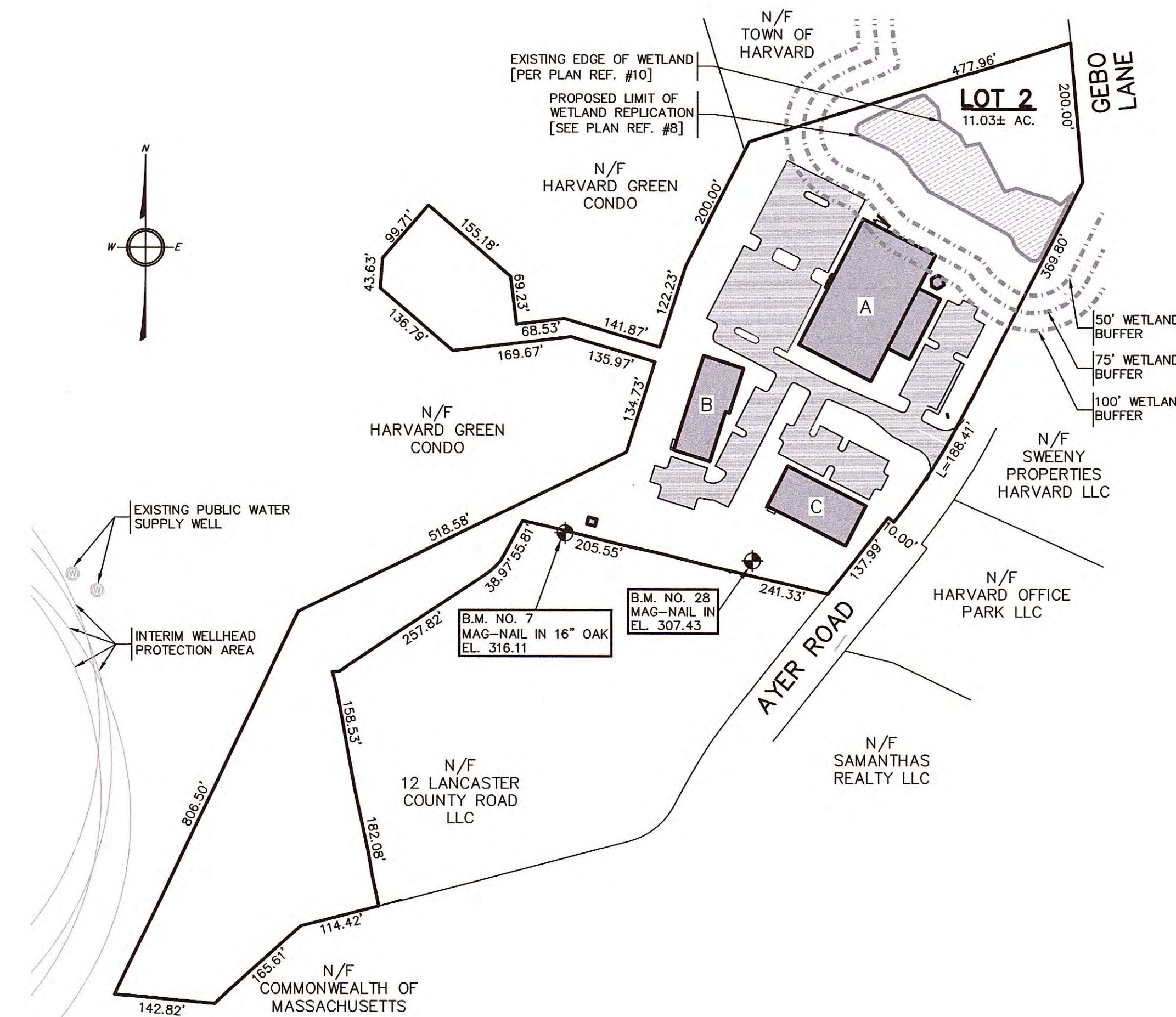
## PLAN REFERENCES

- "SUBSURFACE SEWAGE DISPOSAL SYSTEM-UPGRADE-203 AYER ROAD, HARVARD, MA" PREPARED FOR WHEELER REALTY TRUST BY GOLDSMITH, PREST & RINGWALL, INC. DATED FEBRUARY 2022, REVISED THROUGH 7/25/22. GPR JOB #201009A.
- "SUBSURFACE SEWAGE DISPOSAL SYSTEM FOR: LOT 2 AYER ROAD, HARVARD MA" DESIGNED FOR GEBO LANE REALTY TRUST & BERNICE TAVERAS, BY GOLDSMITH, PREST & RINGWALL, INC. DATED MARCH 1998, GPR JOB #97-264.
- "LOT 2, AYER ROAD, SEWAGE DISPOSAL WORKS CONSTRUCTION PERMIT" ISSUED BY THE HARVARD BOARD OF HEALTH, OWNED BY BERNICE TAVERAS & GEBO LANE REALTY TRUST, DATED JULY 10, 1998.
- "PARTIAL CONSTRUCTION RECORD PLAN-SUBSURFACE SEWAGE DISPOSAL SYSTEM-LOT 2 AYER ROAD, HARVARD, MA" PREPARED FOR GEBO LANE REALTY TRUST & BERNICE TAVERAS BY GOLDSMITH, PREST & RINGWALL, INC. DATED NOVEMBER 1998, GPR JOB #97-264.
- "SUBSURFACE SEWAGE DISPOSAL SYSTEM-CONSTRUCTION RECORD PLAN" PREPARED FOR HARVARD GREEN DEVELOPMENT CORP. BY GOLDSMITH, PREST & RINGWALL, INC. DATED MARCH 18, 1997, REVISED THROUGH 7/2/98.
- "PLAN OF LAND, HARVARD, MASSACHUSETTS" PREPARED FOR HARVARD GREEN DEVELOPMENT CORP. BY DILLIS & MISCHKE, INC., SCALE 1" = 80'. DATED SEPTEMBER 1997, APPROVED ON 9/22/97.
- "SUBSURFACE SEWAGE DISPOSAL SYSTEM" PREPARED FOR HARVARD GREEN DEVELOPMENT CORP. BY GOLDSMITH, PREST & RINGWALL, INC., PLAN NO. 96-507:SDS01, DATED MARCH 1997, REVISED JUNE 23, 1997.
- "COMMERCIAL DEVELOPMENT - NOTICE OF INTENT - 203 AYER ROAD, HARVARD, MA" PREPARED FOR YVONNE CHERN AND WHEELER REALTY TRUST BY GOLDSMITH, PREST & RINGWALL, INC. DATED MARCH 2022, GPR JOB #211009.
- "COMMERCIAL DEVELOPMENT-203 AYER ROAD, HARVARD, MA" PREPARED FOR WHEELER REALTY TRUST BY GOLDSMITH, PREST & RINGWALL, INC. DATED JULY 2021, REVISED THROUGH 09/09/21, GPR JOB #211009A.
- "MPA FROM 5-ORDER OF CONDITIONS-203 AYER ROAD, HARVARD MA" PREPARED FOR WHEELER TRUST BY THE HARVARD CONSERVATION COMMISSION, DATED 09/30/21, MASS DEP FILE #177-0707.
- "BACKWASH DISPOSAL SITE PLAN - 196 AYER ROAD HARVARD, MA 01451" PREPARED FOR AYER ROAD PROPERTIES, LLC, BOWERS BROOK, LLC AND WHEELER REALTY TRUST BY PROVENCHER ENGINEERING, LLC. DATED AUGUST 19, 2013, REVISED 08/19/13.
- "BRP WP70 ALTERNATIVE DESIGN FLOW FOR TITLE 5 SYSTEM - HARVARD BADMINTON CENTER, 203 AYER ROAD, HARVARD, MA 01451" AS ISSUED BY MASSDEP, DATED JULY 5, 2022, TRANSMITTAL NUMBER 22-WP70/70A-002-APP.
- "203 AYER RD" PHOTOMETRIC LIGHTING PLAN - BUILDING A, PREPARED FOR GOLDSMITH, PREST & RINGWALL, INC. BY MAXLITE, DATED SEPTEMBER 9, 2022.
- "203 AYER RD BUILDINGS B - C" PHOTOMETRIC LIGHTING PLAN, PREPARED FOR GOLDSMITH, PREST & RINGWALL, INC. BY MAXLITE, DATED DECEMBER 6, 2022.



## VICINITY MAP

SCALE: 1" = 1,000'



## PLOT PLAN

SCALE: 1" = 150'

## ZONING

Parameter	Underlying District		Ayer Road Village Special Permit		Remarks
	Zoning Section	Requirement	Zoning Section	Requirement	
Zoning District	125-23	Commercial - C	125-23	Commercial - C	
Overlay District	125-42		125-42		Wireless Communication Overlay District
Proposed Use	125-14.D	Large-scale Commercial Use	125-14.D	Large-scale Commercial Use	Planning Board Special Permit Required for use
	125-12	Small-scale Commercial Use	125-12	Small-scale Commercial Use	Allowed
	125-13	Medium-scale Commercial Use	125-13	Medium-scale Commercial Use	Allowed
	125-13.Z	Medium-scale Commercial Use	125-13.Z	Multi-Family	Allowed
Lot Area	125-29.B (1)	1.5 AC			11.03 AC (480,379 sf)
Frontage	125-29.B (3)	180 FT	125-52.B	300 FT	904 FT of frontage provided
Lot Width	125-29.B (2)	200 FT at 120 FT from roadway center line	125-52.G.1(a)	permit alt. bldg. siting without regard to lot width circle	200 ft lot width provided
Lot Shape	125-29.L	30 max build factor			8.68 build factor
Yard					
Front	125-30.E (4)	20 FT, 60 ft abutting AR district			Underlying District setbacks met
Side & Rear	125-30.E (3)	20 FT, 60 ft abutting AR district			Underlying District setbacks met
Total Floor Area	125-30.B	10% of land area	125-52.G.2	20% of land area	
Building Height	125-30.C	35 FT, 3 stories Max.			< 35 ft provided
Parking	125-39.A(3)	20-4 wide green area every 160 ft			Alternately, 10-4 wide green area every 80 ft of length
	125-39.A.(3)(a)	9x19' stall with 2' aisle			
Open Area					
Buffer Strip	125-39.C (1)	20-4 buffer strip around perimeter			
Total Green Area	125-39.C (2)	50% of lot area			74.7% Green Area Provided
Wetlands Bylaw	local bylaw	No Structure within 75 ft, No disturbance within 50 ft			from edge of wetlands and water bodies
MDEP Riverfront Area					none on site
FEMA Floodplain					none on site
IWPA					on site

### NOTES:

[1] Reference to section of The Protective Bylaw, where applicable

### ABBREVIATIONS:

SF=square feet; FT=feet; AC=acres; PB=Planning Board; ZBA=Zoning Board of Appeals; IWPA=interim wetland protection area; OSPD=Open Space Preservation Development

## PARKING COMPUTATIONS

USE	REQUIRED SPACES	PROPOSED SPACES (# OF HANDICAP SPACES)
Building A	N/A	120 (5)
Building B	N/A	24 (1)
Building C	N/A	25 (1)

## COVERAGE COMPUTATIONS

PARAMETER	AREA (ACRES)	AREA (SQ. FEET)	FRACTION OF TOTAL LOT AREA (%)
<b>EXISTING CONDITION</b>			
Lot Area	11.03±	480,379±	100%
Building Footprint	0	0	0%
Other Impervious Area	0	0	0%
Total Impervious Coverage	0	0	0%
<b>DEVELOPED CONDITION</b>			
Lot Area	11.03±	480,379±	100%
Building Footprint	0.98±	42,613±	8.9%
Other Impervious Area	1.81±	78,757±	16.4%
Total Impervious Coverage	2.79±	121,370±	25.3%

## SHEET INDEX

- C1.1 TITLE SHEET
- C2.1 EXISTING CONDITIONS PLAN
- C3.1 SITE UTILITIES PLAN
- C3.2 SITE LAYOUT PLAN
- C4.1 GRADING AND PAVING PLAN
- C4.2 DRAINAGE PLAN
- C5.1 EROSION AND SEDIMENT CONTROL PLAN
- C6.1 CONSTRUCTION DETAILS
- C6.2 CONSTRUCTION DETAILS
- C6.3 CONSTRUCTION DETAILS
- L-1.01 PLANTING PLAN (BY FISHER DESIGN GROUP)

## ASSESSORS REFERENCE

ASSESSORS PARCEL # 008-062-002  
OWNER PER ASSESSOR RECORD:  
WHEELER REALTY TRUST  
200 AYER ROAD  
HARVARD, MA 01451

APPROVED BY THE  
HARVARD PLANNING BOARD

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
APPLICATION FILED

\_\_\_\_\_  
HEARING DATE

\_\_\_\_\_  
PLAN APPROVED

## DRAWING ISSUED FOR:

- CONCEPT  CONSTRUCTION
- PERMIT  CONSTRUCTION RECORD

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NO.	DATE	BY	APP.	REVISION DESCRIPTION
3	5/23/23	JFB	NMP	MUVD & PEER REVIEW COMMENTS
2	3/2/23	JFB	NMP	MUVD & PEER REVIEW COMMENTS
1	7/25/22	LT	NMP	PEER REVIEW COMMENTS

**GPR** Engineering Solutions  
for Land & Structures

**GOLDSMITH, PREST & RINGWALL, INC.**  
39 MAIN STREET, SUITE 301, AYER, MA 01432  
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING  
VOICE: 978.772.1590 FAX: 978.772.1591  
www.gpr-inc.com

## COMMERCIAL DEVELOPMENT SPECIAL PERMIT

## TITLE SHEET

203 AYER ROAD  
HARVARD, MA

PREPARED FOR:  
YVONNE CHERN  
7 GREEN WAY  
WAYLAND, MA 01778

WHEELER REALTY TRUST  
198 AYER ROAD  
HARVARD, MA 01451

DES. BY: MCL DATE: MARCH 2022 JOB 211009 **C1.1**

CHK. BY: NMP



ELEVATION DATUM  
DATUM: NAVD 1988

B.M. NO.1

LEGEND

EXISTING	
	ELEVATION CONTOUR
	SPOT GRADE
	PROPERTY LINE
	WETLAND DELINEATION
	WETLAND BUFFER ZONE
	SHORELINE
	100-YEAR FLOODPLAIN LIMIT
	TREE LINE / EDGE OF VEGETATION
	EDGE OF PAVEMENT
	CAPE COD BERM CURBING
	GRAVEL/DIRT ROAD
	STOCKADE FENCE
	STONE WALL
	WATER MAIN
	WATER SERVICE
	FIRE SERVICE
	WATER VALVE
	FIRE HYDRANT
	FORCE MAIN
	GRAVITY SEWER LINE
	SEWER MANHOLE
	GAS LINE
	GAS SERVICE
	GAS VALVE
	BURIED POWER LINE
	OVERHEAD POWER LINE
	UTILITY POLE
	GUY WIRE
	ELECTRIC BOX
	STORM DRAIN
	UNDERDRAIN
	DRAIN
	FOUNDATION DRAIN
	CATCH BASIN
	DRAIN MANHOLE
	DEEP SOIL OBSERVATION HOLE
	SITE LUMINAIRE
	SIGN
	STONE BOUND
	DRILL HOLE
	IRON ROD

ABBREVIATIONS

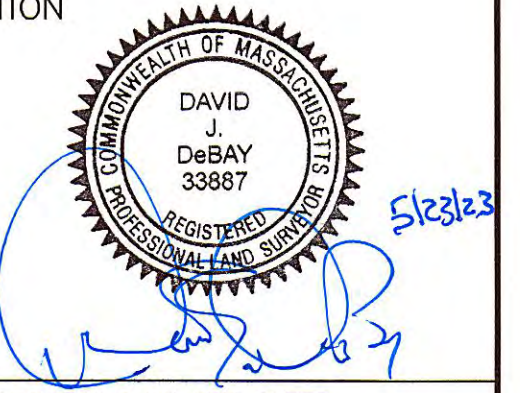
EL	ELEVATION	HDPE	HIGH DENSITY POLYETHYLENE
INV	INVERT	PVC	POLYVINYL CHLORIDE
SF	SQUARE FEET	RCP	REINFORCED CONCRETE PIPE
AC	ACRES	N/F	NOW OR FORMERLY
FT	FEET	VP	VERNAL POOL
R	RADIUS	WF	WETLAND FLAG
DIA	DIAMETER	TW	TOP OF WALL
BIT	BITUMINOUS	BW	BOTTOM OF WALL
CONC	CONCRETE	FG	FINISH GRADE
L	LENGTH	BSMT	BASEMENT
S	SLOPE	FF	FINISH FLOOR

EXISTING CONDITIONS NOTES:

- EXISTING CONDITION INFORMATION BASED ON AN ON-THE-GROUND TOPOGRAPHIC SURVEY PERFORMED BY GOLDSMITH, PREST & RINGWALL, INC. DURING JUNE 2021 & SUPPLEMENTED WITH CONSTRUCTION RECORD INFORMATION SHOWN ON PLAN REF. #4 & #5.
- THE EDGE OF WETLAND DELINEATED BY MATTHEW S. MARRO ENVIRONMENTAL CONSULTING, INC. DATED JUNE 2021. PER ORDER OF CONDITIONS DEP FILE #177-0707 (PLAN REF. #10).
- SUBSURFACE UTILITIES SHOWN HEREON ARE BASED ON PLAN REF. #11.
- SEE COVER SHEET FOR PLAN REFERENCES.

DRAWING ISSUED FOR:

- CONCEPT     CONSTRUCTION  
 PERMIT         CONSTRUCTION RECORD



NO.	DATE	BY	APP.	REVISION DESCRIPTION
3	5/23/23	-	-	NO CHANGES ON THIS SHEET
2	3/2/23	-	-	MUVD & PEER REVIEW COMMENTS
1	7/25/22	-	-	NO CHANGES ON THIS SHEET

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COMMERCIAL DEVELOPMENT  
SPECIAL PERMIT

EXISTING CONDITIONS PLAN

203 AYER ROAD  
HARVARD, MA

PREPARED FOR:  
YVONNE CHERN  
7 GREEN WAY  
WAYLAND, MA 01778

WHEELER REALTY TRUST  
198 AYER ROAD  
HARVARD, MA 01451

DES. BY: MCL    DATE: MARCH 2022    JOB 211009    C2.1  
CHK. BY: NMP

B.M. NO. 7  
MAG-NAIL IN 16" OAK  
EL. 316.11

N/F HARVARD GREEN CONDO  
EXISTING RECHARGE CHAMBERS  
[PER PLAN REF. #11]

LOT 2  
11.03± AC.

B.M. NO. 28  
MAG-NAIL IN  
EL. 307.43

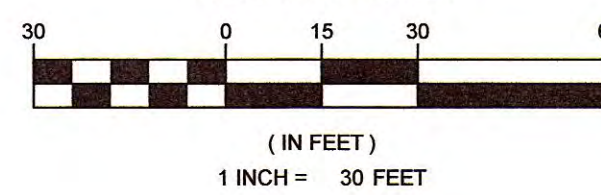
N/F 12 LANCASTER COUNTY ROAD LLC

N/F SAMANTHAS REALTY LLC

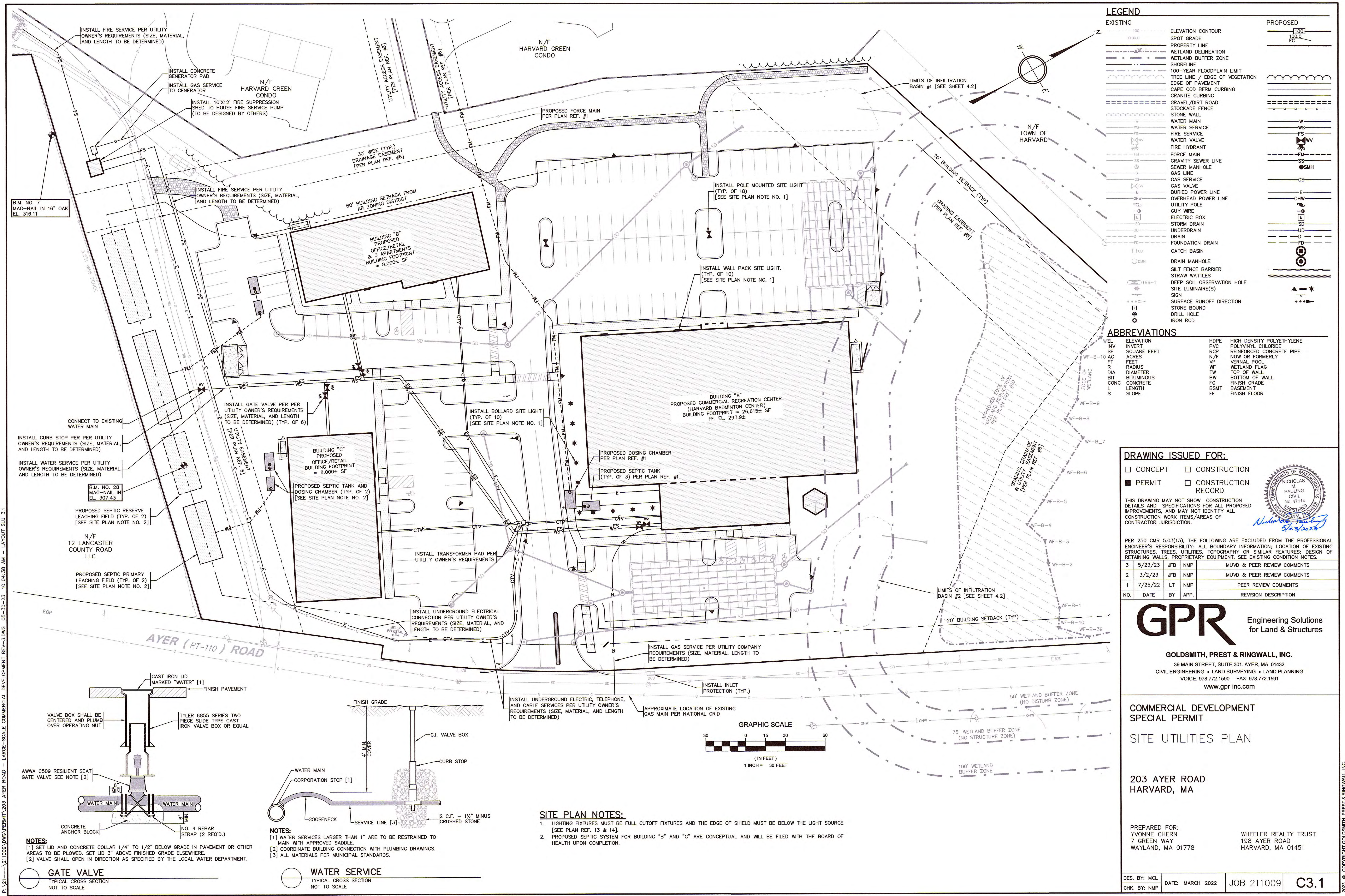
N/F HARVARD OFFICE PARK LLC

N/F SWEENEY PROPERTIES HARVARD LLC

GRAPHIC SCALE







**LEGEND**

EXISTING	PROPOSED
100.0	100.0
SPOT GRADE	SPOT GRADE
PROPERTY LINE	PROPERTY LINE
WETLAND DELINEATION	WETLAND DELINEATION
WETLAND BUFFER ZONE	WETLAND BUFFER ZONE
SHORELINE	SHORELINE
100-YEAR FLOODPLAIN LIMIT	100-YEAR FLOODPLAIN LIMIT
TREE LINE / EDGE OF VEGETATION	TREE LINE / EDGE OF VEGETATION
EDGE OF PAVEMENT	EDGE OF PAVEMENT
CAPE COD BERM CURBING	CAPE COD BERM CURBING
GRANITE CURBING	GRANITE CURBING
GRAVEL/DIRT ROAD	GRAVEL/DIRT ROAD
STOCKADE FENCE	STOCKADE FENCE
STONE WALL	STONE WALL
WATER MAIN	W
WATER SERVICE	WS
FIRE SERVICE	FS
WATER VALVE	WV
FIRE HYDRANT	FH
FORCE MAIN	FM
GRAVITY SEWER LINE	GS
SEWER MANHOLE	SMH
GAS LINE	G
GAS SERVICE	GS
GAS VALVE	GV
BURIED POWER LINE	B
OVERHEAD POWER LINE	OHW
UTILITY POLE	U
GUY WIRE	G
ELECTRIC BOX	E
STORM DRAIN	SD
UNDERDRAIN	UD
DRAIN	D
FOUNDATION DRAIN	FD
CATCH BASIN	CB
DRAIN MANHOLE	DMH
SILT FENCE BARRIER	S
STRAW WATTLES	SW
DEEP SOIL OBSERVATION HOLE	DSO
SITE LUMINAIRE(S)	SL
SIGN	SI
SURFACE RUNOFF DIRECTION	SRD
STONE BOUND	SB
DRILL HOLE	DH
IRON ROD	IR

**ABBREVIATIONS**

WEL	ELEVATION	HDPE	HIGH DENSITY POLYETHYLENE
INV	INVERT	PVC	POLYVINYL CHLORIDE
SF	SQUARE FEET	RCP	REINFORCED CONCRETE PIPE
AC	ACRES	N/F	NOW OR FORMERLY
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**DRAWING ISSUED FOR:**

<input type="checkbox"/>	CONCEPT	<input type="checkbox"/>	CONSTRUCTION RECORD
<input checked="" type="checkbox"/>	PERMIT	<input type="checkbox"/>	CONSTRUCTION RECORD

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**COMMERCIAL DEVELOPMENT SPECIAL PERMIT**  
**SITE UTILITIES PLAN**

**203 AYER ROAD HARVARD, MA**

PREPARED FOR:  
 YVONNE CHERN  
 7 GREEN WAY  
 WAYLAND, MA 01778

WHEELER REALTY TRUST  
 198 AYER ROAD  
 HARVARD, MA 01451

DES. BY: MCL	DATE: MARCH 2022	JOB 211009	<b>C3.1</b>
CHK. BY: NMP			

P:\211009\DWG\PERMIT\203 AYER ROAD - LARGE-SCALE COMMERCIAL DEVELOPMENT REV-3.DWG 05-30-23 10:04:38 AM - LAYOUT SUI 3.1

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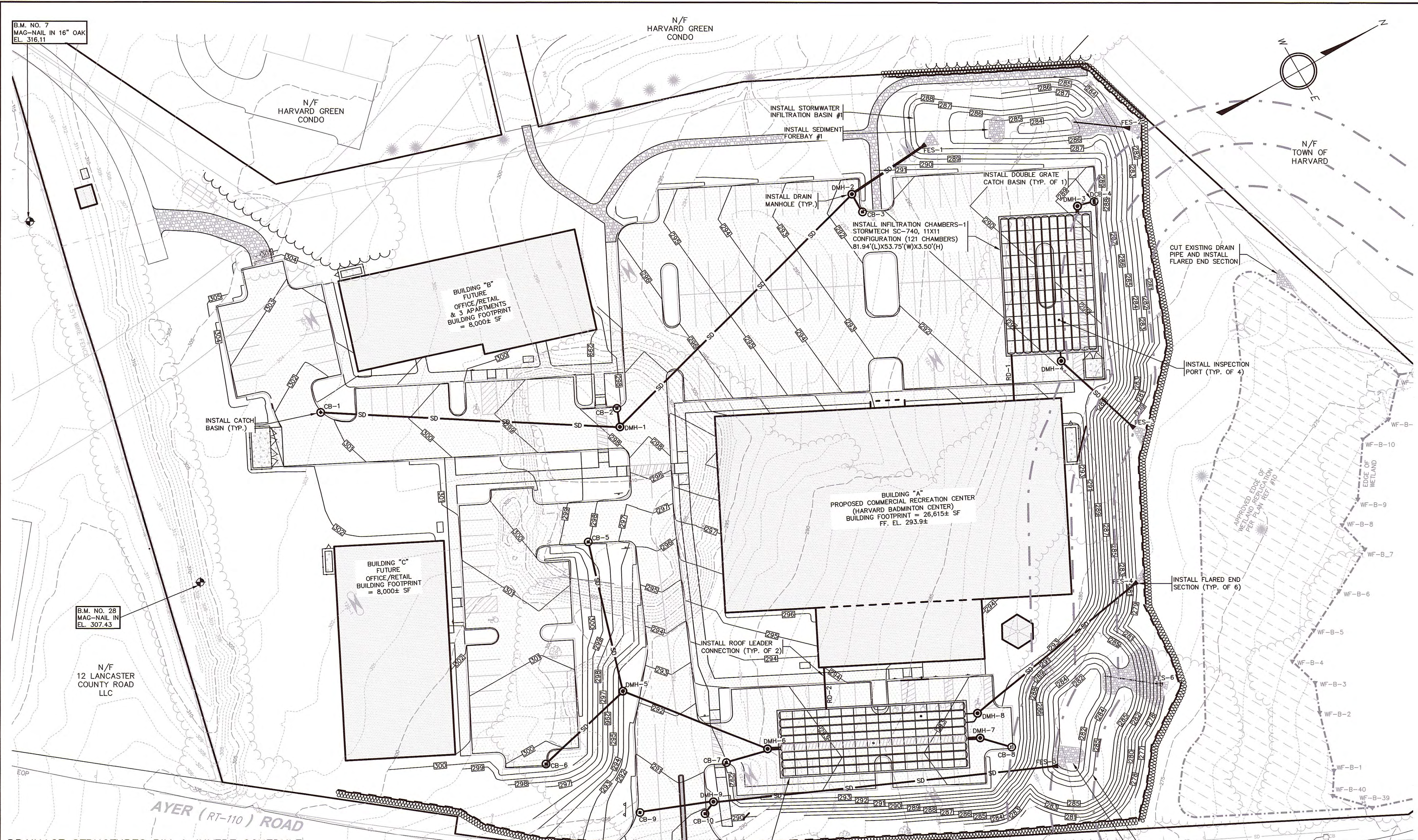












### LEGEND

EXISTING	PROPOSED
100.0	100.0
SPOT GRADE	SPOT GRADE
PROPERTY LINE	PROPERTY LINE
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FIRE HYDRANT	FIRE HYDRANT
FORCE MAIN	FORCE MAIN
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SEWER MANHOLE	SEWER MANHOLE
GAS LINE	GAS LINE
GAS SERVICE	GAS SERVICE
GAS VALVE	GAS VALVE
BURIED POWER LINE	BURIED POWER LINE
OVERHEAD POWER LINE	OVERHEAD POWER LINE
UTILITY POLE	UTILITY POLE
GUY WIRE	GUY WIRE
ELECTRIC BOX	ELECTRIC BOX
STORM DRAIN	STORM DRAIN
UNDERDRAIN	UNDERDRAIN
FOUNDATION DRAIN	FOUNDATION DRAIN
CATCH BASIN	CATCH BASIN
DRAIN MANHOLE	DRAIN MANHOLE
SILT FENCE BARRIER	SILT FENCE BARRIER
STRAW WATTLES	STRAW WATTLES
DEEP SOIL OBSERVATION HOLE	DEEP SOIL OBSERVATION HOLE
SITE LUMINAIRES	SITE LUMINAIRES
SIGN	SIGN
SURFACE RUNOFF DIRECTION	SURFACE RUNOFF DIRECTION
STONE BOUND	STONE BOUND
DRILL HOLE	DRILL HOLE
IRON ROD	IRON ROD

### ABBREVIATIONS

EL	ELEVATION	HDPE	HIGH DENSITY POLYETHYLENE
INV	INVERT	PVC	POLYVINYL CHLORIDE
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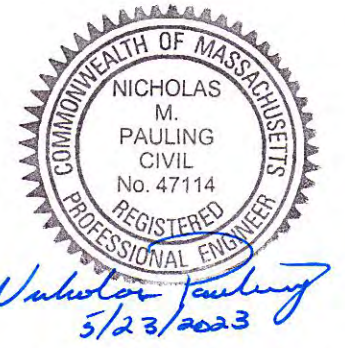
### DRAWING ISSUED FOR:

<input type="checkbox"/>	CONCEPT	<input type="checkbox"/>	CONSTRUCTION RECORD
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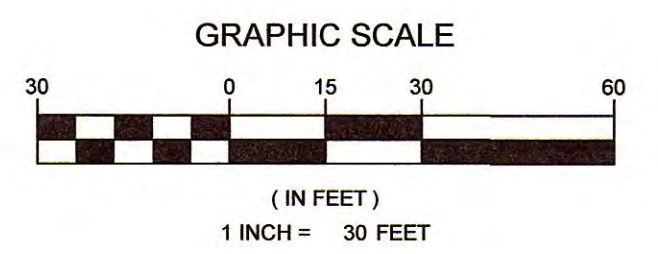
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### DRAINAGE STRUCTURES RIM & INVERT SCHEDULE

Structure	FROM		TO		Pipe Size (in)	Pipe Type	Length (ft)	Slope (ft/ft)	Comments
	Rim	Invert	Structure	Invert					
CB-1	301.50	297.50	DMH-1	293.55	12	HDPE	170.0	0.023	
CB-2	297.70	293.70	DMH-1	293.55	12	HDPE	7.0	0.020	
DMH-1	297.90	293.46	DMH-2	287.40	12	HDPE	188.0	0.032	
CB-3	291.50	287.50	DMH-2	287.40	12	HDPE	8.0	0.013	
DMH-2	291.70	286.90	FES-1	286.42	18	HDPE	48.0	0.010	Discharge to Sediment Forebay No. 1
IB-1	-	284.50	FES-2	282.50	10	HDPE	30.0	0.067	
DCB-4	288.50	284.50	DMH-3	284.20	12	HDPE	7.0	0.043	Double grate catch basin
DMH-3	288.70	284.10	IC-1	284.00	24	HDPE	5.0	0.020	Drain manhole with sump
RD-1	-	287.00	IC-1	285.25	12	HDPE	27.0	0.065	Roof drain connection from building
IC-1	-	286.00	DMH-4	285.80	10	HDPE	5.0	0.040	
DMH-4	290.95	285.70	FES-3	279.00	12	HDPE	53.0	0.128	
CB-5	298.00	294.00	DMH-5	289.10	12	HDPE	86.0	0.057	
CB-6	299.50	295.50	DMH-5	289.10	12	HDPE	58.0	0.110	
DMH-5	293.00	289.00	DMH-6	287.70	12	HDPE	88.0	0.015	
CB-7	292.00	288.00	DMH-6	287.70	12	HDPE	22.0	0.014	
DMH-6	292.40	287.60	IC-2	287.50	24	HDPE	5.0	0.020	Drain manhole with sump
CB-8	292.20	288.50	DMH-7	288.20	12	HDPE	15.0	0.020	
DMH-7	292.40	287.60	IC-2	287.50	24	HDPE	5.0	0.020	Drain manhole with sump
RD-2	-	290.00	IC-2	288.75	12	HDPE	25.0	0.050	Roof drain connection from building
IC-2	-	289.50	DMH-8	288.40	8	HDPE	5.0	0.020	
IC-2	-	288.50	DMH-8	288.40	8	HDPE	8.0	0.013	
DMH-8	292.80	288.30	FES-4	279.00	12	HDPE	120.0	0.078	
CB-9	290.50	286.50	DMH-9	285.70	12	HDPE	40.0	0.020	
CB-10	289.90	285.90	DMH-9	285.70	12	HDPE	5.0	0.040	
DMH-9	290.70	285.45	FES-5	282.00	15	HDPE	197.0	0.016	Discharge to Sediment Forebay No. 2
IB-2	-	282.50	FES-6	278.50	10	HDPE	37.4	0.107	



Abbreviations:  
 CB - Catch Basin; DCB - Double Grate Catch Basin; DMH - Drain Manhole; FES - Flared End Section; IC - Infiltration Chambers; RD - Roof Drain

# GPR

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### COMMERCIAL DEVELOPMENT SPECIAL PERMIT DRAINAGE PLAN

**203 AYER ROAD  
HARVARD, MA**

PREPARED FOR:  
 YVONNE CHERN  
 7 GREEN WAY  
 WAYLAND, MA 01778

WHEELER REALTY TRUST  
 198 AYER ROAD  
 HARVARD, MA 01451

DES. BY: MCL	DATE: MARCH 2022	JOB 211009	<b>C4.2</b>
CHK. BY: NMP			

P: 21-1-211009.DWG PERMIT 203 AYER ROAD - LARGE-SCALE COMMERCIAL DEVELOPMENT REV: 3.DWG 05-30-23 10:09:40 AM - LAYOUT GSP 4.2

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**EROSION AND SEDIMENT CONTROL REQUIREMENTS**

**PART 1 - GENERAL**

- 1.01 SUMMARY
- A. FURNISH, INSTALL, AND MAINTAIN TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL MEASURES, SUCH AS, BUT NOT NECESSARILY LIMITED TO, STYR BALE AND SILT FENCE BARRIERS, RIPRAP, DIVERSION CHANNELS AND BERMS, CHECK DAMS, STRATEGICALLY LOCATED STOCKPILES, SEDIMENT BASINS, MULCH, AND SEED MIX (HEREINAFTER "CONTROL MEASURES") ADEQUATE TO PREVENT THE CONVEYANCE OF EROSION PRODUCTS (E.G. SOIL, MULCH, SOD) OFF SITE, OR INTO ENVIRONMENTALLY SENSITIVE AREAS, OR INTO AREAS WHERE WORK WILL BE ADVERSELY IMPACTED. ENVIRONMENTALLY SENSITIVE AREAS INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, WETLANDS, TRIBUTARIES TO WETLANDS, WETLAND BUFFER ZONES, INTERMITTENT AND PERENNIAL STREAMS / RIVERS, AND THEIR ATTENDANT BUFFER ZONES.
1. REFER TO DRAWINGS FOR LOCATION AND DETAILS OF CONTROL MEASURES REQUIRED TO COMMENCE WORK. THESE CONTROL MEASURES WILL BE ADEQUATE ONLY FOR VEGETATION CLEARING. THE DRAWINGS ARE NOT INTENDED TO GRAPHICALLY DEPICT ALL CONTROL MEASURES THAT WILL BE REQUIRED TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A.
2. DEVISE AND EMPLOY CONTROL MEASURES THROUGHOUT THE DURATION OF PROJECT, OVER ALL AREAS DISTURBED OR UNDISTURBED BY CONSTRUCTION, AS NECESSARY TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A.
3. DEVISE AND EMPLOY TEMPORARY CONTROL MEASURES AS NECESSARY TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A, WHILE ALLOWING WORK TO PROCEED IN AN EFFICIENT, COST EFFECTIVE MANNER.
4. DEVISE, EMPLOY AND MAINTAIN CONTROL MEASURES UNTIL SUCH TIME AS THE ENTIRE SITE IS PERMANENTLY STABILIZED BY ESTABLISHED VEGETATION, FINISH LANDSCAPE MATERIALS, PAVED SURFACES, AND/OR ROOF AREA.
5. ONCE THE SITE IS PERMANENTLY STABILIZED AND CERTIFIED AS SUCH BY ENGINEER, REMOVE TEMPORARY CONTROL MEASURES WHILE PROTECTING STABILIZED SURFACES.
- 1.02 SUBMITTALS
- A. SUBMIT PRODUCT DATA, WARRANTY, AND TEST REPORTS AS INDICATED ON THE DRAWINGS.
- 1.03 QUALITY ASSURANCE
- A. COMPLY WITH GOVERNING CODES AND REGULATIONS. PROVIDE PRODUCTS FROM ACCEPTABLE MANUFACTURERS. USE EXPERIENCED INSTALLERS. DELIVER, HANDLE, AND STORE MATERIALS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
- B. CONFORM TO CONDITIONS OF APPROVAL ISSUED BY REGULATORY AGENCIES INCLUDING, BUT NOT NECESSARILY LIMITED TO, LOCAL PLANNING BOARD, CONSERVATION COMMISSION, BOARD OF SELECTMEN, BOARD OF HEALTH, PUBLIC WORKS / HIGHWAY DEPARTMENT, STATE ENVIRONMENTAL PROTECTION DEPARTMENT, AND U.S. GOVERNMENT, ENVIRONMENTAL PROTECTION AGENCY, WHERE CONDITIONS OF REGULATORY APPROVAL DIFFER FROM REQUIREMENTS CONTAINED HEREIN OR ON THE DRAWINGS, COMPLY WITH THE MORE STRINGENT REQUIREMENT.

**PART 2 - PRODUCTS**

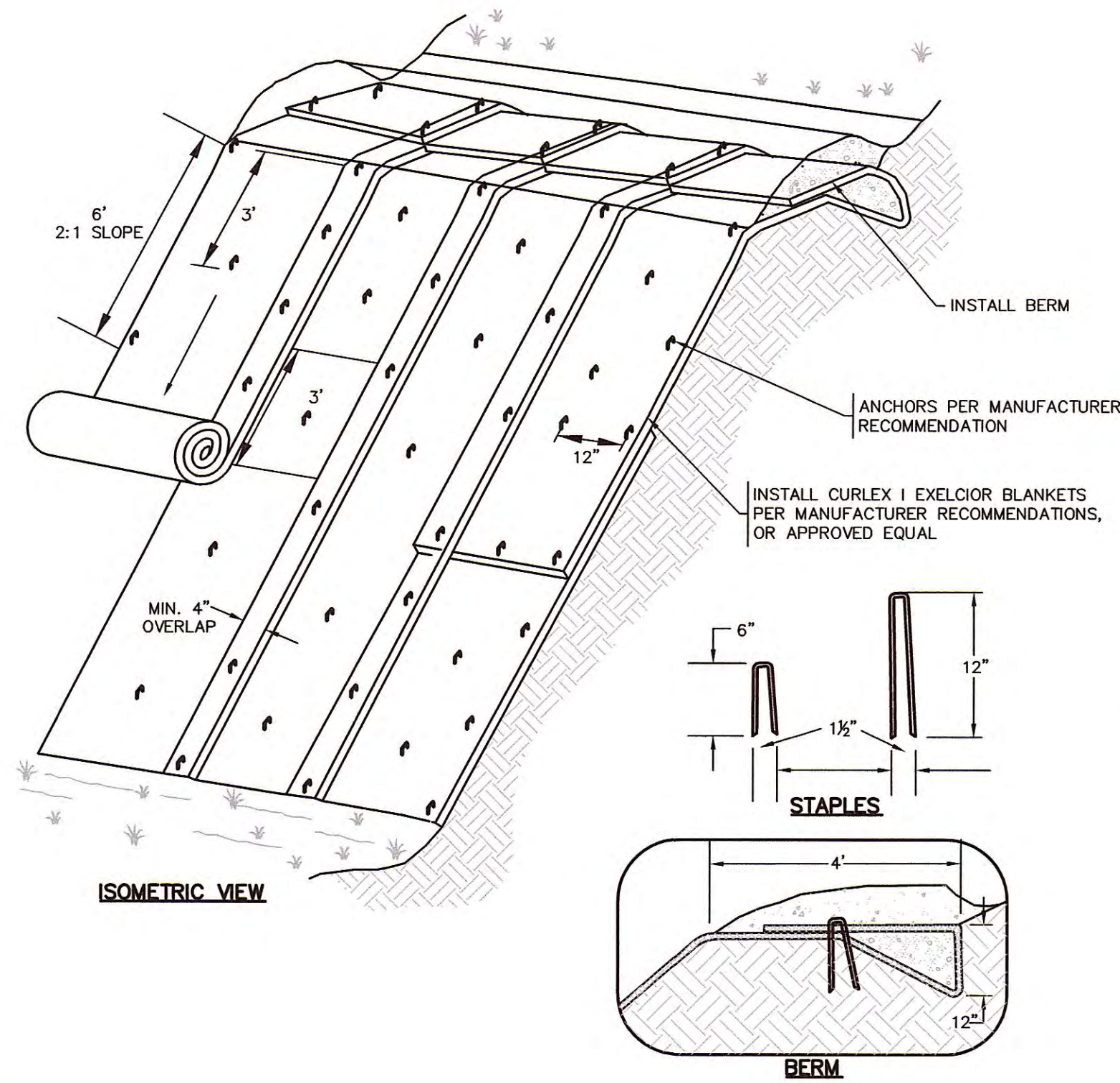
- 2.01 MATERIALS
- A. STRAW WATTLES: DRY GRASS OR STRAW, MACHINE BOUND WITH JUTE OR WIRE, APPROXIMATE SIZE EACH BALE 9" DIAMETER.
- B. SILT FENCE: NON-WOVEN, UV-RESISTANT, POLYPROPYLENE FABRIC, FLOW RATED AT 10 GPM/SF MINIMUM, GRAB TENSILE RATED AT 124 POUNDS MINIMUM, WITH INTEGRAL STAKE LOOPS, AND HARDWOOD STAKES. USE NO. 2130 BY AMOCO FABRICS & FIBERS, OR APPROVED EQUAL.
- C. MULCH: ORGANICS INCLUDING STRAW, PROCESSED PINE / HEMLOCK TWIGS AND NEEDLES.
- D. SEED MIXES: PERENNIAL RYEGRASS, KENTUCKY BLUEGRASS, AND / OR FINE FESCUE, DISEASE RESISTANT, NON-MAINTAINED AREA OPTION - ANNUAL RYEGRASS COMBINED WITH MEDIUM RED CLOVER.
- E. EXCELSIOR BLANKET: CURLED WOOD FIBER ON PHOTODEGRADABLE EXTRUDED PLASTIC MATRIX, 80% OF FIBERS 6-INCHES LONG OR LONGER, WEIGHT 0.975 POUNDS / SY, CONTAINING NO CHEMICAL ADDITIVES. USE CURLEX I BLANKET BY AMERICAN EXCELSIOR COMPANY, OR APPROVED EQUAL.
- F. ROCK RIPRAP: SOUND, ANGULAR, 6-INCH MINUS PROCESSED ROCK, BLAST ROCK, OR TAILINGS.
- G. CRUSHED STONE: SOUND, ANGULAR, 2-INCH MINUS PROCESSED CRUSHED STONE

**PART 3 - EXECUTION**

- 3.01 THROUGHOUT CONSTRUCTION
- A. DEVISE WORK SEQUENCE SO AS TO LIMIT DRAINAGE AREA THAT IS TRIBUTARY TO DISTURBED AREAS. DEVISE, EMPLOY, AND MAINTAIN CONTROL MEASURES SUCH AS DIVERSION CHANNELS AND BERMS, STRATEGICALLY LOCATED STOCKPILES, AND SEDIMENT BASINS TO SUBSIDE DRAINAGE AREAS INTO SMALL, MANAGEABLE SUBAREAS, THEREBY MINIMIZING RUNOFF AND THE POTENTIAL FOR EROSION.
- B. MAINTAIN BARRIER AT LIMIT OF WORK AND PROTECT EXISTING VEGETATION / FACILITIES OUTSIDE OF LIMIT OF WORK.
- C. MAINTAIN SPARE MATERIAL STOCKPILES FOR IMMEDIATE EMPLOYMENT / REPAIR / EXPANSION OF CONTROL MEASURES. AT A MINIMUM, SUCH MATERIALS SHALL INCLUDE STRAW BALES, SILT FENCE AND STAKES, AND CRUSHED STONE.
- D. INSPECT AND MAINTAIN EFFECTIVENESS OF CONTROL MEASURES BY REPAIRING AS NECESSARY TO ENSURE INTENDED FUNCTION; BY SUPPLEMENTING AS NECESSARY FOR ADEQUATE EXTENT; BY REMOVING TRAPPED PRODUCTS OF EROSION AS NECESSARY TO MAINTAIN EFFECTIVE TRAP VOLUME.
- E. LIMIT EXTENT OF WORK AREA SO THAT ALL DISTURBED AREAS CAN BE STABILIZED WITH CONTROL MEASURES WITHIN A 24-HOUR PERIOD.
- F. INSTALL CONTROL MEASURES AS SOON AS PRACTICABLE AFTER EACH MANAGEABLE PORTION OF EARTHWORK IS COMPLETE. EMPLOY TEMPORARY MEASURES AS NECESSARY TO STABILIZE DISTURBED AREAS, EVEN WHERE SUBSEQUENT CONSTRUCTION OPERATIONS MAY REQUIRE RE-DISTURBANCE.
- G. WHEN INTENSE RAINFALL IS EXPECTED, CONSIDER, DEVISE, AND EMPLOY REINFORCING CONTROL MEASURES PRIOR TO THE RAINFALL EVENT TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A. IF NECESSARY, EMPLOY TEMPORARY CONTROL MEASURES ON MATERIAL STOCKPILES TO COUNTERACT POTENTIAL SEDIMENT TRANSPORT DURING INTENSE RAINFALL.
- H. WHEN VEHICLE REFUELING IS REQUIRED ON SITE, CONDUCT REFUELING OPERATIONS OUTSIDE OF ENVIRONMENTALLY SENSITIVE AREAS.
- I. PROPERLY DISPOSE OF DEBRIS, SOLID WASTE, TRASH, AND CONSTRUCTION WASTE / BYPRODUCTS OFF SITE.
- J. SWEEP ON-SITE PAVED AREAS AND OFF-SITE STREETS AS NECESSARY TO PREVENT SILT AND DEBRIS ORIGINATING ON SITE FROM ENTERING CLOSED DRAINAGE SYSTEMS AND / OR ENVIRONMENTALLY SENSITIVE AREAS.

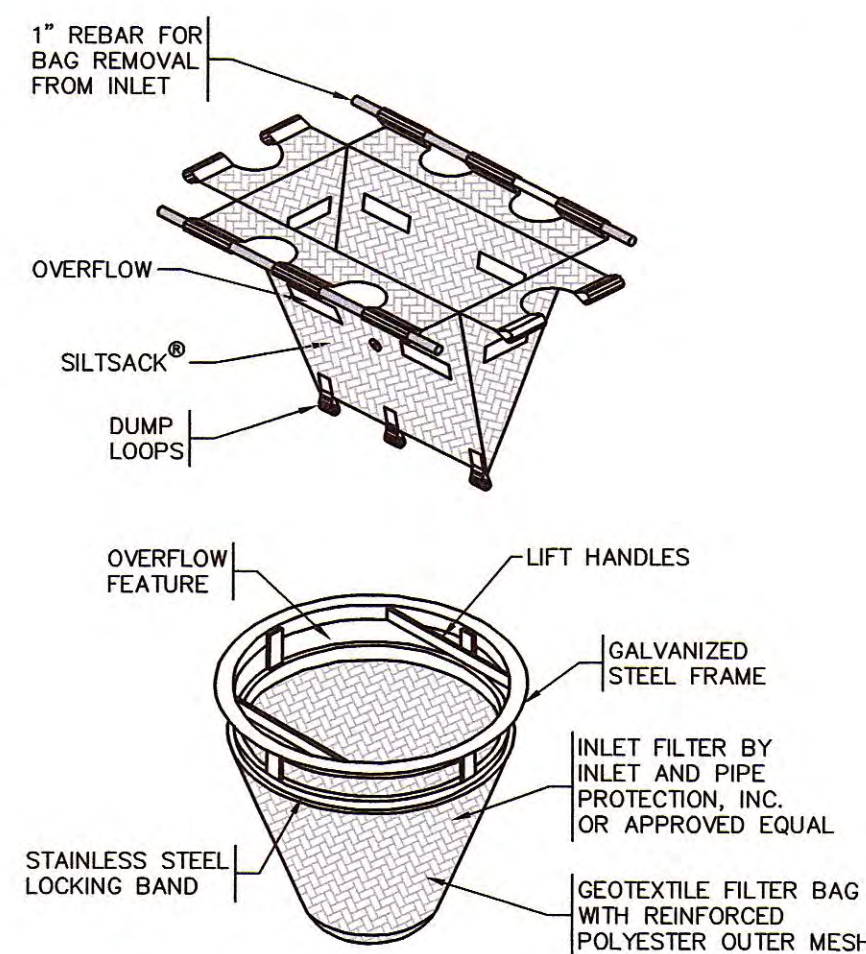
- 3.02 SITE PREPARATION AND ACCESS
- A. WALK SITE AND IDENTIFY LOCATIONS OF LIMIT OF WORK AND ENVIRONMENTALLY SENSITIVE AREAS. ESTABLISH CONSTRUCTION STAGING AREA, LOCATED BEYOND ENVIRONMENTALLY SENSITIVE AREAS.
- B. INSTALL CONTROL MEASURES AS SHOWN ON THE DRAWINGS, INCLUDING THOSE DEFINING THE LIMIT OF WORK.
- C. LIMIT VEHICULAR TRAFFIC TO AND FROM SITE TO MINIMIZE TRANSPORT OF SEDIMENT.
- 3.03 CLEARING, GRUBBING, AND STRIPPING
- A. SCHEDULE GRUBBING AND STRIPPING TO OCCUR IMMEDIATELY PRIOR TO EARTH DISTURBANCE, DEPENDING ON SITE AREA, CONSIDER MULTIPLE GRUBBING PHASES, SEQUENCED TO TAKE ADVANTAGE OF THE EROSION PREVENTION POTENTIAL OF EXISTING VEGETATIVE COVER.
- B. MINIMIZE THE AREA OF EXISTING VEGETATION REMOVED WHEREVER POSSIBLE.
- C. LOCATE AND SIZE STOCKPILES TO MINIMIZE EROSION POTENTIAL, TAKING ADVANTAGE OF TERRAIN SLOPE AND ASPECT, WHERE APPROPRIATE.
- D. PROTECT VEGETATION, INCLUDING ROOT SYSTEMS, BEYOND LIMIT OF CLEARING.
- E. PROCESS TIMBER, STUMPS, SLASH, AND BRUSH SO AS TO PROTECT ENVIRONMENTALLY SENSITIVE AREAS AND INSTALLED CONTROL MEASURES. PROPERLY DISPOSE OF EXCESS OFF SITE. BURIAL OF STUMPS ON SITE IS PROHIBITED.
- 3.04 EXCAVATION FOR BUILDING FOUNDATIONS AND UTILITIES
- A. DEVISE AND INSTALL CONTROL MEASURES ADEQUATE TO HANDLE DISCHARGES AND TRAP SEDIMENT FROM FOOTING SUMP AND WELL POINT PUMPS PRIOR TO EXCAVATION.
- B. ARMOR SUMP PUMP DISCHARGE LOCATIONS TO PREVENT EROSION AT POINT OF DISCHARGE AND AREAS DOWNSTREAM.
- C. IF FOUNDATION EXCAVATIONS GRADE TO DAYLIGHT ON THE LOW SIDE, DEVISE AND INSTALL CONTROL MEASURES TO HANDLE SURFACE AND GROUNDWATER FLOW FROM EXCAVATION LOW POINT.
- D. STOCKPILE EXCAVATED MATERIALS TO BAFFLE OVERLAND RUNOFF, AVOIDING THE CREATION OF LENGTHY PATHS OF CONCENTRATED RUNOFF.
- E. BACKFILL UTILITY TRENCHES AS SOON AS PRACTICABLE TO PREVENT FLOODING, SLOUGHING, POTENTIAL OVERFLOW, AND REPETITIVE EARTH DISTURBANCE.

- 3.05 SITE GRADING
- A. WHERE APPLICABLE, FOLLOW EXCAVATION AND FILL PRACTICES SHOWN ON DRAWINGS TO LOCALIZE AND MINIMIZE EROSION.
- B. MONITOR SEDIMENT VOLUME IN TEMPORARY SEDIMENT BASINS AND AT DIVERSION BERMS AND CHECK DAMS IN ALL AREAS EXCEPT THOSE THAT DO NOT PRESENT POTENTIAL PROBLEMS WITH REGARD TO FUTURE SOIL STABILITY, DRAINAGE, OR BEARING CAPACITY. REMOVE AND PROPERLY DISPOSE OF TRAPPED SEDIMENT BEFORE BRINGING SITE TO FINAL SUBGRADE.
- 3.06 STORMWATER MANAGEMENT SYSTEM
- A. THE STORMWATER MANAGEMENT SYSTEM INCLUDES, BUT IS NOT NECESSARILY LIMITED TO, ALL PERMANENT DETENTION / RETENTION BASINS, DISCHARGE STRUCTURES / WEIRS, CULVERTS, OPEN CHANNELS, CURBS, GUTTERS, PAVED SWALES, CATCH BASINS, DRAIN MANHOLES, DRAINAGE PIPES, ROOF DRAIN MANIFOLDS, WATER QUALITY SWALES, SEPARATORS, AND SIMILAR STORMWATER RUNOFF CONVEYANCE, TREATMENT, AND STORAGE FACILITIES.
- B. INSTALL STORMWATER MANAGEMENT SYSTEM COMPONENTS STARTING AT THE DOWNSTREAM END AND PROCEED UPSTREAM WHERE POSSIBLE. COMPLETE INSTALLATION OF PERMANENT DETENTION / RETENTION BASINS PRIOR TO BEGINNING WORK ON UPSTREAM SYSTEM COMPONENTS.
- C. INSTALL CONTROL MEASURES AT FINISHED UPSTREAM AND DOWNSTREAM PIPE ENDS AS SOON AS POSSIBLE AFTER COMPLETION OF PIPE RUN. SUCH MEASURES INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, RIPRAP, CHECK DAMS, HAY BALE / SILT FENCE BARRIERS, AND VELOCITY DISSIPATORS.
- D. AT THE END OF EACH DAY OR WHEN RAINFALL IS EXPECTED, PLUG UPSTREAM END OF PIPES / DAM OPEN CHANNELS OR OTHERWISE REDIRECT POTENTIAL RUNOFF AND PREVENT FLOW FROM ENTERING PARTIALLY COMPLETED SYSTEM / SYSTEM COMPONENTS.
- E. WHERE PORTIONS OF A NEW SYSTEM ARE TO BE ACTIVATED PRIOR TO COMPLETION OF THE ENTIRE SYSTEM, EMPLOY CONTROL MEASURES TO PREVENT SILT AND DEBRIS FROM ENTERING THE SYSTEM. EMPLOY SILT SACKS OR FABRIC ON CATCH BASIN INLETS, AND PIPE AND CULVERT OPENINGS. EMPLOY CHECK DAMS AND TEMPORARY SEDIMENT BASINS UPSTREAM OF AND ALONG OPEN CHANNELS, SWALES, AND DITCHES TO TRAP SEDIMENT UPGRADIENT OF ENVIRONMENTALLY SENSITIVE AREAS.
- F. REMOVE TRAPPED SEDIMENT AND DEBRIS FROM ALL SYSTEM COMPONENTS AFTER COMPLETION OF INSTALLATION, AND AGAIN AFTER THE ENTIRE SITE IS PERMANENTLY STABILIZED BY ESTABLISHED VEGETATION, FINISH LANDSCAPE MATERIALS, PAVED SURFACES, AND/OR ROOF AREA. REMOVE TRAPPED SEDIMENT AND DEBRIS FROM DETENTION / RETENTION BASIN BOTTOMS SO THAT FINISH BOTTOM MATERIALS / INFILTRATION FUNCTION CONFORM TO DESIGN.
- 3.07 LANDSCAPING
- A. COMPLETE LANDSCAPING AS SOON AS POSSIBLE AFTER COMPLETION OF FINAL SUBGRADE.
- B. IMMEDIATELY AFTER PLACEMENT OF TOPSOIL, STABILIZE WITH CONTROL MEASURES INCLUDING, BUT NOT NECESSARILY LIMITED TO, SEED MIX, MULCH, AND / OR BLANKET.



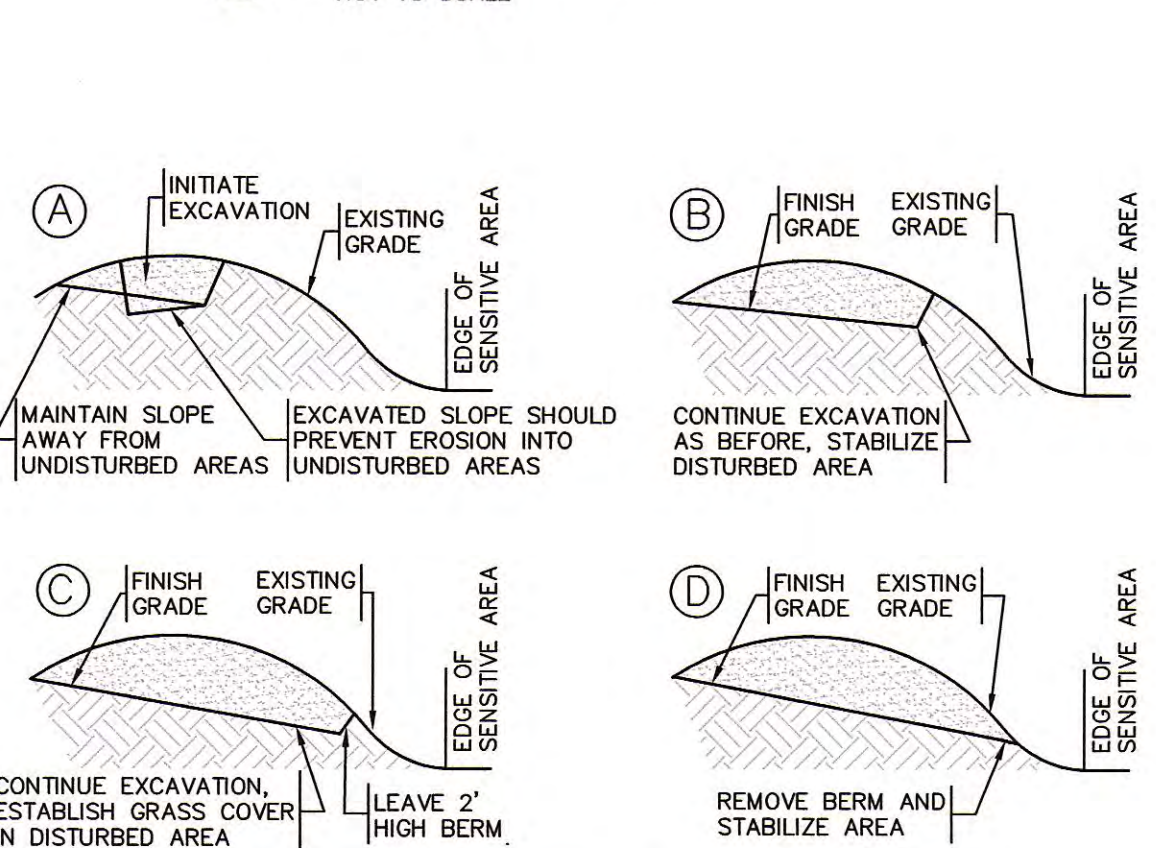
- NOTES:**
- [1] SLOPE SURFACE SHALL BE FREE OF ROCK, CLODS, STICKS AND GRASS, MATS/BLANKETS SHALL HAVE GOOD SOIL CONTACT
  - [2] APPLY PERMANENT SEEDING BEFORE PLACING BLANKETS
  - [3] LAY BLANKETS LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH THE SOIL. DO NOT STRETCH
  - [4] MATS/BLANKETS SHOULD BE INSTALLED VERTICALLY DOWNSLOPE
  - [5] TAMP SOIL OVER MAT/BLANKET

**EROSION BLANKET**  
NOT TO SCALE

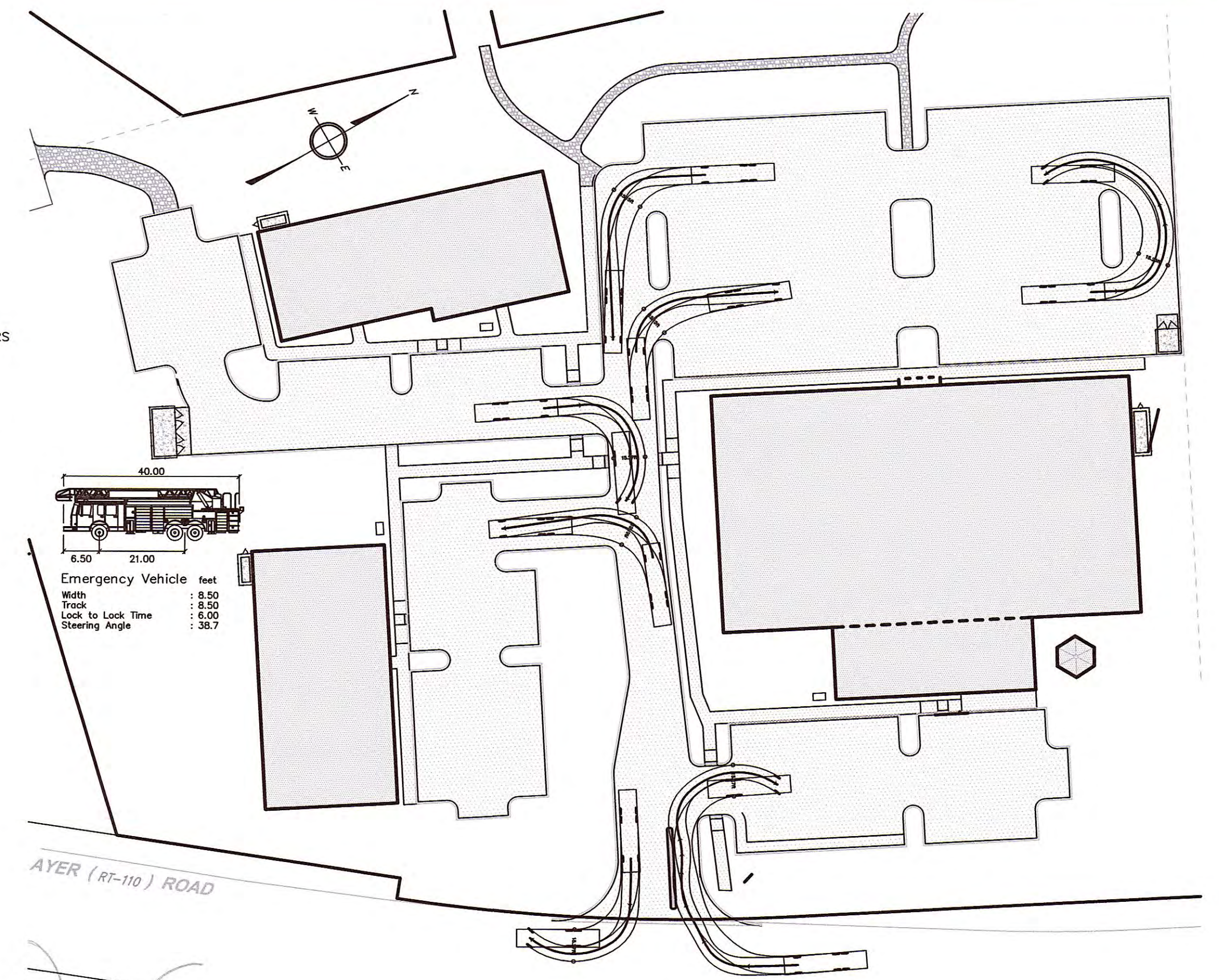


- NOTES:**
- [1] CLEAN INLET PROTECTION WHEN 30% FULL
  - [2] BURLAP IS NOT AN ACCEPTABLE GEOTEXTILE

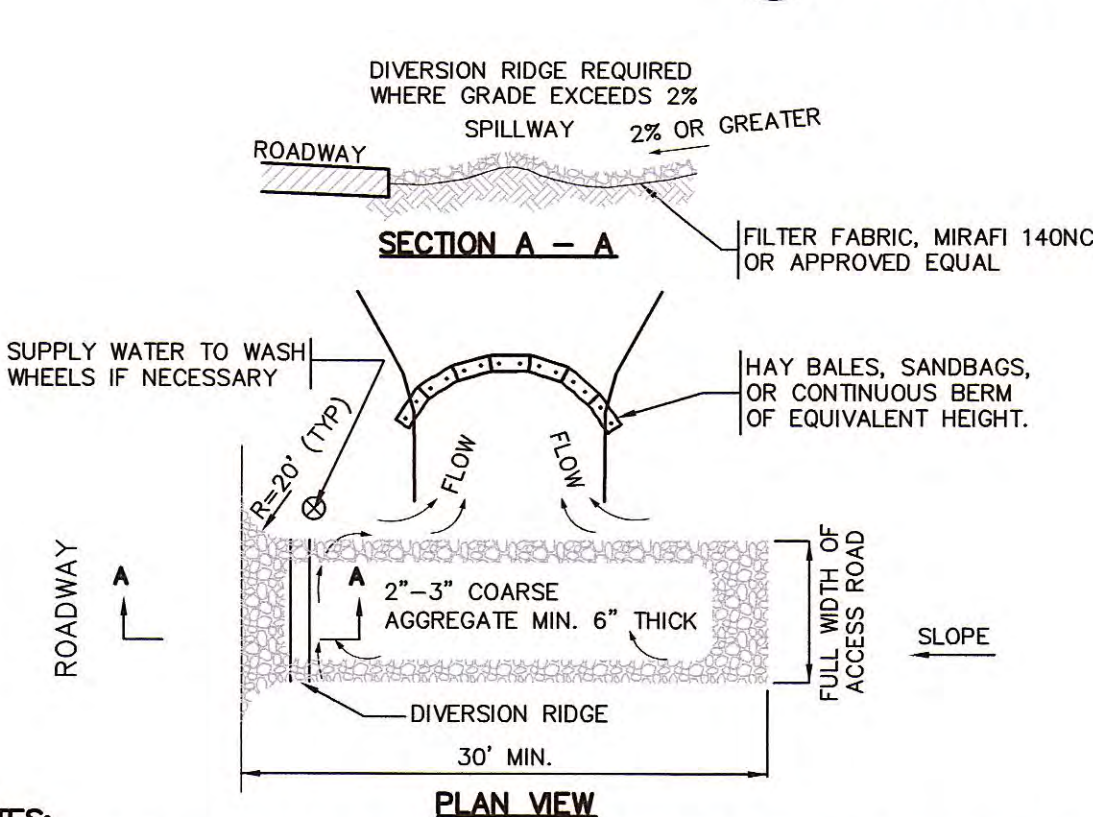
**INLET PROTECTION**  
TYPICAL CROSS SECTION  
NOT TO SCALE



**EXCAVATION PROCEDURE**  
TYPICAL CROSS SECTION  
NOT TO SCALE

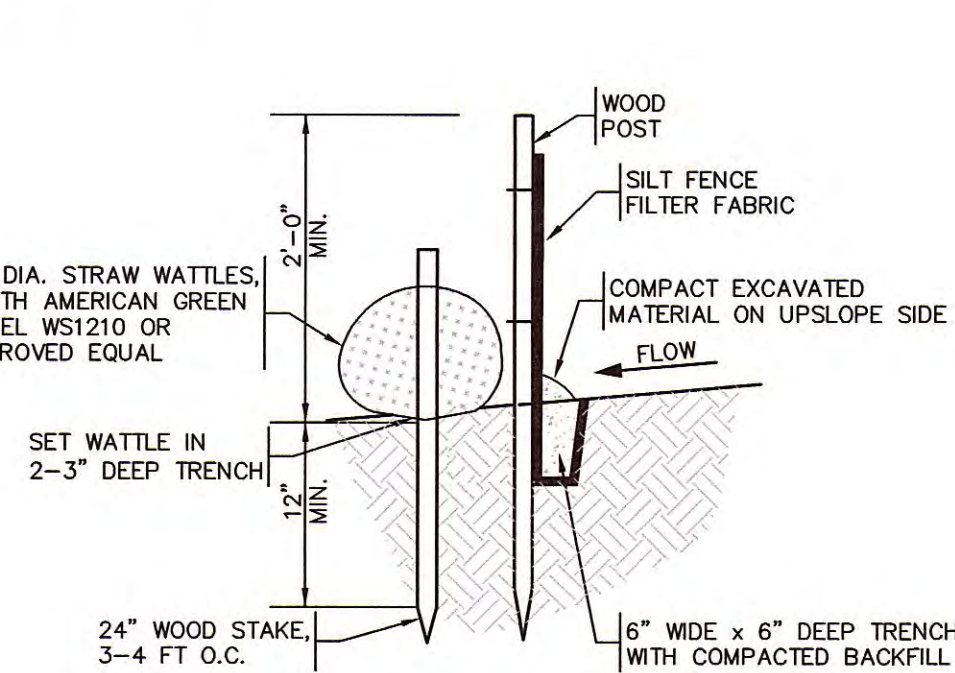


**TRUCK TURNING TEMPLATE**  
SCALE: 1"=50'



- NOTES:**
- [1] THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
  - [2] WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
  - [3] WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
  - [4] USE SANDBAGS, HAY BALES OR OTHER APPROVED METHODS TO CHANNELIZE RUNOFF TO BASIN AS REQUIRED.

**CONSTRUCTION ENTRANCE**  
NOT TO SCALE

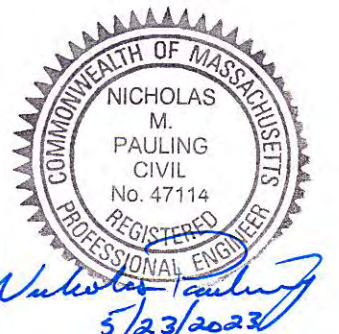


- NOTES:**
- [1] INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
  - [2] TRAPPED SEDIMENT SHALL BE REMOVED TO A NON-SENSITIVE UPLAND AREA.

**SILT FENCE / STRAW WATTLE BARRIER**  
TYPICAL CROSS SECTION  
NOT TO SCALE

**DRAWING ISSUED FOR:**

- CONCEPT  CONSTRUCTION  
 PERMIT  CONSTRUCTION RECORD



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2	3/2/23	JFB	NMP	MUVD & PEER REVIEW COMMENTS
1	7/25/22	LT	NMP	PEER REVIEW COMMENTS

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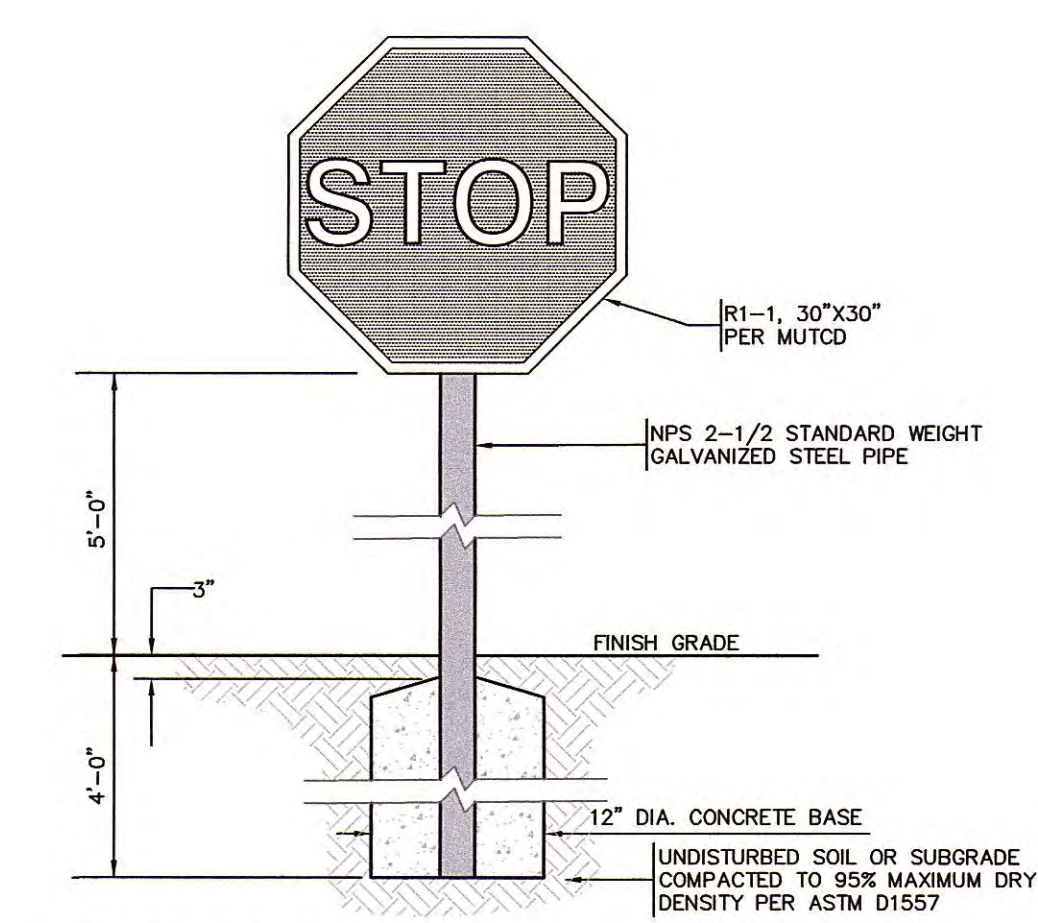
203 AYER ROAD  
HARVARD, MA

PREPARED FOR:  
YVONNE CHERN  
7 GREEN WAY  
WAYLAND, MA 01778

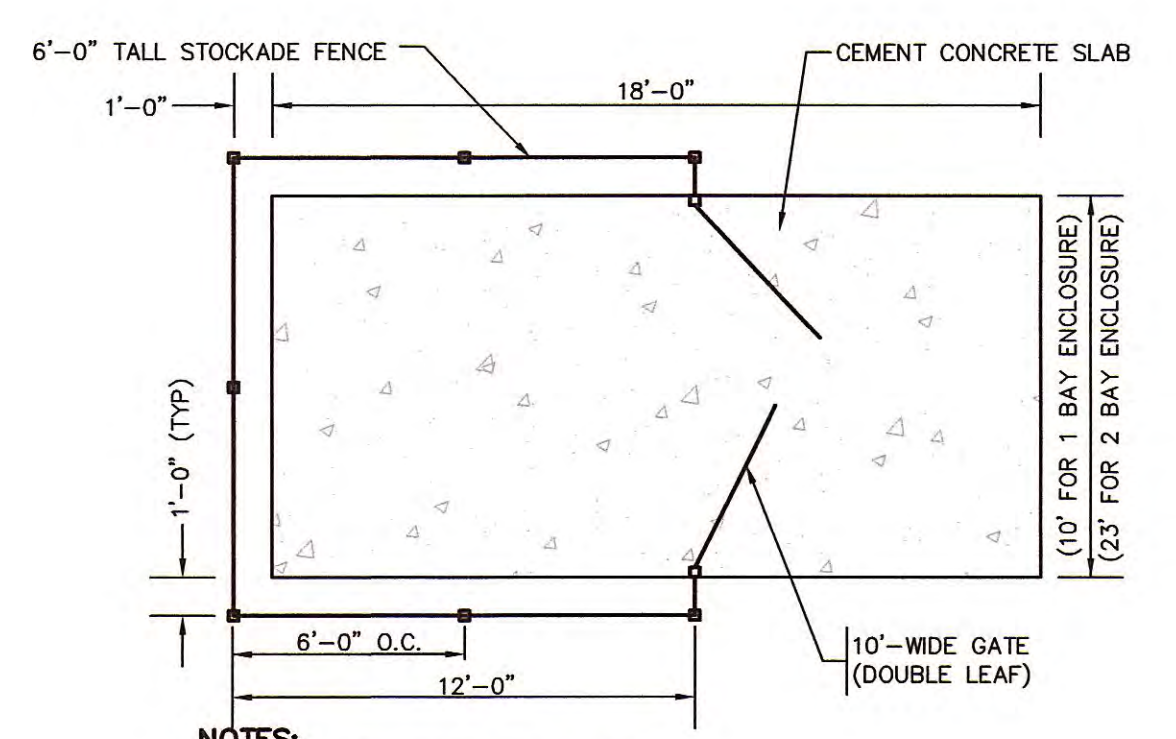
WHEELER REALTY TRUST  
198 AYER ROAD  
HARVARD, MA 01451

DES. BY: MCL	DATE: MARCH 2022	JOB 211009	<b>C5.1</b>
CHK. BY: NMP			

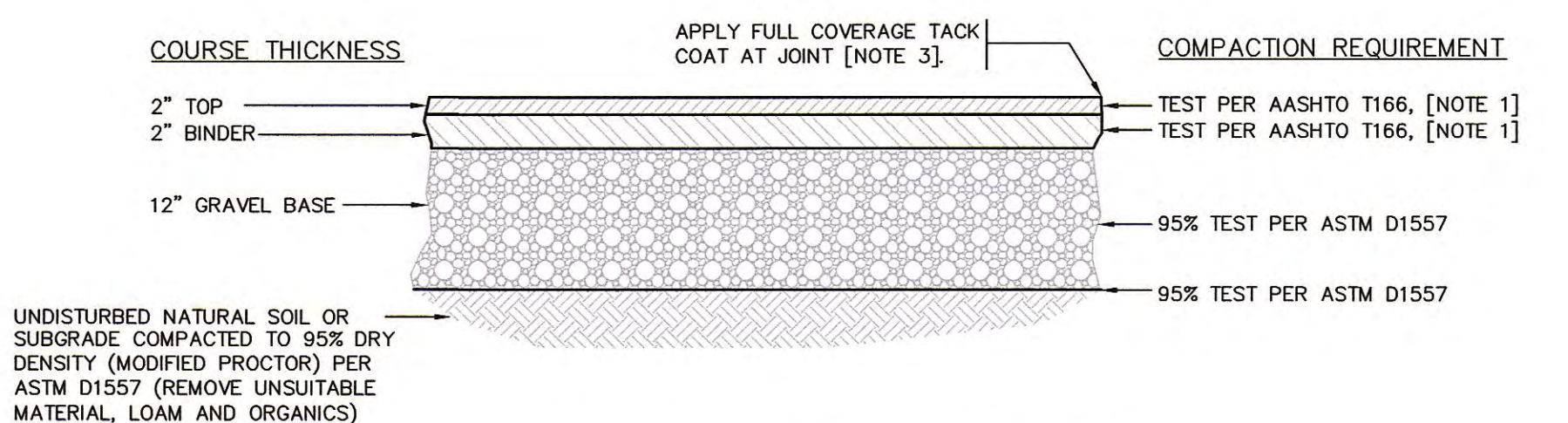




**STOP SIGN**  
NOT TO SCALE



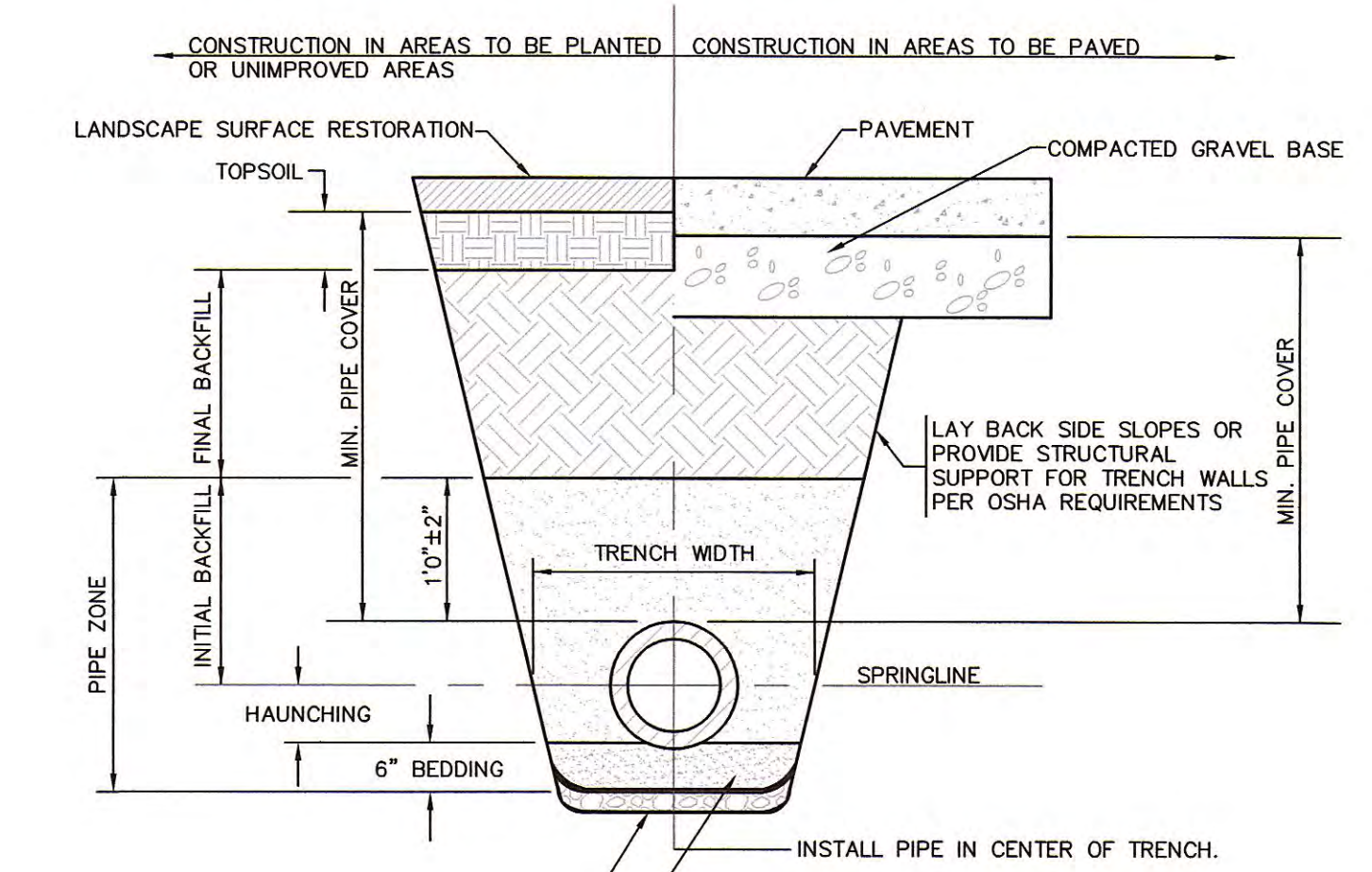
**TRASH ENCLOSURE**  
PLAN VIEW  
NOT TO SCALE



COURSE	MATERIAL	SPECIFICATION PER MASS HIGHWAY DEPARTMENT (MHD)	MAX AGG. SIZE (INCH)
TOP	BITUMINOUS CONCRETE	M3.11.03 CLASS 1, TYPE 1-1	1/2
BINDER	BITUMINOUS CONCRETE	M3.11.03 CLASS 1, TYPE 1-1	3/4
BASE	GRAVEL BORROW [2]	M1.03.0 TYPE B	3
UNSATURABLE SUBGRADE	ORDINARY BORROW	ON-SITE EXCAVATED MATERIAL	12

**NOTES:**  
 [1] COMPACT TO TEST AVERAGE OF 95% NO TEST LOWER THAN 93%.  
 [2] ACCEPTABLE SUBSTITUTE MATERIAL: 3/4" MINUS DENSE GRADED CRUSHED STONE.  
 [3] EXISTING PAVEMENT SHALL BE SAW CUT VERTICALLY AT FINAL LOCATIONS.

**BITUMINOUS CONCRETE PAVEMENT**  
TYPICAL CROSS SECTION  
NOT TO SCALE



**FOUNDATION STABILIZATION WHEN REQUIRED BY ENGINEER. OTHERWISE, PLACE BEDDING ON UNDISTURBED NATURAL SOIL.**  
 SHAPE BEDDING BY HAND TO FIT BOTTOM OF PIPE, INSTALL PIPE ON STABLE BEDDING WITH UNIFORM BEARING UNDER FULL LENGTH OF PIPE BARREL.

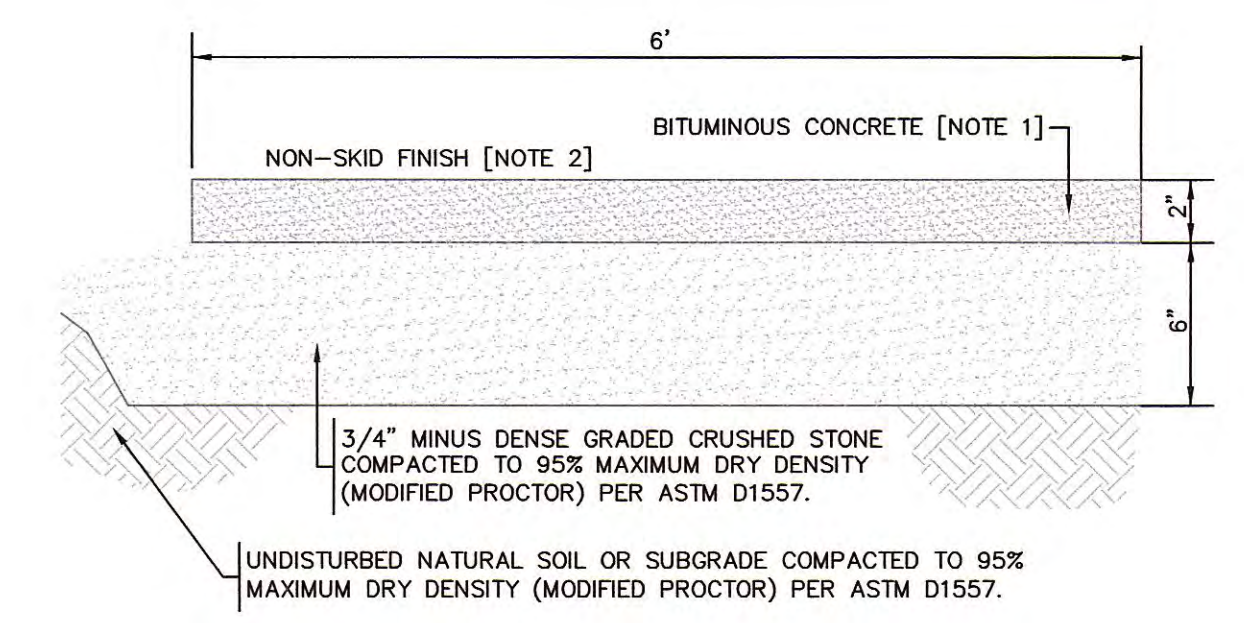
**TRENCH WIDTH:**  
 [1] MINIMUM WIDTH OF TRENCH MEASURED AT SPRINGLINE OF PIPE, INCLUDING ANY NECESSARY SHEATHING.  
 [2] PLACE 1/2" MINUS SAND BORROW (MHD M1.04.1), AT OPTIMUM MOISTURE IN HORIZONTAL 8" DEEP LOOSE LAYERS, COMPACT TO 95% PER ASTM D-1557 MODIFIED PROCTOR METHOD.  
 [3] IN PLANTED OR UNIMPROVED AREAS, USE 2-INCH MINUS ON-SITE EXCAVATED MATERIAL, COMPACT TO 80% PER ASTM D-1557, IN PAVED AREAS, OBTAIN ENGINEER APPROVAL OF 2-INCH MINUS ON-SITE EXCAVATED MATERIALS.

PIPE I.D.	WIDTH
LESS THAN 21"	O.D. + 12"
21" TO 42"	O.D. + 24"
GREATER THAN 42"	O.D. + 30"

**MINIMUM PIPE COVER:**  
 [1] MINIMUM SOIL COVER OVER TOP OF PIPE.

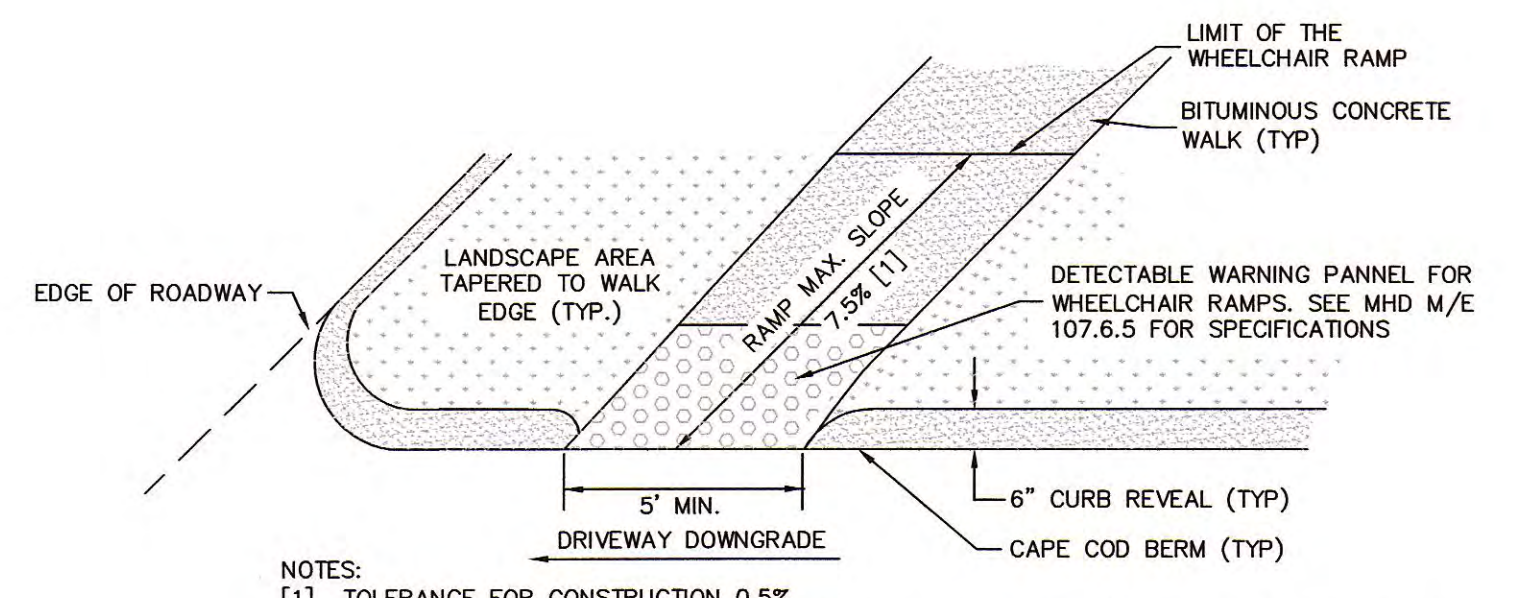
PIPE MATERIAL	HDPE, PVC	RC, DI
WATER	5' - 0"	5' - 0"
SEWER	4' - 0"	4' - 0"
DRAIN	2' - 0"	1' - 0"

**PIPE TRENCH**  
TYPICAL CROSS SECTION  
NOT TO SCALE



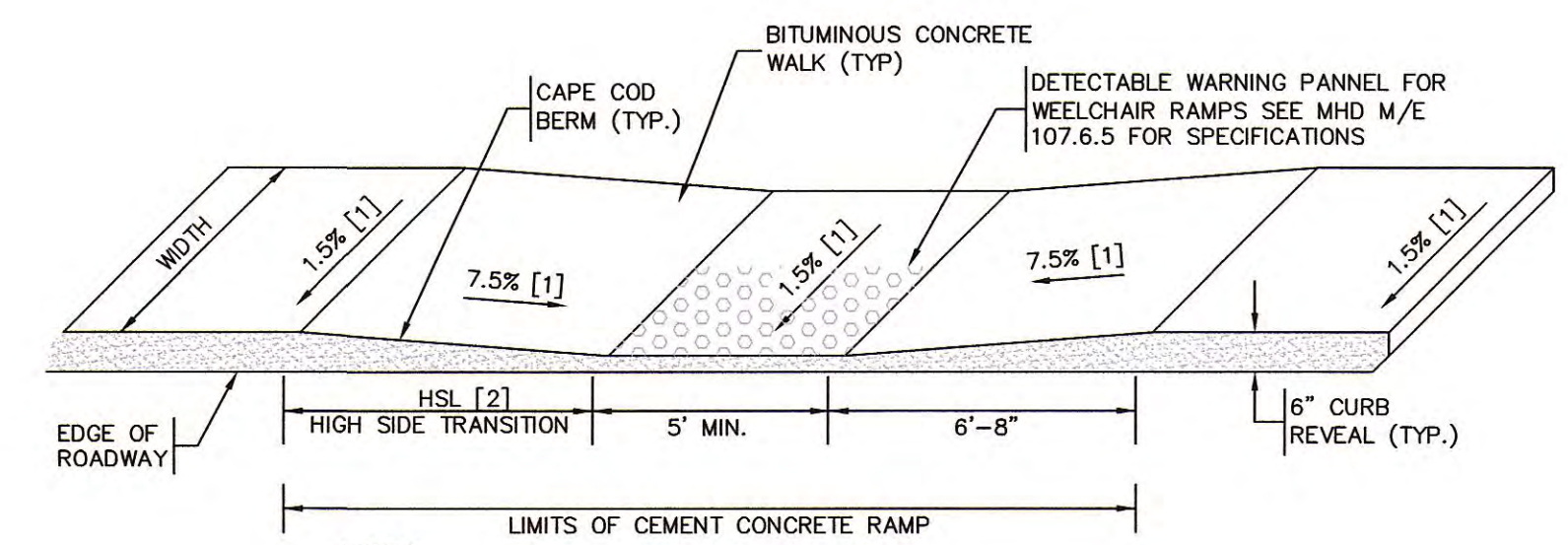
**NOTES:**  
 [1] MHD M3.11.03 CLASS 1, TYPE 1-1 BITUMINOUS CONCRETE, 1/2" MAXIMUM AGGREGATE OR PARTICLE SIZE, COMPACT TO TEST AVERAGE OF 95% NO TEST LOWER THAN 93%.  
 [2] SLOPE 5% MAXIMUM.

**BITUMINOUS CONCRETE WALK**  
TYPICAL CROSS SECTION  
NOT TO SCALE



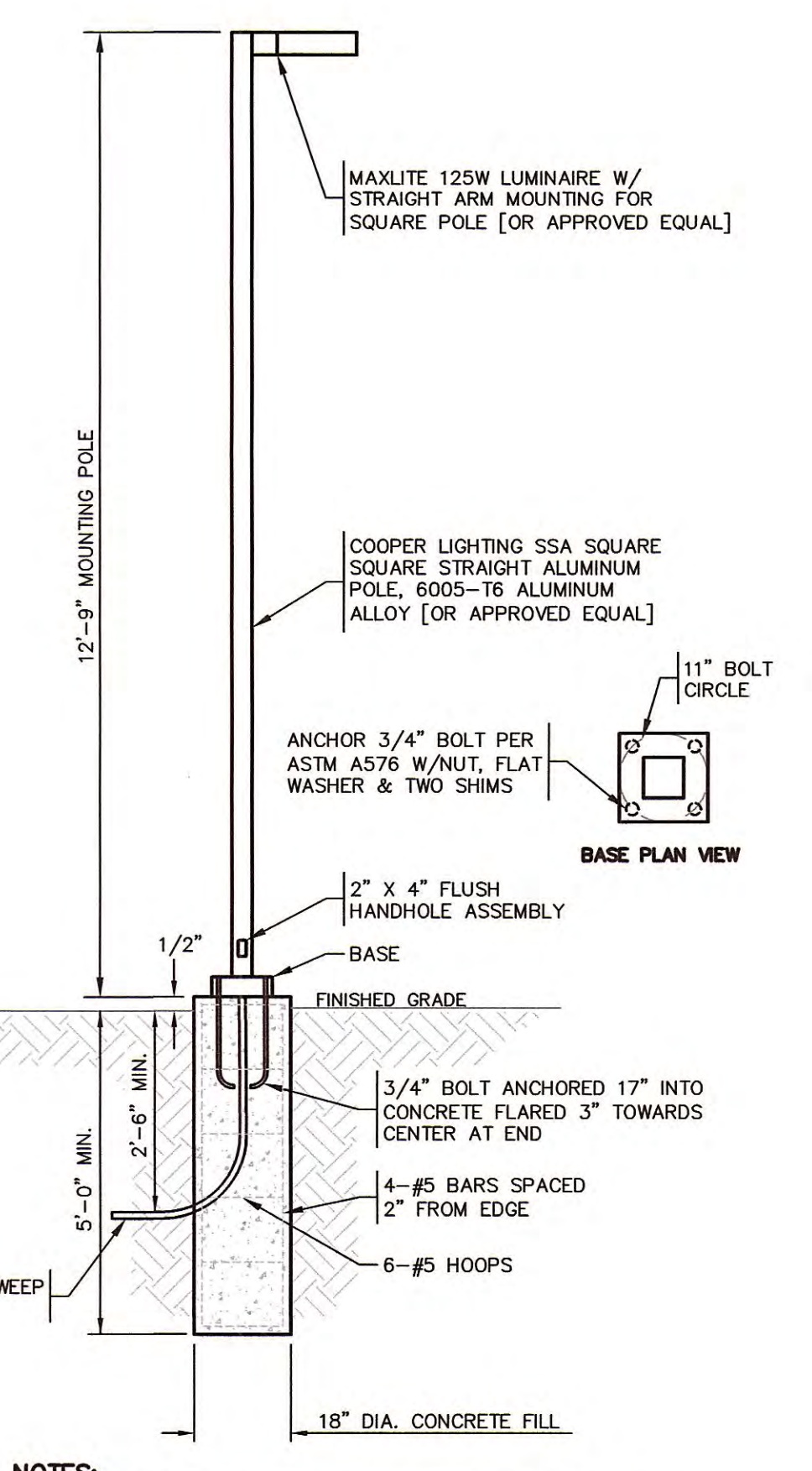
**NOTES:**  
 [1] TOLERANCE FOR CONSTRUCTION 0.5%  
 [2] DETECTABLE WARNING PANEL LOCATED NOT LESS THAN 6" OR MORE THAN 24" FROM ROADWAY EDGE (GUTTER LINE). TRUNCATED DOMES TO BE ALIGNED WITH DIRECTION OF TRAVEL. ROADWAY, GUTTER, AND FIRST 6" OF SIDEWALK TO BE ADJUSTED FOR FIELD CONDITIONS.

**HANDICAP ACCESSIBLE RAMP [TYPE A]**  
TYPICAL PLAN VIEW  
NOT TO SCALE



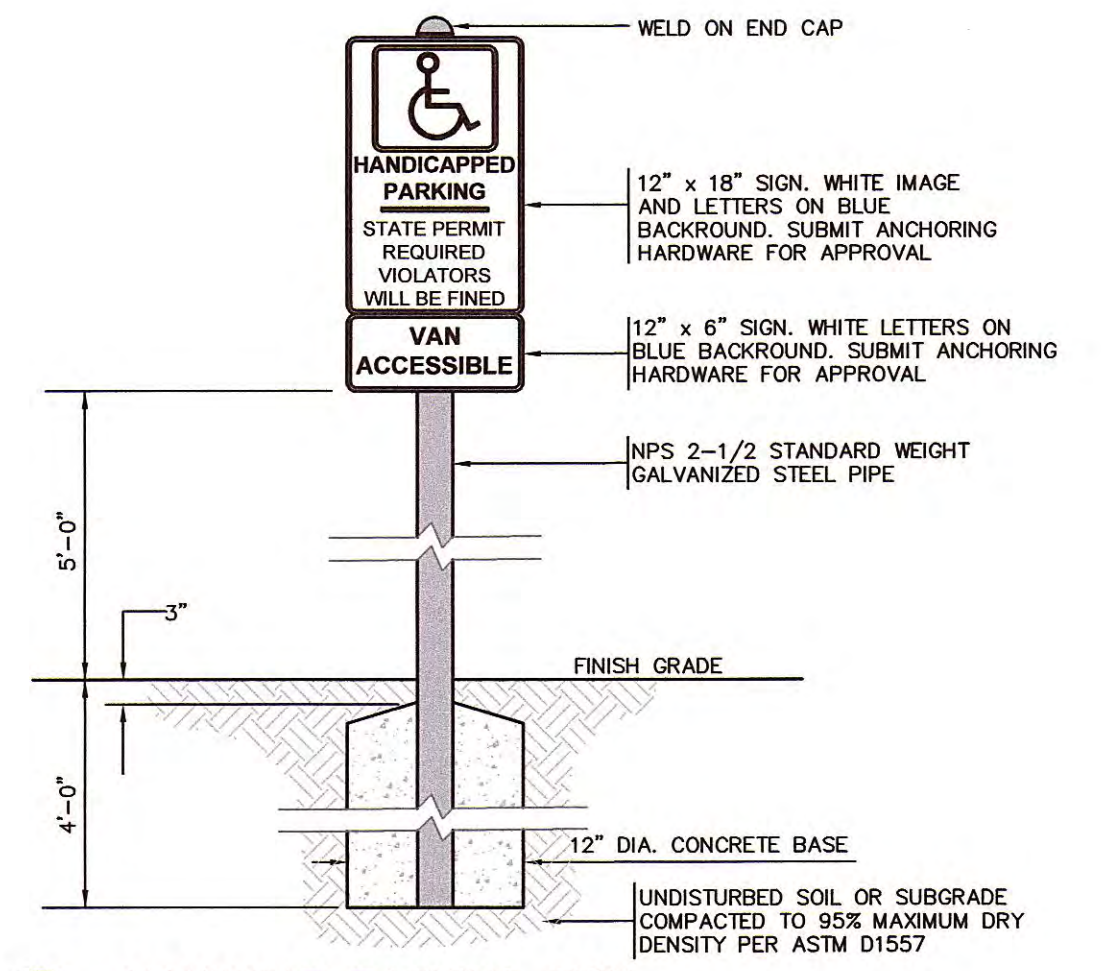
**NOTES:**  
 [1] TOLERANCE FOR CONSTRUCTION 0.5%  
 [2] HSL - HIGH SIDE TRANSITION LENGTH (SEE M/E 107.9.0)  
 [3] USABLE SIDEWALK WIDTH PER AAB = WIDTH - CURB WIDTH

**HANDICAP ACCESSIBLE RAMP [TYPE B]**  
TYPICAL PLAN VIEW  
NOT TO SCALE

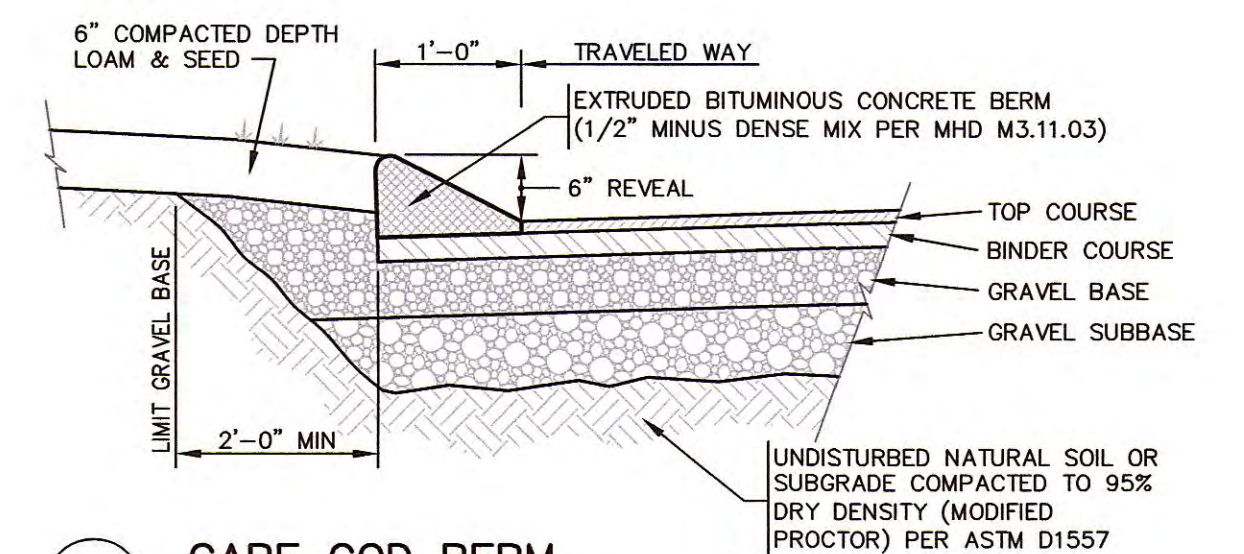


**NOTES:**  
 [1] CONTRACTOR TO CONFIRM WITH MANUFACTURER ON PROPER INSTALLATION OF BALLAST, BALLAST MOUNTING, LIGHT POLE, BASE PLATE & ANCHORING.  
 [2] APPROVED EQUALS MAY BE USED IN LUMINAIRE ASSEMBLY PROVIDED IT MEETS MANUFACTURER'S SPECIFICATIONS.

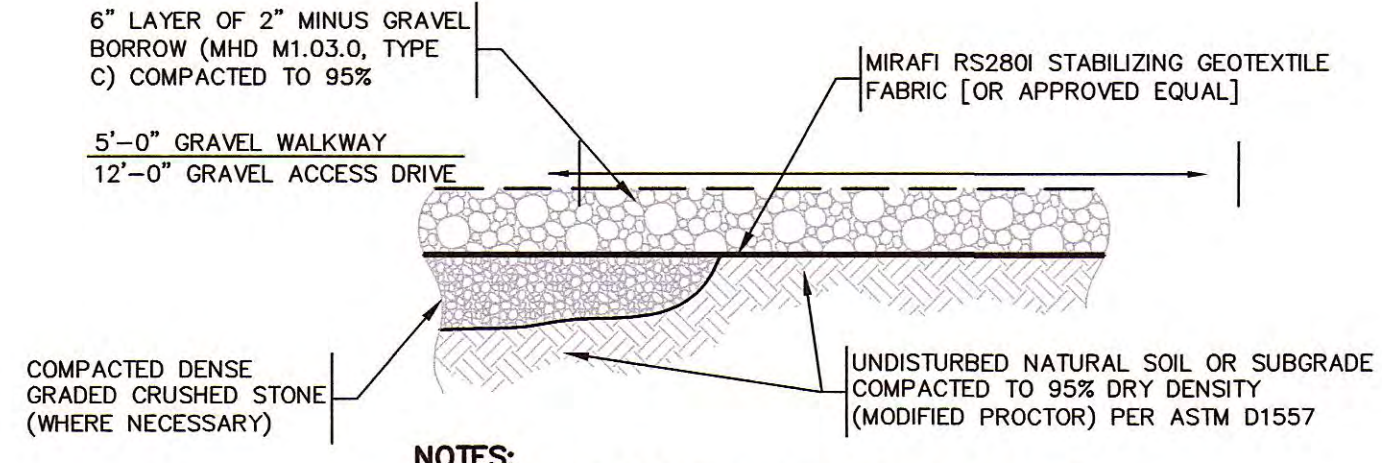
**SITE LIGHT**  
TYPICAL CROSS SECTION  
NOT TO SCALE



**HANDICAP PARKING SIGN**  
NOT TO SCALE

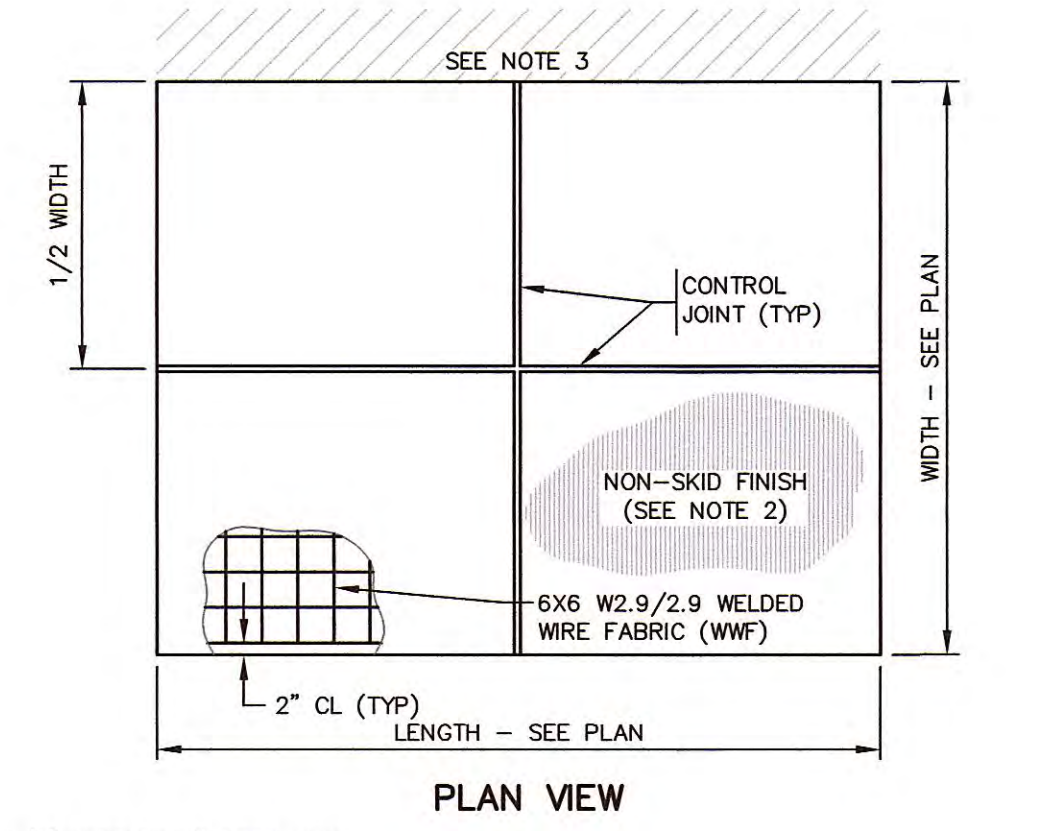


**CAPE COD BERM**  
TYPICAL CROSS SECTION  
NOT TO SCALE

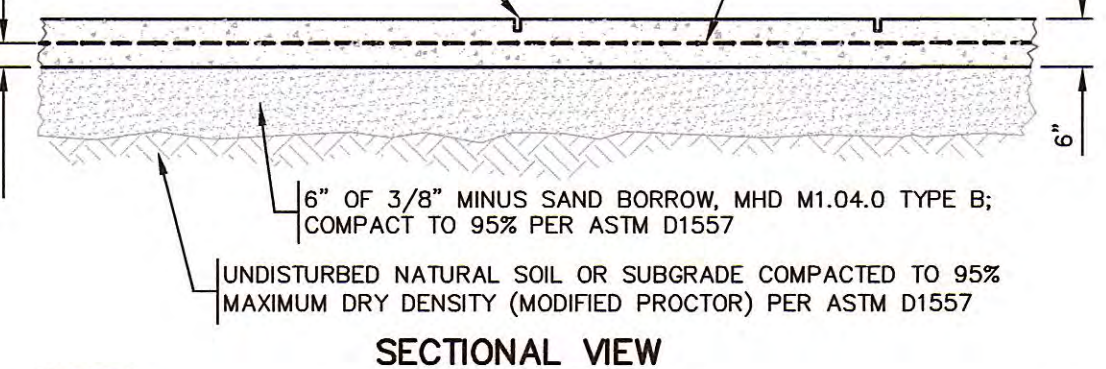


**NOTES:**  
 [1] UNSUITABLE MATERIAL IN THE SUBGRADE SHALL BE REMOVED AND REPLACED WITH AN ACCEPTABLE SUBSTITUTE MATERIAL: 3/4" MINUS DENSE GRADED CRUSHED STONE.  
 [2] FINAL GRAVEL DRIVEWAY STABILIZATION DESIGN TO BE CONFIRMED BY THE GEOTECHNICAL ENGINEER.

**GRAVEL ACCESS DRIVEWAY/WALKWAY**  
TYPICAL CROSS SECTION  
NOT TO SCALE



**CEMENT CONCRETE SLAB**  
NOT TO SCALE

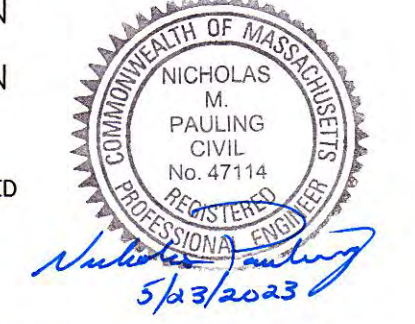


**NOTES:**  
 [1] CEMENT CONCRETE: 4000 PSI AT 28 DAYS W/ 3/8" MINUS MAXIMUM PARTICLE SIZE (MHD M4.02.00).  
 [2] PROVIDE MEDIUM HAIR BROOM FINISH TO ALL EXPOSED SURFACES. USE ROUGH HAIR BROOM ON GRADES OVER 6%.  
 [3] WHERE SLAB ABUTS FACE OF BUILDING, AN ISOLATION JOINT SHALL BE USED BETWEEN SLAB AND BUILDING.

**CEMENT CONCRETE SLAB**  
NOT TO SCALE

**DRAWING ISSUED FOR:**

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**CONSTRUCTION DETAILS**

**203 AYER ROAD HARVARD, MA**

PREPARED FOR:  
 YVONNE CHERN  
 7 GREEN WAY  
 WAYLAND, MA 01778

WHEELER REALTY TRUST  
 198 AYER ROAD  
 HARVARD, MA 01451

DES. BY: MCL	DATE: MARCH 2022	JOB 211009	<b>C6.1</b>
CHK. BY: NMP			







**SOIL EVALUATION SUMMARY**

SOIL EVALUATOR: LHMJOT TV, GPR, INC.  
 SOIL EVALUATOR APPROVED ON: NOVEMBER 02, 2021  
 WITNESSED BY: UNWITNESSED  
 EVALUATION PERFORMED: 01/13/2022

Deep Observation Hole Log					
Hole # 122-1		NB 14/E-31		Surface EL. 301.9	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-12	A	FSL	10YR 3/3		
12-42	C1	S	10YR 5/4	@42"	
42-85	C2	SL	2.5Y 5/3	10YR 6/4 2.5Y 6/2	

Parent Material (geologic) Glacial Till Depth to Bedrock: 85"  
 Depth to Groundwater: Standing Water in the Hole None Weeping from Pit Face: None  
 Estimated Seasonal High Groundwater in the Hole 42"

Deep Observation Hole Log					
Hole # 122-2		NB 14/E-31		Surface EL. 304.0	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-12	A	FSL	10YR 3/3		
12-50	C1	S	10YR 5/4	@50"	
50-91	C2	SL	2.5Y 5/4	10YR 6/4 2.5Y 6/2	

Parent Material (geologic) Glacial Till Depth to Bedrock: >91"  
 Depth to Groundwater: Standing Water in the Hole 88" Weeping from Pit Face: 78"  
 Estimated Seasonal High Groundwater in the Hole 50"

Deep Observation Hole Log					
Hole # 122-3		NB 14/E-31		Surface EL. 295.4	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-12	A	FSL	10YR 3/3		
12-27	C1	S	10YR 6/4	@24"	
27-102	C2	FSL	2.5Y 5/4	7.5YR 5/6 2.5Y 6/2	

Parent Material (geologic) Glacial Till Depth to Bedrock: >102"  
 Depth to Groundwater: Standing Water in the Hole 60" Weeping from Pit Face: 30"  
 Estimated Seasonal High Groundwater in the Hole 24"

Deep Observation Hole Log					
Hole # 122-4		NB 14/E-31		Surface EL. 289.4	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-12	A	FSL	10YR 3/3		
12-26	Fill	LS	10YR 6/4		
26-40	Ab	FSL	10YR 4/3		
40-50	C1	FS	2.5Y 6/1	@45"	
50-102	C2	FSL	2.5Y 5/4	7.5YR 5/6 2.5Y 6/2	

Parent Material (geologic) Glacial Till Depth to Bedrock: >102"  
 Depth to Groundwater: Standing Water in the Hole 90" Weeping from Pit Face: 48"  
 Estimated Seasonal High Groundwater in the Hole 45"

Deep Observation Hole Log					
Hole # 122-5		NB 14/E-31		Surface EL. 288.3	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-40	Fill	FSL	10YR 3/3		
40-48	C1	S	10YR 5/4	@50"	
48-108	C2	FSL	2.5Y 5/4	7.5YR 5/6 2.5Y 6/2	

Parent Material (geologic) Glacial Till Depth to Bedrock: >108"  
 Depth to Groundwater: Standing Water in the Hole 101" Weeping from Pit Face: 52"  
 Estimated Seasonal High Groundwater in the Hole 50"

Deep Observation Hole Log					
Hole # 122-6		NB 14/E-31		Surface EL. 281.2	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-15	A	FSL	10YR 3/3	@15"	
15-80	C1	FSL	GLEYS 3/N	7.5YR 5/8	
80-108	C2	FLS	2.5Y 4/3		

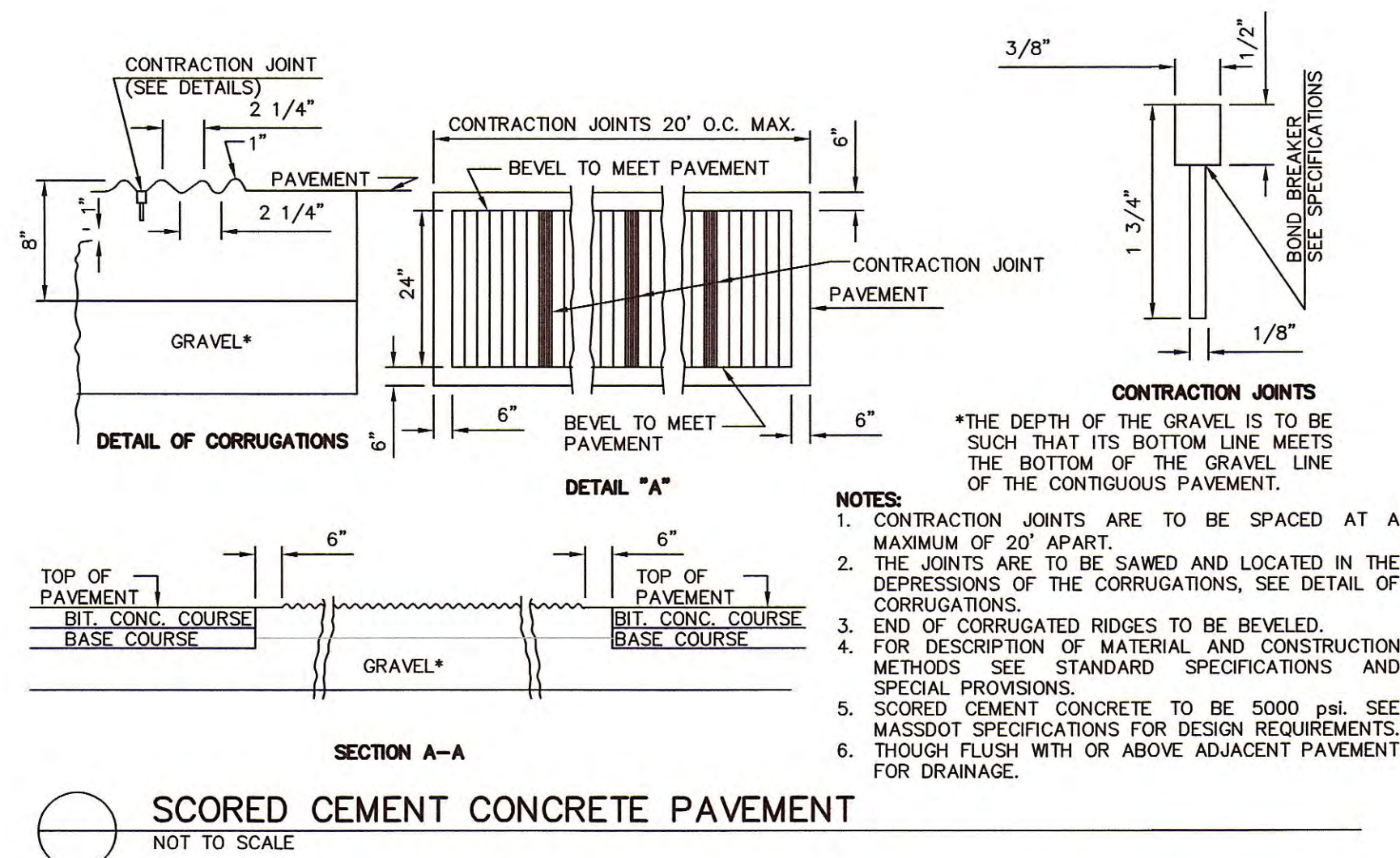
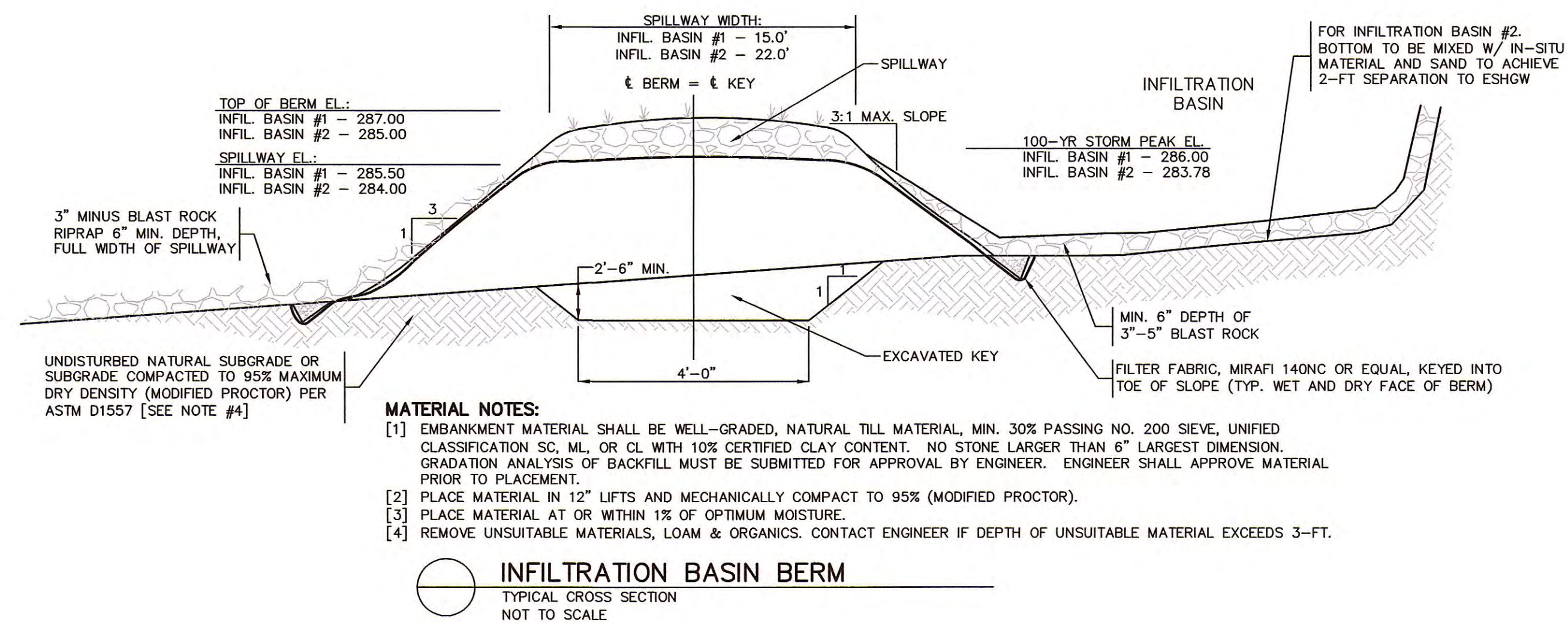
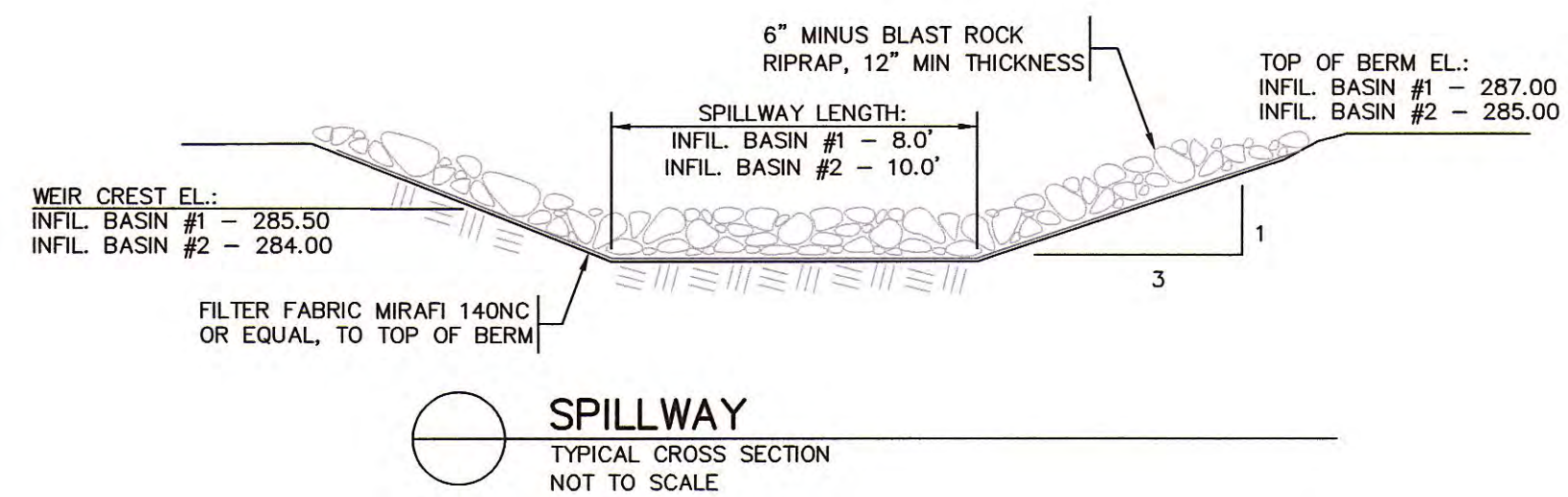
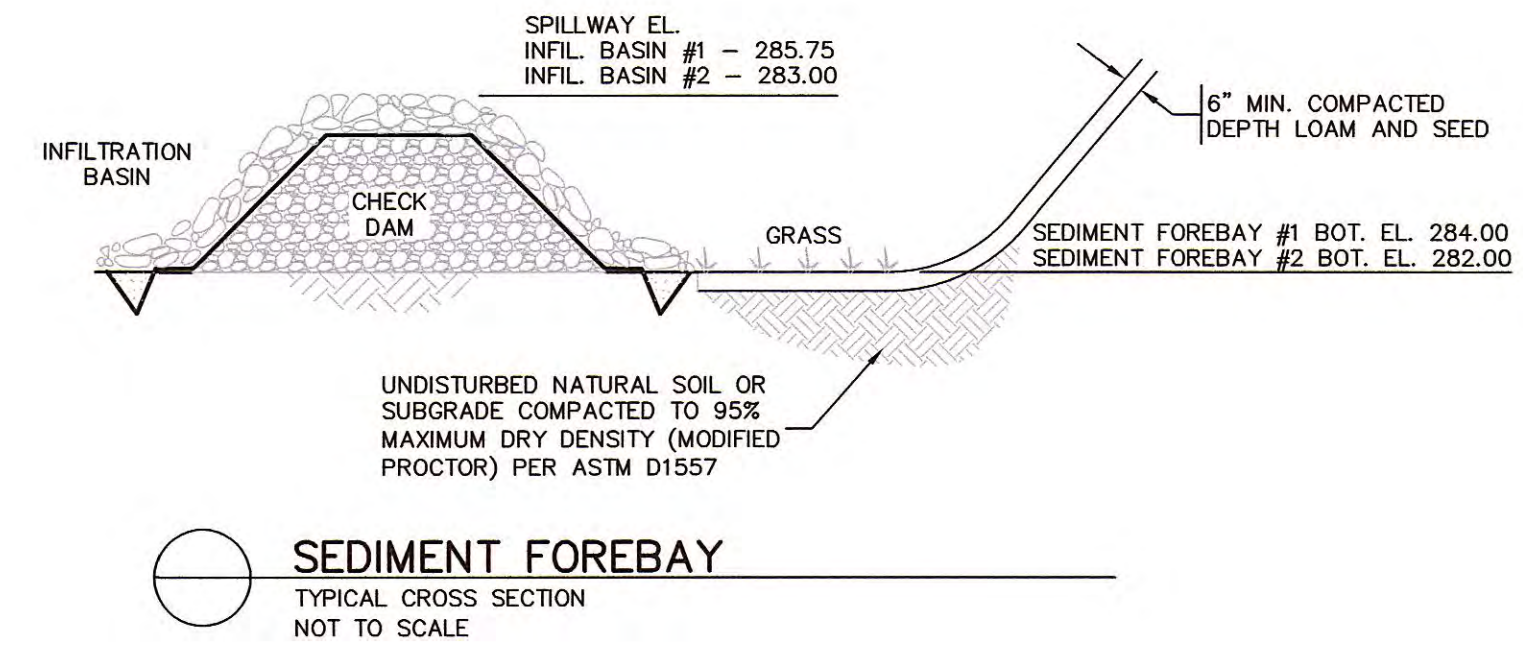
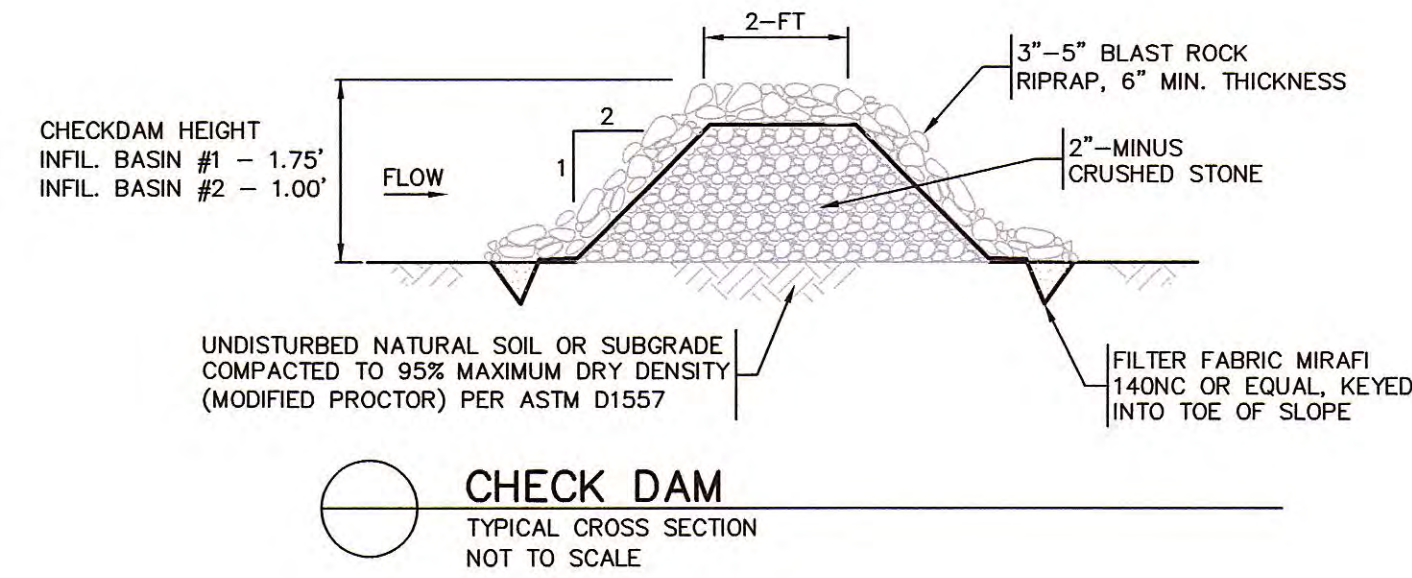
Parent Material (geologic) Glacial Till Depth to Bedrock: >108"  
 Depth to Groundwater: Standing Water in the Hole 100" Weeping from Pit Face: 35"  
 Estimated Seasonal High Groundwater in the Hole 15"

Deep Observation Hole Log					
Hole # 122-7		NB 14/E-31		Surface EL. 283.8	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-15	A	FSL	7.5YR 2.5/2	@15"	
15-28	C1	S	10YR 4/2	10YR 5/6	
28-99	C2	FSL	GLEYS 3/N		

Parent Material (geologic) Glacial Till Depth to Bedrock: >99"  
 Depth to Groundwater: Standing Water in the Hole 80" Weeping from Pit Face: 20"  
 Estimated Seasonal High Groundwater in the Hole 15"

Deep Observation Hole Log					
Hole # 122-8		NB 14/E-31		Surface EL. 292.5	
Depth from Surface (inches)	Soil Horizon	Soil Texture (USDA)	Soil Color (MUNSELL)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-12	A	FSL	10YR 3/3		
12-28	C1	LS	10YR 5/4	@60"	
28-76	C2	SL	2.5Y 5/3	10YR 6/4 2.5Y 6/2	

Parent Material (geologic) Glacial Till Depth to Bedrock: >76"  
 Depth to Groundwater: Standing Water in the Hole 72" Weeping from Pit Face: 70"  
 Estimated Seasonal High Groundwater in the Hole 60"

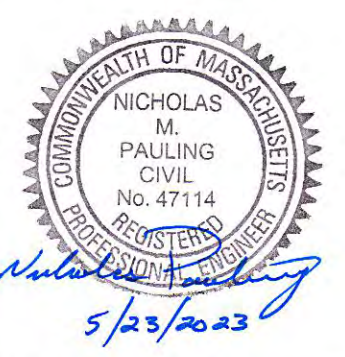


- NOTES:**
- CONTRACTION JOINTS ARE TO BE SPACED AT A MAXIMUM OF 20' APART.
  - THE JOINTS ARE TO BE SAWS AND LOCATED IN THE DEPRESSIONS OF THE CORRUGATIONS, SEE DETAIL OF CORRUGATIONS.
  - END OF CORRUGATED RIDGES TO BE BEVELED.
  - FOR DESCRIPTION OF MATERIAL AND CONSTRUCTION METHODS SEE STANDARD SPECIFICATIONS AND SPECIAL PROVISIONS.
  - SCORED CEMENT CONCRETE TO BE 5000 psi. SEE MASSDOT SPECIFICATIONS FOR DESIGN REQUIREMENTS.
  - THOUGH FLUSH WITH OR ABOVE ADJACENT PAVEMENT FOR DRAINAGE.

- MATERIAL NOTES:**
- EMBANKMENT MATERIAL SHALL BE WELL-GRADED, NATURAL TILL MATERIAL, MIN. 30% PASSING NO. 200 SIEVE, UNIFIED CLASSIFICATION SC, ML, OR CL WITH 10% CERTIFIED CLAY CONTENT. NO STONE LARGER THAN 6" LARGEST DIMENSION. GRADATION ANALYSIS OF BACKFILL MUST BE SUBMITTED FOR APPROVAL BY ENGINEER. ENGINEER SHALL APPROVE MATERIAL PRIOR TO PLACEMENT.
  - PLACE MATERIAL IN 12" LIFTS AND MECHANICALLY COMPACT TO 95% (MODIFIED PROCTOR).
  - PLACE MATERIAL AT OR WITHIN 1% OF OPTIMUM MOISTURE.
  - REMOVE UNSUITABLE MATERIALS, LOAM & ORGANICS. CONTACT ENGINEER IF DEPTH OF UNSUITABLE MATERIAL EXCEEDS 3-FT.

**DRAWING ISSUED FOR:**

- CONCEPT  CONSTRUCTION RECORD  
 PERMIT  CONSTRUCTION RECORD



THIS DRAWING MAY NOT SHOW CONSTRUCTION DETAILS AND SPECIFICATIONS FOR ALL PROPOSED IMPROVEMENTS, AND MAY NOT IDENTIFY ALL CONSTRUCTION WORK ITEMS/AREAS OF CONTRACTOR JURISDICTION.

PER 250 CMR 5.03(13), THE FOLLOWING ARE EXCLUDED FROM THE PROFESSIONAL ENGINEER'S RESPONSIBILITY: ALL BOUNDARY INFORMATION; LOCATION OF EXISTING STRUCTURES, TREES, UTILITIES, TOPOGRAPHY OR SIMILAR FEATURES; DESIGN OF RETAINING WALLS, PROPRIETARY EQUIPMENT. SEE EXISTING CONDITION NOTES.

NO.	DATE	BY	APP.	REVISION DESCRIPTION
3	5/23/23	JFB	NMP	MUVD & PEER REVIEW COMMENTS
2	3/2/23	JFB	NMP	MUVD & PEER REVIEW COMMENTS
1	7/25/22	LT	NMP	PEER REVIEW COMMENTS

**GPR** Engineering Solutions for Land & Structures  
**GOLDSMITH, PREST & RINGWALL, INC.**  
 39 MAIN STREET, SUITE 301, AYER, MA 01432  
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 VOICE: 978.772.1590 FAX: 978.772.1591  
 www.gpr-inc.com

**COMMERCIAL DEVELOPMENT SPECIAL PERMIT CONSTRUCTION DETAILS**

203 AYER ROAD HARVARD, MA  
 PREPARED FOR: YVONNE CHERN 7 GREEN WAY WAYLAND, MA 01778  
 WHEELER REALTY TRUST 198 AYER ROAD HARVARD, MA 01451

DES. BY: MCL	DATE: MARCH 2022	JOB 211009	C6.3
CHK. BY: NMP			

P: 211009.DWG PERMIT 203 AYER ROAD - LARGE-SCALE COMMERCIAL DEVELOPMENT REV-3.DWG 05-30-23 10:12:17 AM - LAYOUT CDS

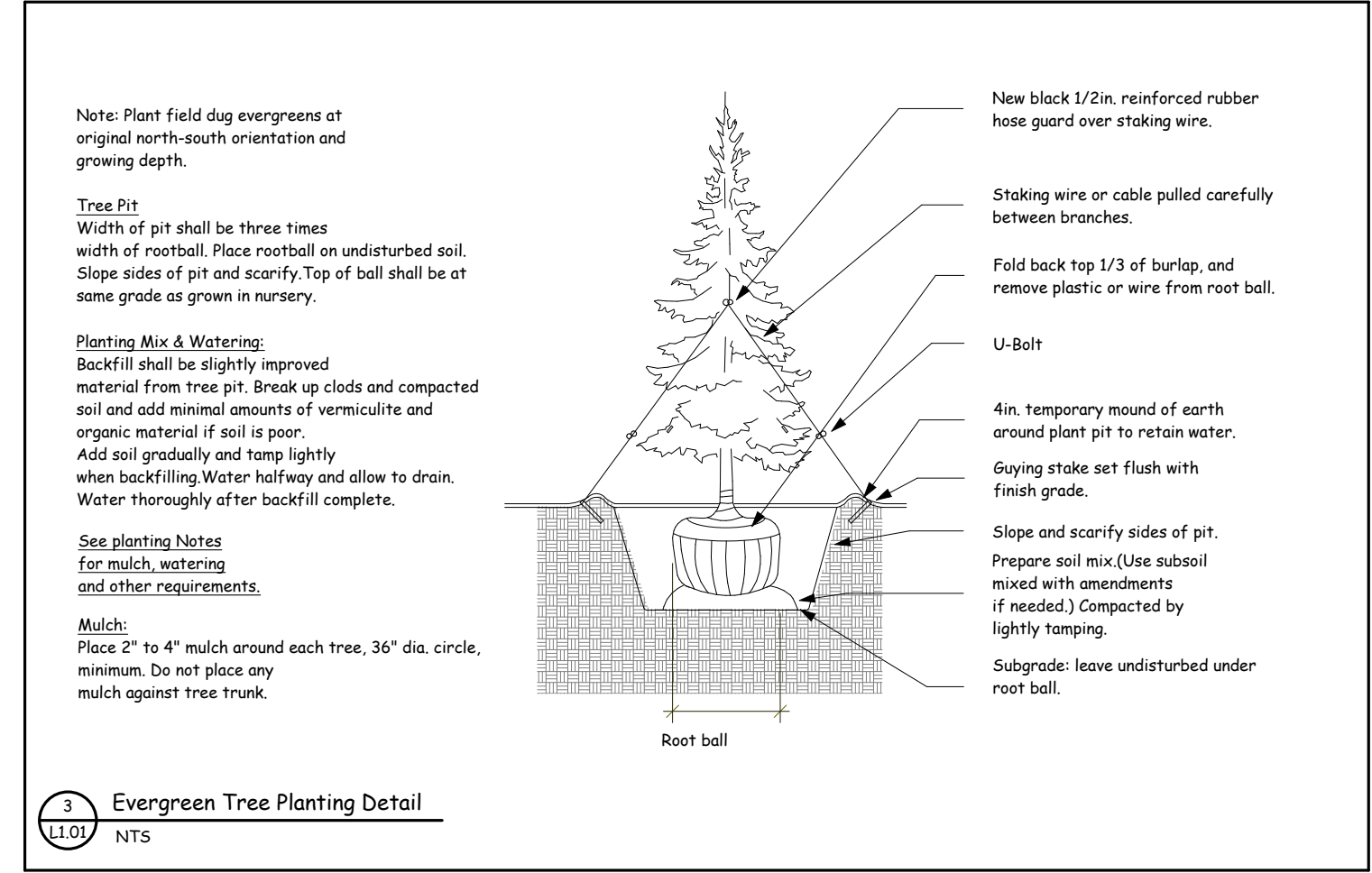
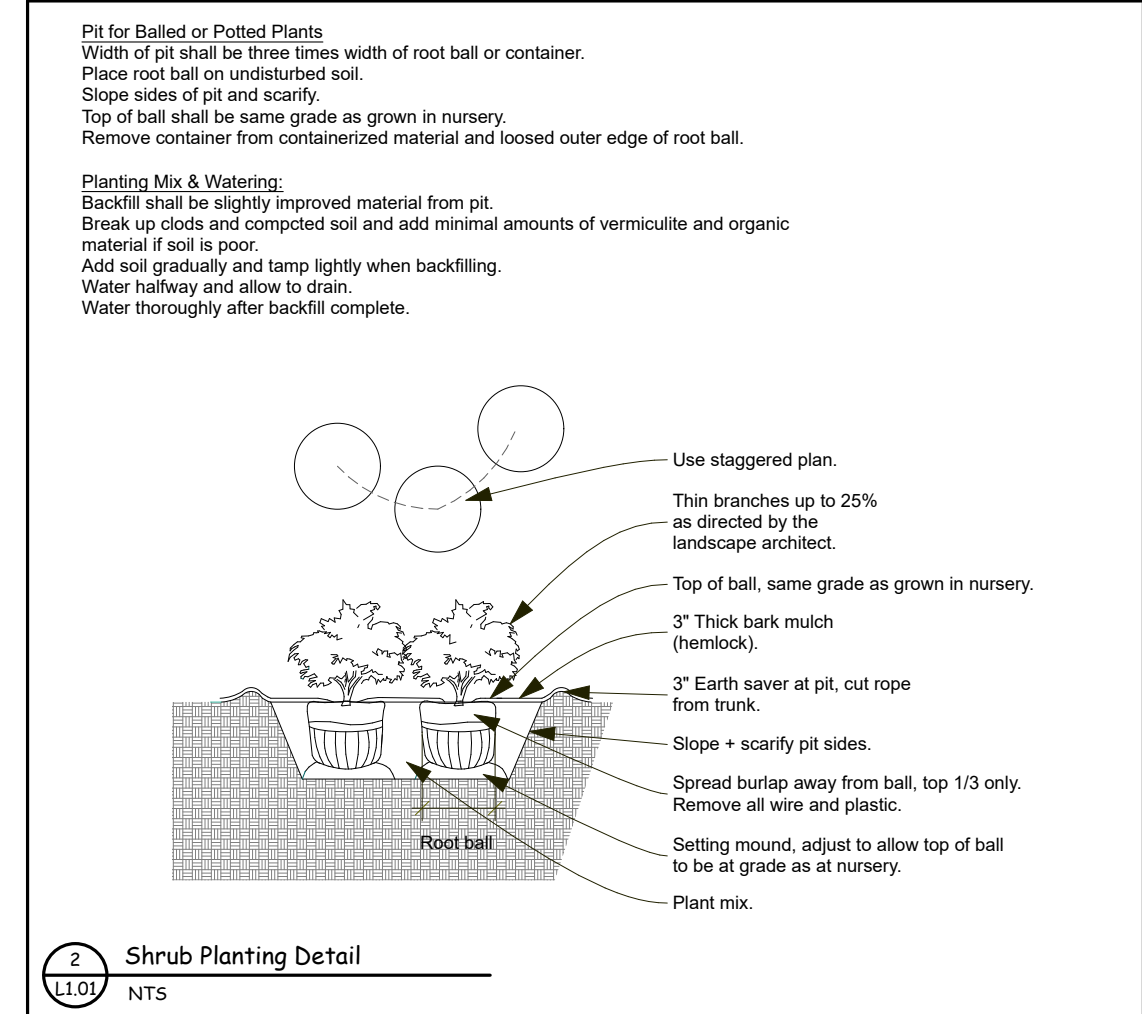
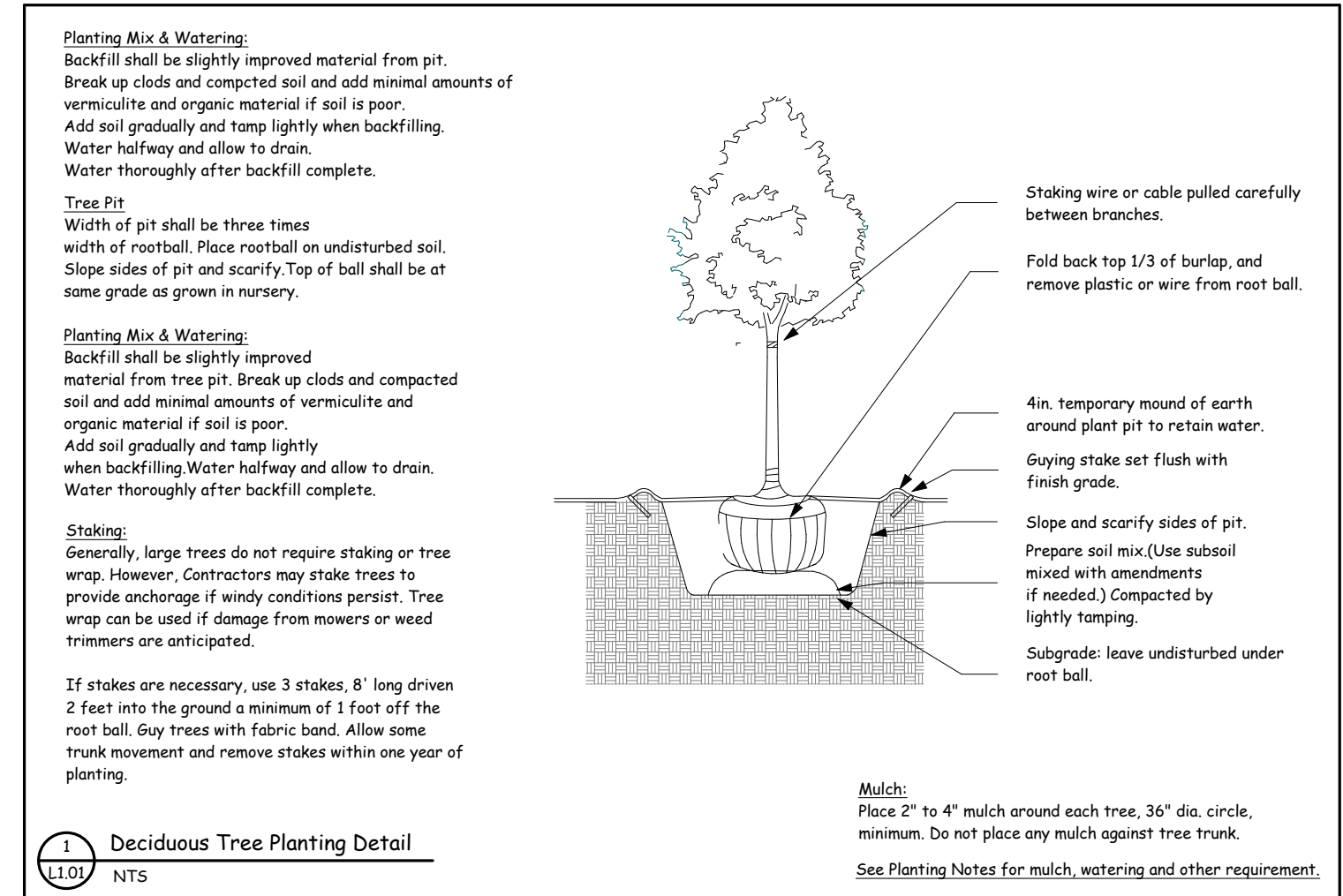
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Rev. 3:  
Rev. 2: May 23, 2023: "No changes on this sheet"  
Rev. 1: March 1, 2023

Date: April 25, 2022  
Scale: 1"=40'  
Sheet  
**L-1.01**  
Planting Plan



**Planting Notes**

- The Contractor is responsible for the legal removal and disposal of all debris from the site and as may be directed by the Owner.
- Coordinate final locations of Site Improvements with the Civil and Architectural plans.
- The Contractor shall notify DIG-SAFE (1 888-344-7233) to verify the location of any underground utilities prior to any digging.
- All plant material and planting procedures shall conform to the "American Standard for Nursery Stock" as published by the American Nursery and Landscape Association.
- Contractor to stake proposed locations of all new plant material for LA review prior to planting.
- Plant List governs: Contractor to provide plants on list. Locations and quantities in planting areas are subject to change under the discretion of the LA.
- The Contractor shall supply all plant materials in quantities sufficient to complete the shown on all drawings.
- All plant materials are subject to the approval of the Landscape Architect at the Nursery and at the site. All trees shall have single leader unless otherwise noted. No unapproved substitutions will be accepted. Plants species and cultivar, size and quantity shall not change without the approval of the Landscape Architect. Location of all trees and shrubs shall be marked for the approval of the Landscape Architect the day prior to commencement of planting.
- All plants shall bear the same relationship to finished grade as original grade before digging. Plants to be transplanted shall be carefully dug, with adequate root balls and surrounding soil and pruned according to ANA standard practices. Trees with root flare covered by more than 1 1/2" of soil will be rejected prior to installation. Set plants plumb.
- All trees and shrubs shall be balled in burlap or containerized, unless otherwise noted. No root bound container grown stock will be accepted. All plastic root wrapping and metal wire baskets shall be carefully removed at the time planting. Wire directly under root ball can remain.
- The planting soil mixture shall be a sandy loam modified with organic components of 4-8% organic matter, dry weight, PH range of 5.5 to 6.5 and no coarse fragments over 2". A soil sample from the proposed planting medium shall be sent to the UMass Extension Service, University of Massachusetts, West Experiment Station, Amherst, MA 01003, tel: 413.545.2311, fax: 413.545.1931 to be analyzed for organic matter, acidity, soluble salts, buffer PH, potassium and silt and clay content.
- Contractor shall place 3" of fine shredded dark brown, aged two years, pine bark mulch in all bed areas. Submit sample to Landscape Architect.
- All evergreen plant material shall be sprayed in the first Fall after planting with an anti-desiccant the first week of November.
- Provide temporary irrigation system for all plant material. System to be functional for a spring and a fall planting season. Flood plants thoroughly once immediately after planting and twice during the first 24 hour period after planting.
- Extreme care shall be taken not to disturb existing plant materials unless the plant is specifically noted to be transplanted or removed. Any plant injured, removed or destroyed without permission, shall be replaced with plant material of equal size and species at the Contractor's expense.
- Do not wrap trunk of trees.
- Stake only deciduous trees on windy exposures or steeper slopes. Evergreen trees may be staked at the discretion of the Landscape Architect. Consult with Landscape Architect.
- Contractor shall maintain the trees for a minimum of 60 days following preliminary acceptance of Landscape Architect. After 60 days, provide Owner with written maintenance instructions.
- Contractor shall guarantee all plant material for a minimum of one (1) year from the date of final acceptance of the Landscape Architect. The Contractor shall replace any dead or horticulturally damaged trees at his expense during the 1 year guarantee period.
- Contractor shall provide Jute netting on steep slopes as directed by Civil Engineer to control soil erosion and loss.

**SEED MIX 1 Non-Mowed/ Annual Mowing Area Seed Mix:**  
Showy Northeast Native Wildflower & Grass Mix  
Seed specification from Ernst Seeds mix: ERNMX-153, or equal

31.5%	Little Bluestem, Fort Indiantown Gap-PA Ecotype (Schizachyrium scoparium, Fort Indiantown Gap-PA Ecotype)
20%	Sideoats Grama, 'Butte' (Bouteloua curtipendula, 'Butte')
18%	Virginia Wildrye, PA Ecotype (Elymus virginicus, PA Ecotype)
4%	Tall White Beardtongue, PA Ecotype (Penstemon digitalis, PA Ecotype)
4%	Partridge Pea, PA Ecotype (Chamaecrista fasciculata (Cassia f.), PA Ecotype)
3%	Purple Coneflower (Echinacea purpurea)
2.5%	Marsh (Dense) Blazing Star (Spiked Gayfeather) (Liatris spicata)
2%	Butterfly Milkweed (Asclepias tuberosa)
2%	Lanceleaf Coreopsis, Coastal Plain NC Ecotype (Coreopsis lanceolata, Coastal Plain NC Ecotype)
2%	Oxeye Sunflower, PA Ecotype (Helianthus annuus, PA Ecotype)
2%	Blackeyed Susan, Coastal Plain NC Ecotype (Rudbeckia hirta, Coastal Plain NC Ecotype)
1.5%	New England Aster (Aster novae-angliae (Symphyotrichum n.)
1.5%	Smooth Blue Aster, NY Ecotype (Aster laevis (Symphyotrichum laevis), NY Ecotype)
1.5%	Ohio Spiderwort, PA Ecotype (Tradescantia ohiensis, PA Ecotype)
1%	Autumn Bergtgrass, Albany Pine Bush-NY Ecotype (Agrostis perennans, Albany Pine Bush-NY Ecotype)
0.8%	Bromeweed Susan, WV Ecotype (Rudbeckia triloba, WV Ecotype)
0.5%	Wild Senna, VA & WV Ecotype (Senna hebecarpa (Cassia h.), VA & WV Ecotype)
0.5%	Wild Bergamot, Fort Indiantown Gap-PA Ecotype (Monarda fistulosa, Fort Indiantown Gap-PA Ecotype)
0.5%	Maryland Senna (Senna marilandica (Cassia m.))
0.5%	Blue False Indigo, Southern WV Ecotype (Baptisia australis, Southern WV Ecotype)
0.5%	Early Goldenrod, VA Ecotype (Solidago juncea, VA Ecotype)
0.2%	Hoary Mountainmint, MD Ecotype (Pycnanthemum incanum, MD Ecotype)
Total: 100%	

**Seed Mix 2 Detention/ Infiltration Basin Seed Specification**  
(from Ernst Seeds mix: ERNMX-180 -1, or equal)

46%	River Oats, PA/VA Ecotype Blend (Chasmanthium latifolium)
25%	Fox Sedge, PA Ecotype (Carex vulpinoidea, PA Ecotype)
20%	Virginia Wildrye, PA Ecotype (Elymus virginicus, PA Ecotype)
4%	Autumn Bergtgrass, PA Ecotype (Agrostis perennans, PA Ecotype)
3%	Blunt Broom Sedge, PA Ecotype (Carex scoparia)
1%	Soft Rush (Juncus effusus)
1%	Path Rush, PA Ecotype (Juncus tenuis)
Total: 100%	

**PLANT LIST**

QTY	SYM	SCIENTIFIC NAME	COMMON NAME	SIZE	COMMENTS
<b>Deciduous Trees</b>					
10	AR	Acer rubrum 'October Glory'	October Glory Red Maple	4"-5" cal.	NE Native
13	AS	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	4"-5" cal.	NE Native
3	CK	Cornus x Stellar Pink	Stellar Pink Dogwood	2.5"-3" cal.	
7	CF	Cornus x Ruth Ellen	Ruth Ellen Dogwood	2.5"-3" cal.	
9	MF	Malus floribunda	Japanese Flowering Crab	2"-2.5" cal.	
9	QR	Quercus rubra	Red Oak	4"-5" cal.	NE Native
19	PY	Prunus x yeddensis	Yoshino Cherry	2"-2.5" cal.	
<b>Evergreen Trees</b>					
6	AF	Abies fraserii	Fraser Fir	8'-10' Tall	Native
4	PN	Pinus nigra	Austrian Pine	8'-10' Tall	
3	TC	Tsuga canadensis	Canadian Hemlock	8'-10' Tall	Native
<b>Shrubs</b>					
6	CB	Cornus baileyi	Bailey Red Twig Dogwood	3'-3.5' Tall	Native
5	DG	Deutzia gracilis	Common Deutzia	2'-2.5' Tall	
6	MP	Myrica pensylvanica	Bayberry	3'-3.5' Tall	Native
3	PO	Physocarpus opulifolius	Common Ninebark	4.5'-5' Tall	Native
12	RC	Rhododendron catawbiense	Catawba Rhododendron	4.5'-5' Tall	Native
23	SP	Syringa meyeri 'Palibin'	Dwarf Korean Lilac		
10	VC	Vaccinium corymbosum	High Bush Blueberry	4.5'-5' Tall	Native

**Landscape Water Use Management**  
**New Installations of Trees, Shrubs, and Flowers**

- Provide temporary irrigation to all new plantings. Water with 2" of water to thoroughly soak the soils every day for two weeks following installation.
- Thereafter, water at 1" two times per week to maintain a moist soil through the first summer into fall.
- Water well one final time in late November before the ground freezes to improve the plant's ability to tolerate winter desiccation.

**New Installations of Conservation Seed and Wild Flower Mixes**

- Water with 2" of water (30 mins of aerial irrigation) to thoroughly soak the soils every other day for two weeks following installation.
- Water at 1" two times per week to maintain a moist soil through the first summer into fall.

**Recommended Planting Seasons: Zone 5 and 6**

Spring Planting	Season Begins	Season Ends
Lawns	April 1-15	May 15-30
Evergreens	April 1-15	May 15-30
Deciduous Plants	April 1-15	May 15-30
Fall Planting	Season Begins	Season Ends
Lawns	August 1-15	September 15-30
Evergreens	September 1-15	November 1-15
Deciduous Plants	October 1-15	November 15-30



**Harvard Conservation Commission**  
**Policies and Procedures for Deer Management Subcommittee**

**DRAFT FOR DISCUSSION PURPOSES**

**May 30, 2023**

These policies and procedures outline the mechanisms by which the Deer Management Subcommittee (DMS) operates within the Conservation Commission (Con Com):

1. **Meetings:** a regularly-scheduling meeting date and time will be established; agendas and minutes will follow MA Open Meeting Law Regulations, 940 CMR 29.00.
2. **Communications:**
  - a. All communications with Con Com shall be conveyed to the Conservation Agent;
  - b. All communications with other Town of Harvard committees, subcommittees, commissions, staff, and officials shall be copied to the Conservation Agent;
  - c. Weekly reports on program shall be provided electronically between the start and end dates of state-permitted hunting in zones 9 and 10, including deer harvested, deer shot and not recovered, and parcels for both; and copy of complete hunter log data to date.
3. **Record-keeping:** all information collected by DMS, including but not limited to information on individuals participating in DMS-sponsored programs, shall be provided to the Conservation Agent for storage electronically on town-maintained computer servers and/or in hard copy in town files. This information includes but is not limited to:
  - a. The annual deer hunt logs;
  - b. Hunt participants' information including: name, address, date of birth, phone number (cell and/or land line), copy of MA hunting license, archery deer season stamp, and antlerless deer permit(s), license plate number for vehicle to be parked at any parcels included in program, date of qualification test for Harvard program; and
  - c. All program records from qualification testing including requirements for qualification, dates and results of all tests conducted and person certifying results.
4. **Equipment:** all equipment purchased by the Con Com for use in Deer management program shall be stored at the Con Com town office when not in use by the DMS.
5. **Hunter qualification testing:**
  - a. A member of the DMS and the Rangemaster of the club at which testing occurs shall be present at all qualifying tests;
  - b. Each participant shall have a poundage-pull check on each of their bows; and
  - c. Participants shall be required to hit a six-inch round target at 25 yards with at least three of five arrows;
  - d. All testing results shall be recorded including date, name of DMS member and rangemaster, location of testing, name of participant, poundage pulls, and target attempts and hits.
6. **Annual Checklist (first developed for 2022; see attachment A):** shall be updated no later than March 31<sup>st</sup> of each year; all tasks assigned to DMS will be confirmed completed by date indicated via communication with Conservation Agent.

7. **Mission:** DMS will report to the Con Com annually on progress toward the stated mission of the subcommittee, specifically addressing:
  - a. Investigating options for monitoring and managing the population of deer in Harvard with the goal of protecting the ecological integrity of its forests;
  - b. Engaging townspeople in the development of a plan;
  - c. Setting up the necessary structure to safely implement, supervise, and evaluate an ongoing deer management program;
  - d. Pursuing the MA Fish and Wildlife (now MassWildlife) goal for this region of 12-18 deer per square mile.

**RE: Review Estimate**

mjlanza@comcast.net

Tue 05/23/23 11:24 AM

To: Liz Allard &lt;lallard@harvard-ma.gov&gt;

Cc: Tim Bragan &lt;tbragan@harvard-ma.gov&gt;

Hi Liz –

I estimate that my review of the CR and all related communications will not exceed 2.5 hours or \$500.00.

Thank You

Mark

---

**From:** Liz Allard <lallard@harvard-ma.gov>  
**Sent:** Tuesday, May 23, 2023 8:59 AM  
**To:** Lanza, Mark <mjlanza@comcast.net>  
**Cc:** Tim Bragan <tbragan@harvard-ma.gov>  
**Subject:** Review Estimate

Good Morning Mark,

The ConCom is working with the Open Space Committee (OSC) on preserving land on Littleton County Road where the ConCom will be purchasing a conservation restriction (CR) from the Harvard Conservation Trust. The OSC is seeking a MVP reimbursable grant from the State, however in order to keep things on the time line being suggested by OSC the ConCom would not be reimbursed for the legal review of the CR. In order for ConCom to make a decision on how to proceed (have CR reviewed pre-grant or post) they have asked me to obtain a cost estimate from you to conduct said review. Attached please find the draft of the CR, which has not yet been fully vetted as of yet, but is very close to being complete. Thank you

Liz Allard  
Conservation Agent  
Town of Harvard  
13 Ayer Road  
Harvard, MA 01451  
978-456-4100 ext. 321

***The Commonwealth of Massachusetts Secretary of State has determined that e-mail is a public record. Privacy should not be expected.***