

**TOWN OF HARVARD
CONSERVATION COMMISSION AGENDA
THURSDAY AUGUST 5, 2021 @7:00PM**

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

Topic: Hildreth Pro's Conservation Commission Zoom Meeting
Time: Aug 5, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81233512023?pwd=MTM5U09heWZibTNRa3dqcGw3TXhnQT09>

Meeting ID: 812 3351 2023

Passcode: 399814

One tap mobile

+13017158592,,81233512023# US (Washington DC)

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Dial by your location

+1 301 715 8592 US (Washington DC)

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+1 929 436 2866 US (New York)

Meeting ID: 812 3351 2023

Find your local number: <https://us02web.zoom.us/j/81233512023>

New Business:

1. Election of Officers for Fiscal Year 2022
2. Requests for the use of conservation land:
 - Harvard Conservation Trust Annual Run for the Hills Event, October 31, 2021
 - The Commission's Position on the Stone land, Old Mill Road
 - Wetland Crossing for Trail near Bower's Springs
3. Request for a Certificate of Compliance – 5 Haskell Lane, DEP#177-668
4. Approve Minutes

Public Hearings:

7:30pm **Notice of Intent Hearing – James Galeski, 28 Shaker Road, Harvard#0721-01**, for the restoration of the 100' wetland buffer zone and wetland resource area with loam and seeding, plantings and stormwater control

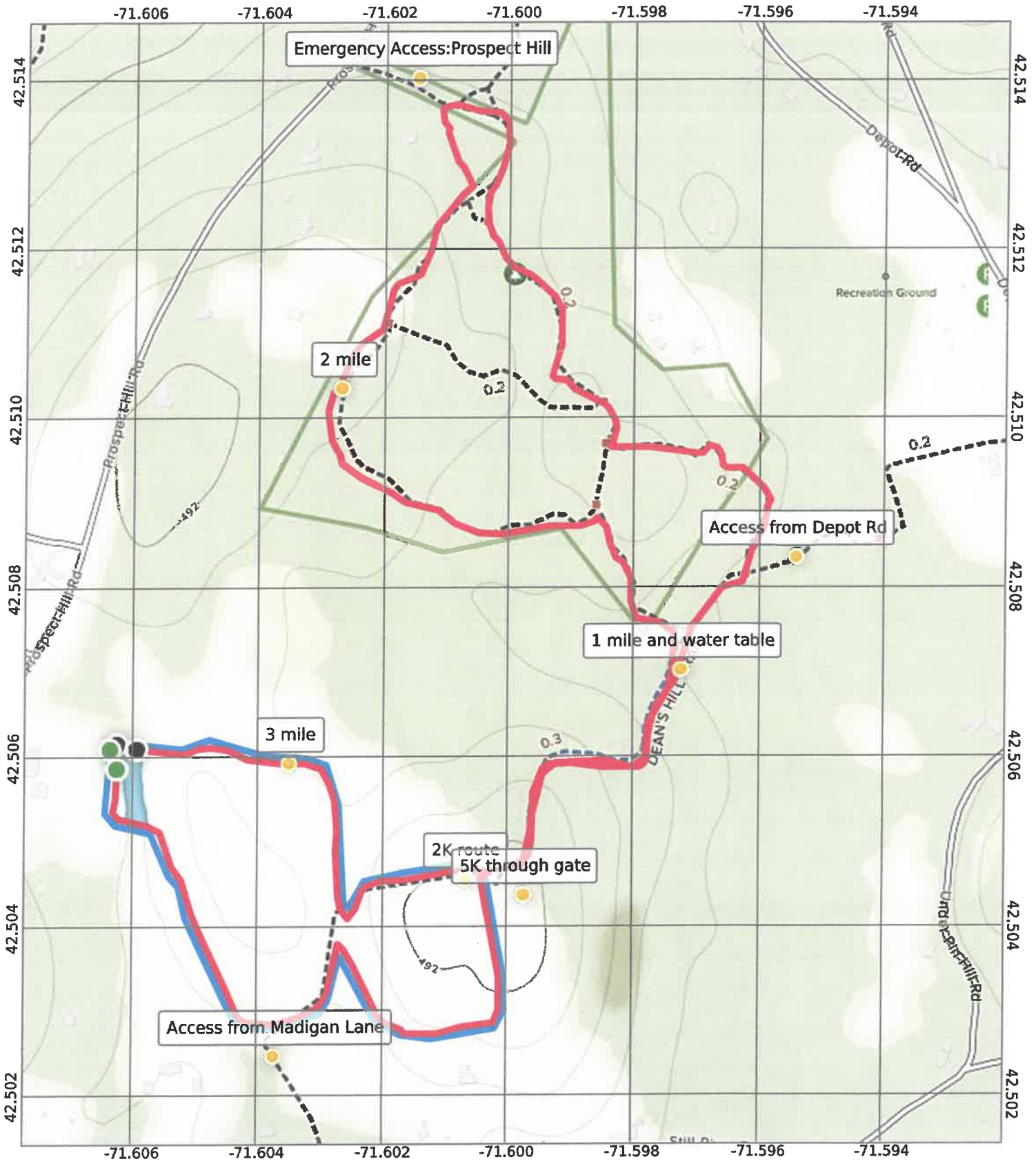
8:00am **Notice of Intent Hearing – Wheeler Realty Trust, 203 Ayer Road, Harvard#0721-02**, for the filling of a freshwater wetland with proposed replication adjacent to an existing bordering vegetated wetland located on the site

Old Business:

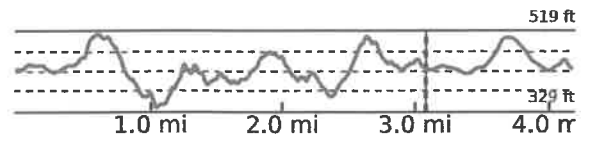
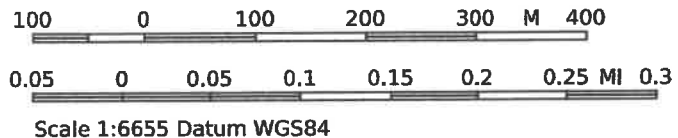
1. Deer Management Subcommittee Scouting Results & Recommended Properties for 2021 (7:10pm)
2. Discuss Proposed Land Use Boards Matrix for FY2023
3. Wetland Violations Update
 - 96 Ayer Road
 - 232 Still River Road
 - Peninsula Road
4. Pine Hill Village Update

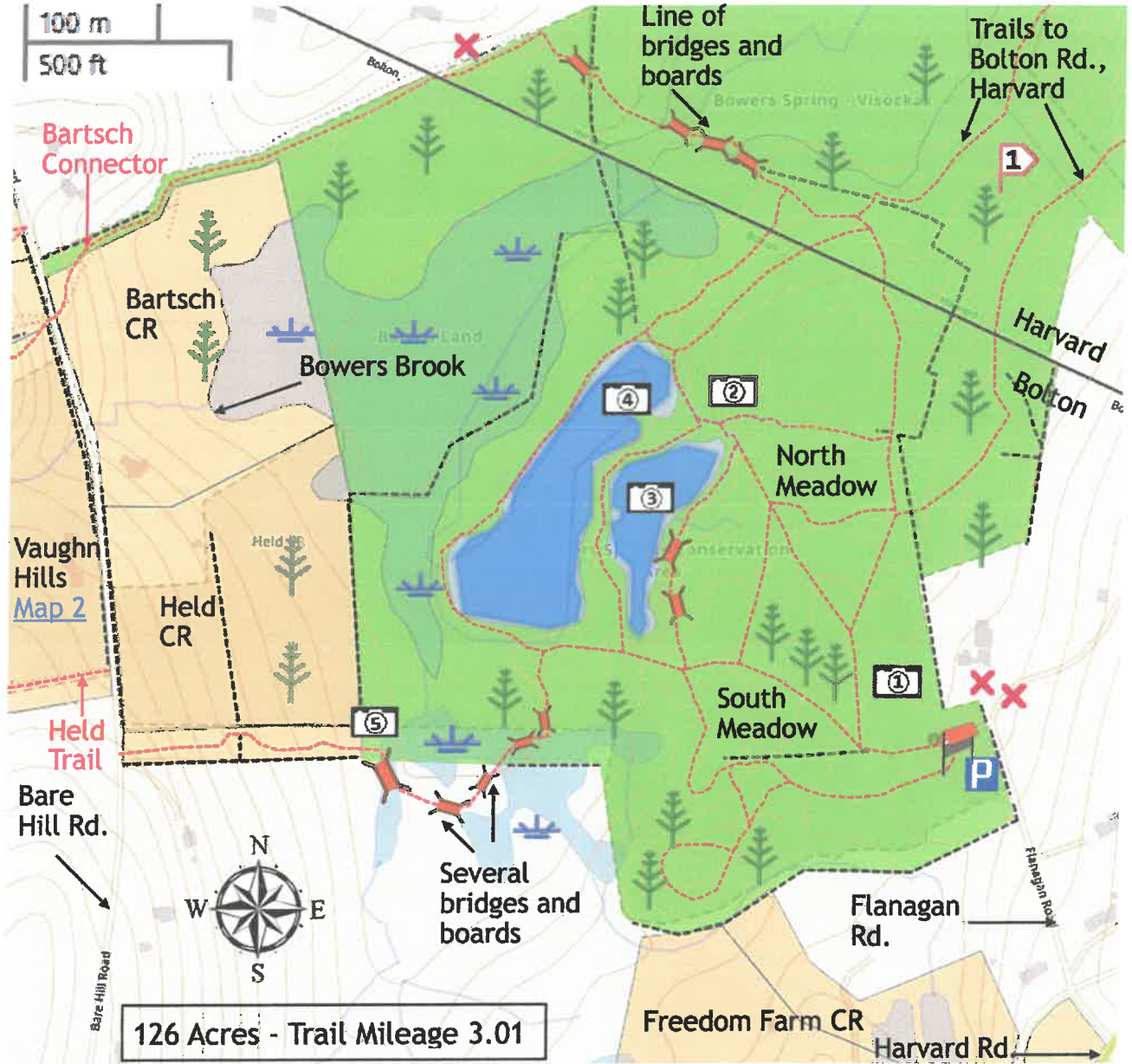
NEXT MEETING: AUGUST 19, 2021

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.



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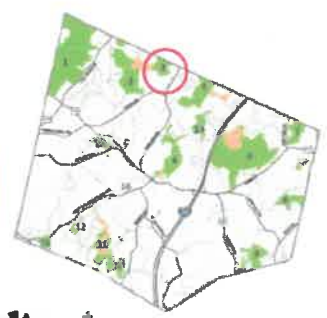
This map is based on OSM data © OpenStreetMap contributors. For more information see www.openstreetmap.org/copyright

Legend:

Contour lines at intervals of 20'

- | | | | |
|--|-----------------|---|-------------------------------|
| Private land or easement. Please stay on trail | Primary trail | Parking | Conservation Restriction |
| Town or Conservation Land. Please obey trail restrictions. | Secondary trail | Photo location | Kiosk |
| Lake or Pond. Permanent water. | No access | Point of interest mentioned in the text | Trail susceptible to flooding |
| Swamp, wetlands or area subject to flooding. | Stone wall | Bridge | |
| | Marsh or swamp | | |
| | Wooded area | | |

Click for GPS in KMZ format



Bolton Conservation Land Rules and Regulations.

The areas of Bolton Flats (Map 1) and Delaney Wildlife Management Areas (Map 7) fall under the Massachusetts Division of Wildlife regulations. Additional details can be found at: <https://www.mass.gov/orgs/division-of-fisheries-and-wildlife>.

The Bolton Conservation Commission welcomes responsible public use and enjoyment of land under its stewardship. Pursuant to Massachusetts General Laws Chapter 40, Section 8c, the Conservation Commission has adopted these rules and regulations to protect:

- Surface and groundwater resources
- Unfragmented forest habitat
- Wildlife habitat
- Open space and the trails system.

Prohibitions

- Hunting, trapping and discharging of firearms, arrows, paintballs, and pellets
- Motor vehicles, except for emergency response or municipal vehicles
- Dumping and/or littering
- Alcoholic beverages and glass containers
- Smoking
- Swimming except by attendees at the Tom Denney Nature Camp.

Advance permission needed in writing from the Bolton Conservation Commission for the following:

- Camping
- Fires
- Memorials or Displays
- Building new trails, extensions, and modifications to existing trails
- Cutting, removing, or damaging vegetation, except for the control of invasive species
- Collecting dead or downed wood, rocks or wildlife.

Any activities or uses not set forth here require the prior written permission of the Bolton Conservation Commission.

Adopted 12/21/2010

Filed with the Bolton Town Clerk 1/2/2011

Bolton Conservation Commission
663 Main Street, Bolton, MA 01740
978 779 3304
concom@townofbolton.com



Dogs must be under the direct control of an adult on conservation land.



Individuals walking dogs on conservation land must remove all feces.



Please keep dogs out of vernal pools and wetland resource areas.



Do not let dogs or individuals chase or harass wildlife.



Bowers Springs: One of Bolton’s most popular conservation areas, Bowers Springs is a wonderful place for picnics, nature walks, and cross-country skiing. Although it is not a dog park, it is popular with dog owners. No swimming is permitted in either of the two man-made ponds. In addition to the ponds, the area features an expansive meadow and a large woodland which extends into Harvard [1](#). Trails connect to Vaughn Hills ([map 2](#)) in Bolton and other conservation land in Harvard (<https://harvardconservationtrust.org/trails/>). This whole connected conservation area was a joint purchase by the Town of Bolton and the Town of Harvard in 1973. Bowers Springs is also a host site of the Tom Denney Nature Camp, an outdoor program for local children sponsored by Bolton Conservation Trust.



1 Allee from the North Meadow



2 Memorial Bench



5 “The Big Bridge” - High enough for Beaver flooding

Parking: *Flanagan Rd.* 14 cars. Do not park in the entryway or exit. NO PARKING ON FLANAGAN RD. 42.462750, -71.603917

Connections: On the west the Bartsch Connector and the Held Trail connect to the Vaughn Hills Conservation Area ([map 2](#)). The trails on the north connect to Harvard’s Bare Hill Wildlife Sanctuary and eventually to the Mary Abbot Trail leading to Bolton Rd.

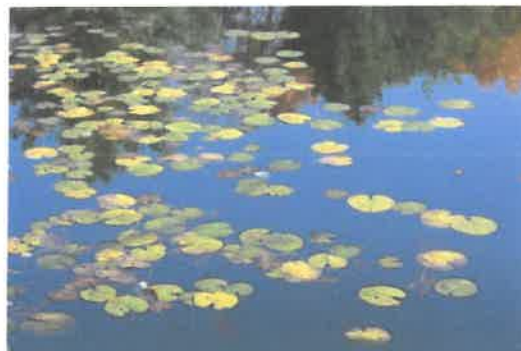
Suggested walks:

Short: Circuit of any of the ponds.

Longer: Circuit of both ponds, and the meadows.

Challenging: Make a loop from Bowers Springs out to Vaughn Hills using the east-west trail on the Held CR. Climb the hills and/or make a circuit of the pond, then return west-to-east via the Bartsch Connector.

Very Long: The Bolton Loop Trail passes through Bowers Springs. For more information contact the trails Committee.



3

Lily Pads in the Upper Pond



4

Fall colors at the Lower Pond



DRAFT
**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
APRIL 15, 2021**

Chair Don Ritchie called the meeting to order at 7:03pm, virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

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

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Don Osmer, Sue McCarthy (Mass Division of Fisheries & Wildlife), Jody Trunfio (The Engineering Company), Matt Perry (The Engineering Company), Mike Huguenin (Mass Division of Fisheries & Wildlife), Bob Douglas (Deer Management Subcommittee), David Crossman (B&C Associates), Brian Sage, Tom Cotton (Deer Management Subcommittee), Daniel Tracey, Jason Cole, Ben Urquhart (Deer Management Subcommittee), Greg Arthur, Guy Oliver, and Joe Pulido (Deer Management Subcommittee)

Request for Certificate of Compliance – 51 Wescott Road DEP#177-221

Jaye Waldron made a motion to issue the Certificate of Compliance for 51 Westcott Road, DEP#177-221. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Mark Shaw, aye; and Don Ritchie, aye.

Planning Board Request for Comments

- **120 Pinnacle Road (Scenic Road Consent) – No Comments**
- **60 Old Shirley Road & 336 Old Littleton Road (Cell Tower Renewal) – No Comments**

Allocation of Funding for Eagle Scout Boardwalk on Bare Hill Wildlife Sanctuary

Jaye Waldron made a motion to approve the allocation of funds not to exceed \$3500.00 for boardwalks at the Bare Hill Wildlife Sanctuary. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Approve Minutes

Mark Shaw made a motion to approve the minutes of December 17, 2020 as drafted. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by roll call, Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Approve Invoices

Jaye Waldron made a motion to approve the invoices from Massachusetts Association of Conservation Commissioners in the amount of \$75.00 and the invoice for the Harvard Press in the amount of \$48.00. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Annual Appointments – Schedule Interviews

Wendy Sisson stated Paul Willard brings a long history of Harvard to the Commission, as well as being a farmer in Town; Joanne Ward has been diligent in attending training from Massachusetts Association of Conservation Commissioners (MACC) and her current position with Nashua River Watershed Association is a key connection to the Commission; Eve Wittenberg has been a very involved associate member, attending all meetings, site walks and MACC trainings. Both Don Ritchie and Jaye Waldron agreed with Ms. Sisson's summation of the existing members seeking

57 re-appointment. Jim Burns made a motion to recommend the re-appoint of all three members.
58 Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll
59 call, Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie,
60 aye.

61
62 **Continuation of a Notice of Intent Hearing – Parks & Recreation Commission,**
63 **Harvard#0221-02.** Opened at 7:45pm

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65 **Continuation of a Request for Determination of Applicability - B&C Associates, Inc. 169**
66 **Littleton County Road, Harvard#0121-03.** Opened at 7:49pm

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68 **Continuation of the Revisions to Code of Harvard Chapter 147 Harvard Wetland Bylaw**
69 **Regulations.** Opened at 7:55pm

70
71 **Review 310 CMR 10.03(3) - Presumption Concerning 310 CMR 15.000: The State**
72 **Environmental Code, Title 5**

73 Liz Allard has heard back from the Department of Environmental Protection who confirmed the
74 availability of an alternative does trigger the requirement of the setbacks as stated in the
75 regulation referenced above.

76
77 **Continuation of a Notice of Intent Hearing – Harvard Department of Public Works,**
78 **Harvard#0321-04.** Opened at 8:04pm

79
80 **Deer Management Subcommittee 2020 Report & Update on Transects & Stand Weep**
81 Bob Douglas, chair of the Deer Management Subcommittee (DMS), reviewed the 2020 report to
82 the Commission. Ben Urquhart explained the hunter log, which produced some interesting
83 results, the two surveys and more effective tools for next year. Mr. Douglas stated the hunters felt
84 log was to time consuming. Tom Cotton detailed the conservation lands used for the 2020
85 hunting season. The season resulted in one deer being taken from conservation land. Hunters
86 thought with 30 approved participants the areas would be saturated, which turn out not to be the
87 case. Mr. Douglas stated the DMS is satisfied with the program.

88
89 Don Ritchie stated there were some glitches with the first year, but he would like to continue with
90 program to be able to work those out.

91
92 Sue McCarthy, a Wildlife Biologist from Mass Division of Fisheries & Wildlife, reiterated the need
93 of hunters to spend time on the land to be able to become familiar with a property, which will lead
94 to higher success rates..

95
96 Daniel Tracy thought there was conflicting information between the reduced scouting time and the
97 number of harvested deer. The deer that was harvested was from a hunter that has permission
98 to hunt on the abutting private property; he was able to have some insight as to the habits of the
99 deer in that area. Mr. Douglas hopes to get hunters out in late spring or summer on new lands.
100 Ms. McCarthy stated most hunters start scouting in August; she would encourage new properties
101 be available for scouting by late summer.

102
103 Eve Wittenberg stated the best hunting parcels are those that are less used by other hunters and
104 others recreational users. Ms. McCarthy would not be too concerned with human scent and
105 behavior as much, but sometimes hunters are particular on how they want to set up their stands
106 or spots. Ms. McCarthy preference her statement with areas that are frequented by others should
107 not be considered; hunters are going to be areas that are far removed from the areas used by
108 others.

109
110 Wendy Sisson had some question about the scents used by hunters introducing chronic wasting
111 disease; could Ms. McCarthy comment on the safety of using these scents. Ms. McCarthy stated
112 there is a concern they can be shed in urine; some states are looking at a ban; Massachusetts

113 has not yet banned. Mike Huguenin, also from Mass Division of Fisheries & Wildlife, stated the
114 safety and health laws that are in place are the best way to govern the deer hunt; you should rely
115 on that information. Ms. Sisson would make the recommendation that the State consider a ban;
116 this may make more towns comfortable with having hunting on conservation land.

117
118 Mr. Tracey was surprised by the 69 deer harvested in Harvard this year; is that typical; did Ms.
119 McCarthy know what the ratio is with other towns between private and public property. Ms.
120 McCarthy stated it was hard to say as she does not have the numbers in front of her. Mr. Ritchie
121 asked if the average over the past ten years could be provide to the Commission.
122

123 Mr. Ritchie thanked Mr. Douglas and the members of DMS for their work, as well as Ms.
124 McCarthy & Mr. Huguenin for attending this evening.
125

126 Mr. Douglas stated the DMS will report their recommendations for the addition of other
127 conservation areas at a future date.
128

129 **Update on Pine Hill Village Stow Road**
130 There was no update available this evening.
131

132 **Adjournment**
133 Jim Burns made a motion to adjourn the meeting at 8:58pm. Jaye Waldron seconded the motion.
134 The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron,
135 aye; Mark Shaw, aye; Jim Burns, aye; and Don Ritchie, aye.
136

137 Respectfully submitted,
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139 Liz Allard,
140 Land Use Administrator/
141 Conservation Agent
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EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated April 15, 2021
- NOI Resource Area Impact Plan, Old Mill Road Over Bowers Brook Bridge Rehabilitation, Project No. T1048, prepared for Harvard Public Works, prepared by The Engineering Corp., 4/13/2021

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**Harvard Conservation Commission
Continuation of a Notice of Intent Hearing
Parks & Recreation Commission, Harvard#0221-02
April 15, 2021**

175 The public hearing was opened at 7:45pm by Chair Don Ritchie under MGL Chapter 131 §40
176 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection
177 Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions
178 of the Open Meeting Law, MGL Chapter 30A §20.
179

180 **Members Present:** Don Ritchie, Wendy Sisson, Jaye Waldron, Jim Burns, Mark Shaw and Eve
181 Wittenberg (Associate Member)
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183 **Others Present:** Liz Allard (Land Use Administrator/Conservation Agent), Bob O'Shea (Parks &
184 Recreation Commission)
185

186 This hearing was continued from April 1, 2021 for a Notice of Intent filed by Harvard Parks &
187 Recreation Commission for the generalized operation and maintenance of parks and recreation
188 fields and trails within 100' of a wetland resource area at the following locations: 19 & 34
189 Lancaster County Rd, 55 & 71 Depot Rd, Ann Lees Rd, 14 & 27 Mass Ave, and 4 & 15 Pond Rd,
190 Harvard.
191

192 With the Department of Environmental Protection File Number being issued with no comments
193 Mark Shaw made a motion to close the hearing and issue an Order of Conditions with the
194 standard conditions. Jim Burns seconded the motion. The vote was unanimously in favor of the
195 motion by a roll call, Wendy Sisson, aye, Jaye Waldron aye; Jim Burns, aye; Mark Shaw, aye;
196 and Don Ritchie, aye.
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199 Respectfully submitted,
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202 Liz Allard
203 Land Use Administrator/
204 Conservation Agent
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Harvard Conservation Commission
Continuation of a Request for Determination of Applicability
B&C Associates, Inc. 169 Littleton County Road, Harvard#0121-03
April 15, 2021

The public hearing was opened at 7:49pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

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

Others Present: Liz Allard (Land Use Administrator/Conservation Agent) and David Crossman (B&C Associates)

This hearing was continued from February 4, 2021 for a Request for Determination of Applicability filed by B&C Associates, Inc., for the removal and management of invasive plant species within the 100' buffer zone of a wetland resource area at 169 Littleton County Road, Harvard.

Dave Crossman, of B&C Associates, explained the work that has occurred and the work that is to be conducted on the site. As noted on the site walk, the tree of heaven (*Ailanthus altissima*), which is an invasive plant species, needs to be addressed. Areas along the driveway that include invasive plant species are to be included in this application as well; primarily multiflora rose.

The Commission discussed the ongoing compliance issue with the property owner's father-in-law, who owns the property at 175 Littleton County Road. There needs to be a clear process of understanding the conditions of the permit by those who do the work on the site. Mr. Crossman stated the site contractor, Dave Ericson, is not familiar with tree of heaven, but Mr. Crossman has done some research and will be creating a management plan. It was suggested having Mr. Ericson sign-off on any activity he is conducting on the site. Mr. Crossman will discuss the matter of work being done within the resource areas and its buffer zone without proper permitting from the Commission with the property owner. It is recommended that the mowing of the wet meadow only be conducted once a year (September/October) and the grass is to be cut no less than six inches. A condition of notification every time someone is working on the site was also recommended. Mr. Crossman will continue to develop the three-year plan for the property and was amenable to continuing the hearing.

Wendy Sisson made a motion to continue the hearing to May 6, 2021 at 7:35pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Wendy Sisson, aye, Jaye Waldron, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

**Harvard Conservation Commission
Continuation of the Revisions to Code of Harvard
Chapter 147 Harvard Wetland Bylaw Regulations
April 15, 2021**

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The public hearing was opened at 7:45pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

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

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

This hearing was continued from March 15, 2021.

Liz Allard stated the Stormwater section has been updated, with comments received today needing to be incorporated. Wendy Sisson still has not drafted her revisions in regards to the vegetation replacement section.

Jaye Waldron made a motion to continue to May 6, 2021 at 8:00pm. Jim Burns seconded the motion. The vote was in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

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Harvard Conservation Commission
Continuation of a Notice of Intent Hearing
Department of Public Works,
Old Mill Road, Harvard#0321-04
April 15, 2021

The public hearing was opened at 8:04pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

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

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Matt Perry (The Engineering Company) and Jody Trunfio (The Engineering Company)

This hearing was continued from April 1, 2021 for a Notice of Intent filed on behalf of Harvard's Department of Public Works to replace traffic safety features and minor patching along the substructure within the resource area and its 100' riverfront area at the bridge crossing of Bower's Brook between 6 and 22 Old Mill Road, Harvard.

Jody Trunfio, of The Engineering Company, revisited the site with Don Ritchie, Liz Allard and Tim Kilhart as requested previously. Mr. Trunfio detailed the erosion along the north side of the roadway and explained the area is the low point of the roadway. Two corrective actions will be taken to reduce the erosion into the stream below. First, as detailed on the revised plan, existing vegetation and sediment will be removed from the slope and replaced with 6" crushed stone to aid in the slowing of water and trapping of sediments. The second corrective action will take place when the paving of Mill Road is complete, which will improve drainage in that area.

The request from the previous meeting to reconsider milling material under the guardrail was also discussed and determined to be the best solution for that area. The Harvard erosion detail has been added to the plan.

Still without comments and a file number from the Department of Environmental Protection, Jim Burns made a motion to continue the hearing to May 6, 2021 at 7:30pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

DRAFT
HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JUNE 17, 2021

Chair Don Ritchie called the meeting to order at 7:03pm, virtually pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

Members Present: Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward, Jim Burns (arrived at 7:08pm), Mark Shaw (arrived at 7:09pm) and Eve Wittenberg (Associate Member)

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

Discuss Potential Wetland Violation – 232 Still River Road

The property owner was unavailable this evening, but wanted to reassure the Commission that no further activity was to take place in the area of concern until the intent of that area is fully discussed with the Commission.

Allocation of Funding for Bat Box Pole Supports at Ann Lees Field

After a brief discussion as to the need for the bat boxes and the pole to mount them on, Wendy Sisson made a motion to allocate \$160.00 from the Conservation Fund for the purchase of poles to support bat boxes on the Ann Lees Field. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye Waldron, aye; Joanne Ward, aye; and Don Ritchie, aye.

Approve Minutes

Jaye Waldron made a motion to approve the minutes of January 21, and February 4, 2021 as amended. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Wendy Sisson, aye, Jaye Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; and Don Ritchie, aye.

Approve Invoices

Joanne Ward made a motion to approve the invoices for Massachusetts Association of Conservation Commissioners in the amount of \$55.00 and Heritage Fields in the amount of \$1200.00. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Wendy Sisson, aye, Jaye Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; and Don Ritchie, aye.

Request for Determination of Applicability Hearing –Rebecca Dilthey, 124 Depot Road Harvard#0521-01. Opened at 7:30pm

Pump Bike Track Proposal – Pond Road

Don Ritchie and Jim Burns recently met with Bob O'Shea, chair of the Parks & Recreation Commission, to review the suggested site for a pump track. There appears to be no areas within the proposed location that would be under the jurisdiction of the Conservation Commission. Mr. Burns did provide some suggestions as to how to locate the track on the parcel.

Wetland Violations:

- 96 Ayer Road – Awaiting Request for Determination of Applicability
- 71 Lancaster County Road – Awaiting Request for Determination of Applicability
- 232 Still River Road – See above "Discuss Potential Wetland Violation – 232 Still River Road"
- 28 Shaker Road – Awaiting Notice of Intent
- 193 Old Littleton Road – Determination of Applicability has been filed

- 57 • Peninsula Road – Information still pending

58

59 **Update on Pine Hill Village Stow Road**

60 Don Ritchie is still reviewing as-built plans received that detail the stormwater feature that have
61 been installed to date.

62

63 **Adjournment**

64 Jaye Waldron made a motion to adjourn the meeting at 7:44pm. Joanne Ward seconded the
65 motion. The vote was unanimously in favor of the motion by a roll call, Wendy Sisson, aye, Jaye
66 Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; Jim Burns, aye; and Don Ritchie, aye.

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69 Respectfully submitted,

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72 Liz Allard,

73 Land Use Administrator/
74 Conservation Agent

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EXHIBITS & OTHER DOCUMENTS

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- 79 • Conservation Commission Agenda, dated June 17, 2021

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Harvard Conservation Commission
Continue of a Request for Determination of Applicability
Rebecca Dilthey, 124 Depot Road Harvard#0521-01
June 17, 2021

The public hearing was opened at 7:30pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

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

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

This hearing was continued from June 3, 2021 on a Request for Determination of Applicability filed on behalf of Rebecca Dilthey for the expansion of an existing deck within the 100' buffer zone of a wetland resource at 124 Depot Road, Harvard.

At the applicant's request Jim Burns made a motion to accept the withdrawal of this application. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Wendy Sisson, aye, Jaye Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

DRAFT
HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JULY 1, 2021

Chair Don Ritchie called the meeting to order at 7:02pm, virtually pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

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

Others Present: Liz Allard (Land Use Boards Administrator/Conservation Agent), Christopher Brumby, Erin McBee, Kevin Ritchie (Civic Solutions) and Abbe Alpert

Discuss Options for Public Meetings

Members discussed their opinions in regards to continuing to meet virtually, return to in-person or a hybrid of the two. The Commission agreed there could be times when being able to participate remotely would be convenient, such as if you are not feeling well. The members would be amenable to the idea of setting one meeting as virtual and one as in-person each month. Additional information on the requirements of a hybrid meeting needs to be determine before a finally determination can be made. For the summer, the Commission will continue with virtual meetings.

Informal Discussion on Proposed Plan with Nathan Bailey -131 Bolton Road

Although Nathan Bailey was not in attendance, the Commission discussed his request for feedback on the proposed plan on his property, which includes but is not limited to, the addition of a pool area, fire pits, fencing and deck. The Commission concluded they want the restoration plan approved last year completed before they would entertain any additional work to be completed on the property. The Commission indicated they would not be in favor of allowing for structures within the 75' wetland buffer zone as shown on the plan.

Approve Minutes

Paul Willard made a motion to approve the minutes of February 18, March 4, and March 18 as amended. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Jim Burns, aye; Jaye Waldron, aye; Joanne Ward, aye; Mark Shaw, aye; and Don Ritchie, aye.

Approve Invoices

Joanne Ward made a motion to approve the invoices for the annual dues for Massachusetts Association of Conservation Commissioners in the amount of \$837.00 (\$777.00 + 60.00 (staff dues)) and Nitsch Engineering, for site inspections at Pine Hill Village in the amount of \$1240.00. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Joanne Ward, aye; Jaye Waldron, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Request for Determination of Applicability Hearing –Christopher Brumby, 193 Old Littleton Road, Harvard#0621-01. Opened at 7:30pm

Request for Determination of Applicability Hearing – Steve Abrams & Abbe Alpert, 30 Jacob Gates Road, Harvard#0621-02. Opened at 7:45pm

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Wetland Violations:

- 96 Ayer Road – Awaiting Request for Determination of Applicability
- 71 Lancaster County Road – Request for Determination of Applicability submitted for the July 15, 2021 meeting
- 232 Still River Road – No new information
- 28 Shaker Road – Site visit this coming Tuesday with the consultant
- Peninsula Road – Violation yet determined

Update on Pine Hill Village Stow Road

The additional plans of the drainage system on the site have been received as requested; Don Ritchie is continuing to review these plans.

Adjournment

Paul Willard made a motion to adjourn the meeting at 7:51pm. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Joanne Ward, aye, Jaye Waldron, aye; Mark Shaw, aye; Jim Burns, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated July 1, 2021
- Bailey Residence Master Plan, Harvard, MA prepared by Fieldstone Design, June 20, 2021
- Attached Map 193 Old Littleton Road undated
- Sewage Disposal System Plan 30 Jacob Gates Road, Harvard, Massachusetts, Job No. 20112, DWG No. 20-112GM, prepared by Civil Solutions, Inc., 6/29/2021

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Harvard Conservation Commission
Request for Determination of Applicability
Christopher Brumby, 193 Old Littleton Road, Harvard#0621-01
July 1, 2021

The public hearing was opened at 7:30pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

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

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

This hearing is for a Request for Determination of Applicability filed on behalf of Christopher Brumby for the installation of a fence and patio within the 100' buffer zone of wetland resource area at 193 Old Littleton Road, Harvard.

Christopher Brumby was present to discuss the installation of a fence within the 100' wetland buffer zone to contain his dogs. The submitted application also includes the addition of a patio in the buffer zone, as well. As requested, Liz Allard reviewed the site again today as a follow up to the site walk on Tuesday. Ms. Allard determined the fencing is located at the edge of the existing lawn, within the limit of work area established under a previous Order of Conditions and in front of the granite markers that indicate a protect wetland.

After some clarification of location of the fencing, Joanne Ward made a motion to close the hearing and issue a Negative #3 Determination of Applicability with no additional conditions. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

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**Harvard Conservation Commission
Request for Determination of Applicability
Steve Abrams & Abbe Alpert,
30 Jacob Gates Road, Harvard#0621-02
July 1, 2021**

The public hearing was opened at 7:45pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

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

Others Present: Liz Allard (Land Use Administrator/Conservation Agent), Kevin Ritchie (Civil Solutions and Abbe Alpert

This hearing is for a Request for Determination of Applicability filed on behalf of Steve Abrams & Abbe Alpert for the replacement of a sewage disposal system within the 100' buffer zone of a wetland resource area at 30 Jacob Gates Road, Harvard.

Kevin Ritchie, from Civil Solution, detailed the application for the replacement of an existing septic system. Mr. Ritchie stated the site has limitation due to existing ledge and the location of the well. The system is proposed to be located in the same location as it is now, putting it 81' from the wetland resource area. When asked, Mr. Ritchie stated the system would not be located with the 75' wetland buffer zone and that grading for this type of system (Geomat[®]) is minimal as the off-set to ground water is reduced.

Jaye Waldron made a motion to close the hearing and issue a Negative #3 Determination of Applicability with the condition that the erosion control barrier is to be inspected by the Conservation Agent prior to activity. Jim Burns seconded the motion. The vote was unanimously in favor of the motion by a roll call, Paul Willard, aye; Jaye Waldron, aye; Joanne Ward, aye; Jim Burns, aye; Mark Shaw, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

Proposed Parcels for the 2021 Deer Management Program

July 6, 2021

The second season of the Town of Harvard Deer Management Program is fast approaching. Archery season in Zone 10 starts October 4th and Zone 9 starts October 18th. In the first year of this program the five conservation lands open for deer hunting were Barrett, Damon-Stephenson, Rodriguez, Perini and Willard-Poitras.

For this upcoming season the Deer Management Subcommittee (DMS) would like to propose 10 more parcels to open for the deer archery hunt. These 10 parcels are a subset of the list of 13 parcels that the Conservation Commission's Stewardship Committee suggested that the DMS consider for this year.

Tom Cotton of the DMS used the Town of Harvard's on-line GIS tool to develop maps of the recommended parcels showing the trails on them, the 500' setbacks from adjacent residences and the approximate area (in acres) of the potential "hunnable" area.

The DMS then reached out to several hunters that participated in the 2020 Deer Management Program to ask their assistance in visiting these parcels on the Stewardship Committee's list to analyze them for their potential for including in the program – are there signs that there are deer there, how is the access to the property, and such. The feedback from these volunteers was that all the parcels showed deer activity – some more than others. The consensus from them were all 13 parcels would be good candidates to include in the program.

The DMS at their meeting of July 6, 2021, voted unanimously to recommend to the Conservation Commission that the following 10 parcels be considered for inclusion in the 2021 Deer Management Program in addition to the five parcels from 2020: Blomfelt, Dunlap, Great Elms, Hermann Orchard, Maxant, Prospect Hill, Shaker Spring House, Sprague, Vesenska and Williams. The DMS felt they did not need to endorse all 13 parcels that were suggested at this time and thus decided to consider for future discussion the Gillette, Holy Hill and Old Mill parcels.

The DMS asks that the Commission make a timely decision on the request to include these parcels in this year's program. We would like to give the program participants ample time to scout all the parcels prior to the start of the season.

DMS is still discussing hunter distribution on the program parcels. We feel it is important that all parcels are hunted. DMS will propose a procedure to the Commission in the near future for distributing program participants across all the parcels.



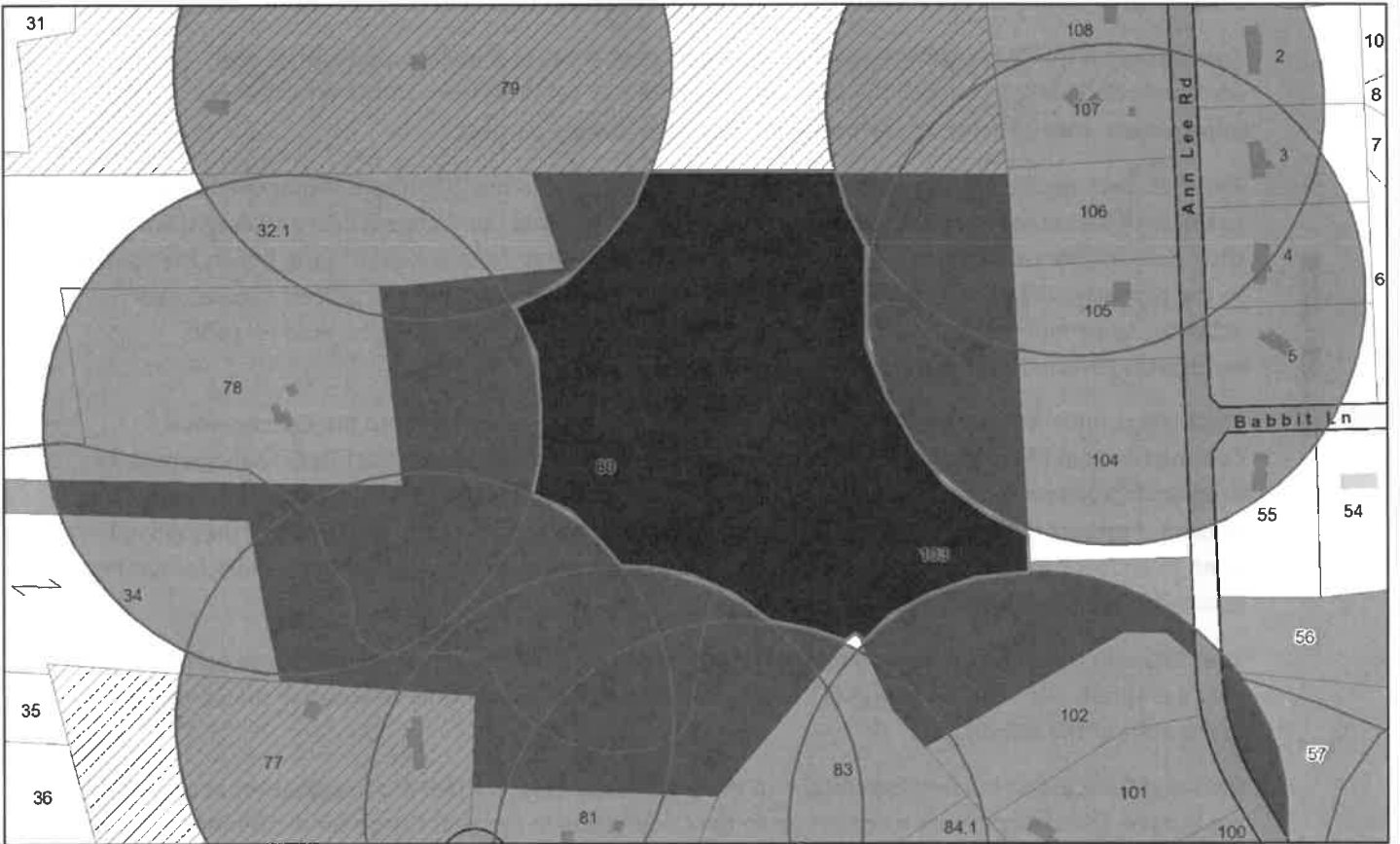
Blomfelt Land

13.4 acres

1 inch = 277 Feet



February 11, 2021



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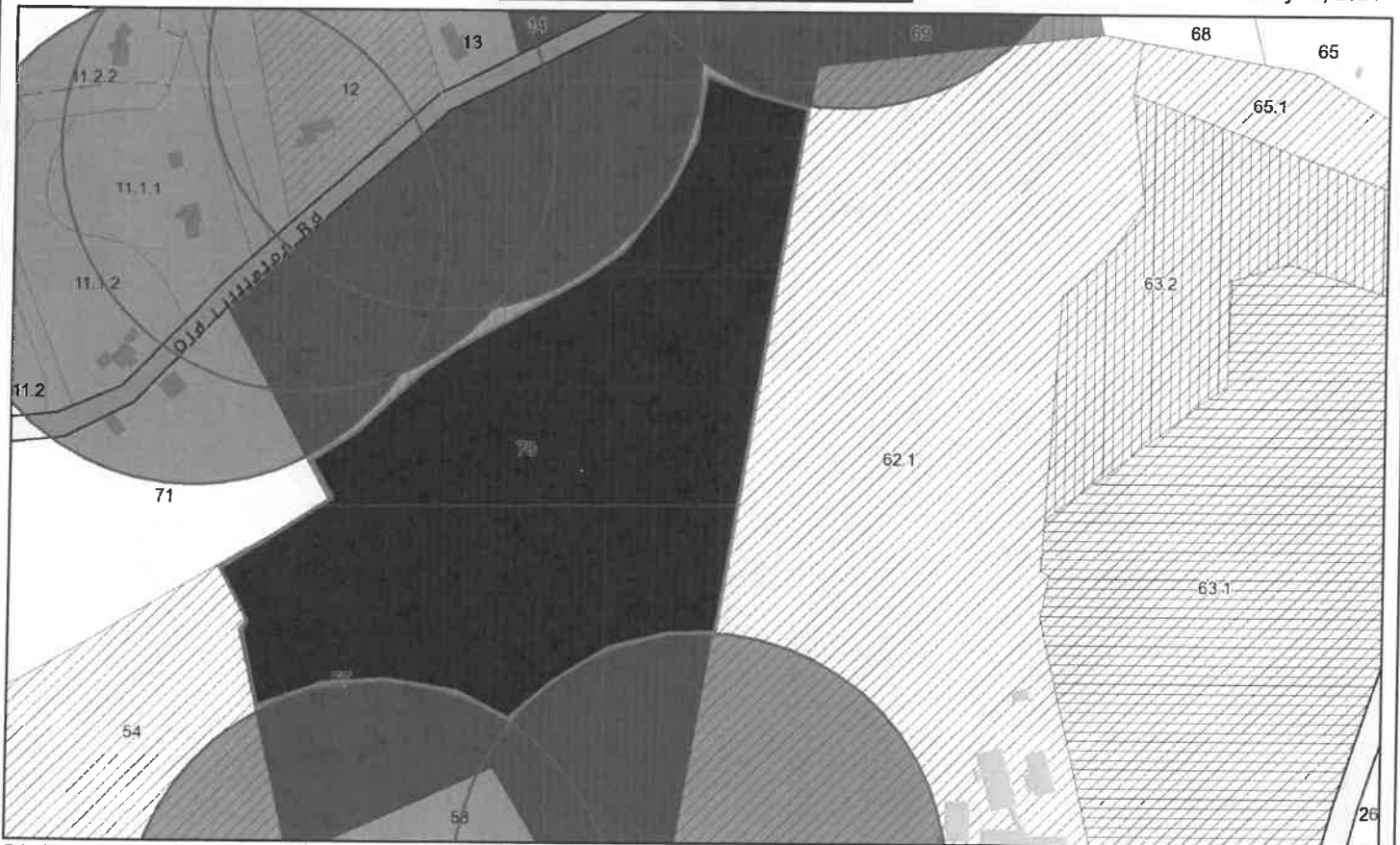
Dunlap Land

17.1 acres

1 inch = 277 Feet



February 11, 2021



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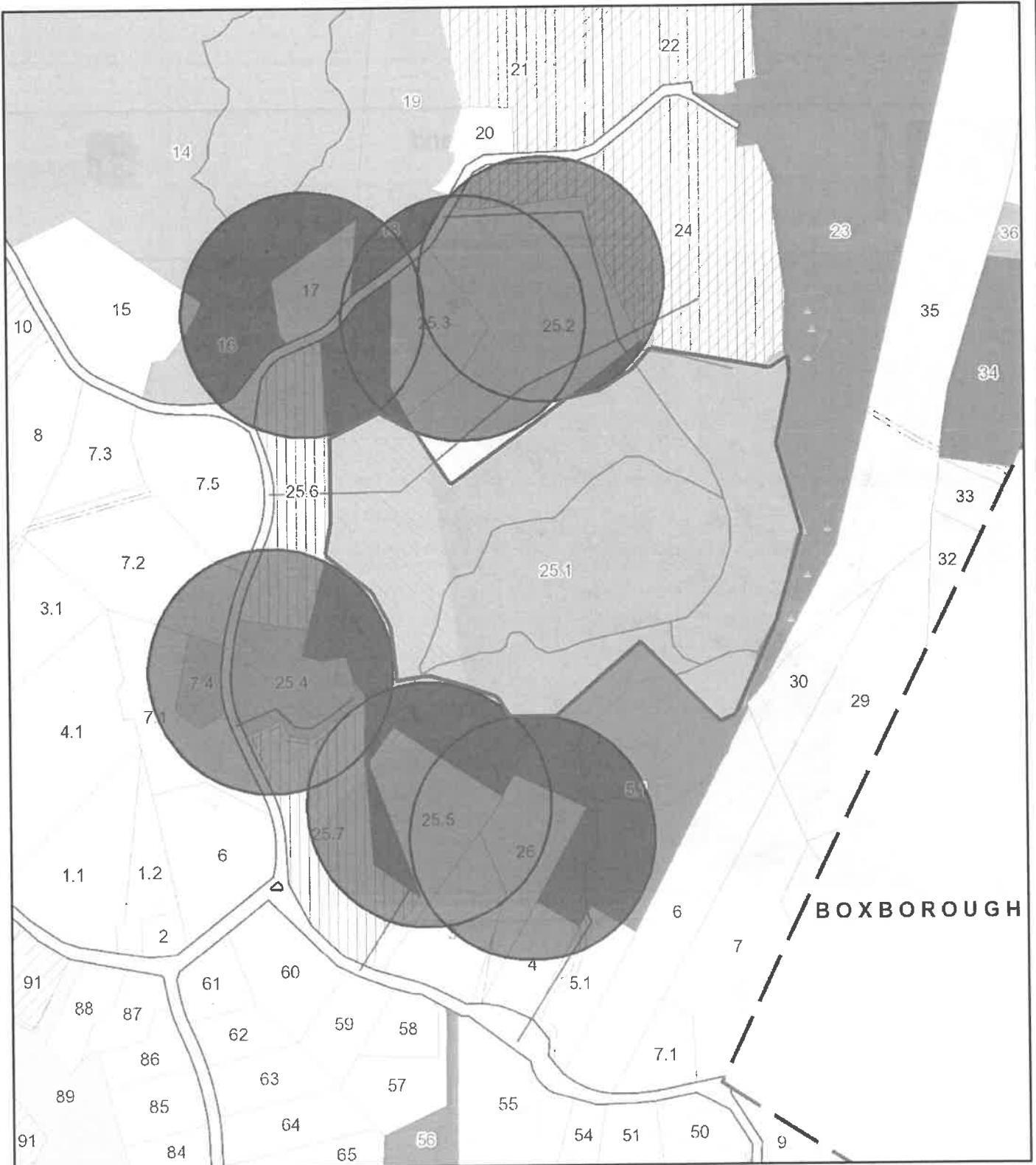
Great Elms

47 acres

1 inch = 555 Feet



February 11, 2021



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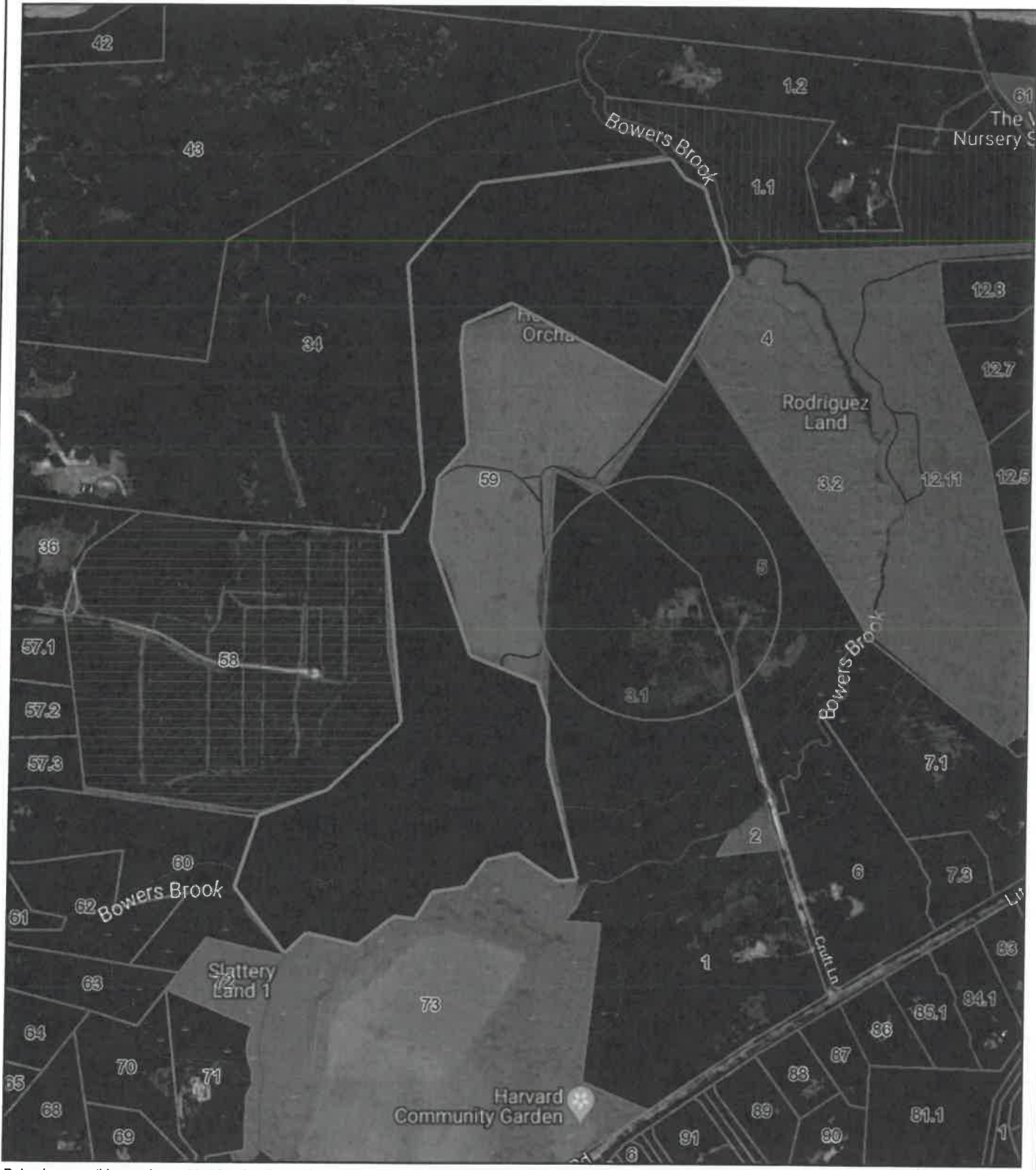
Hermann Orchard

46 acres

1 inch = 555 Feet



February 11, 2021



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Maxant Land

8.1 acres

1 inch = 277 Feet



February 11, 2021



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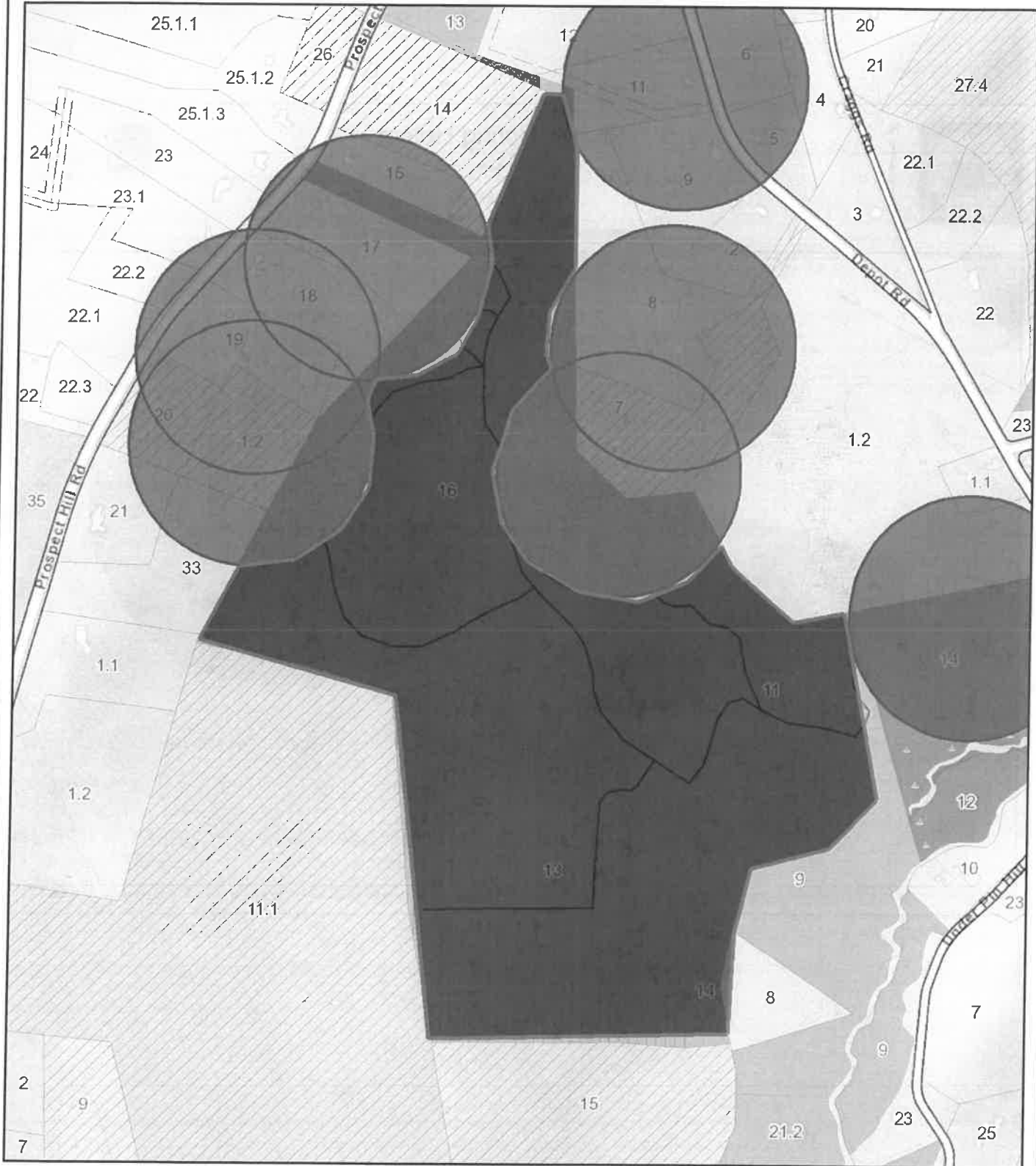
Prospect Hill

96 acres

1 inch = 555 Feet



February 11, 2021



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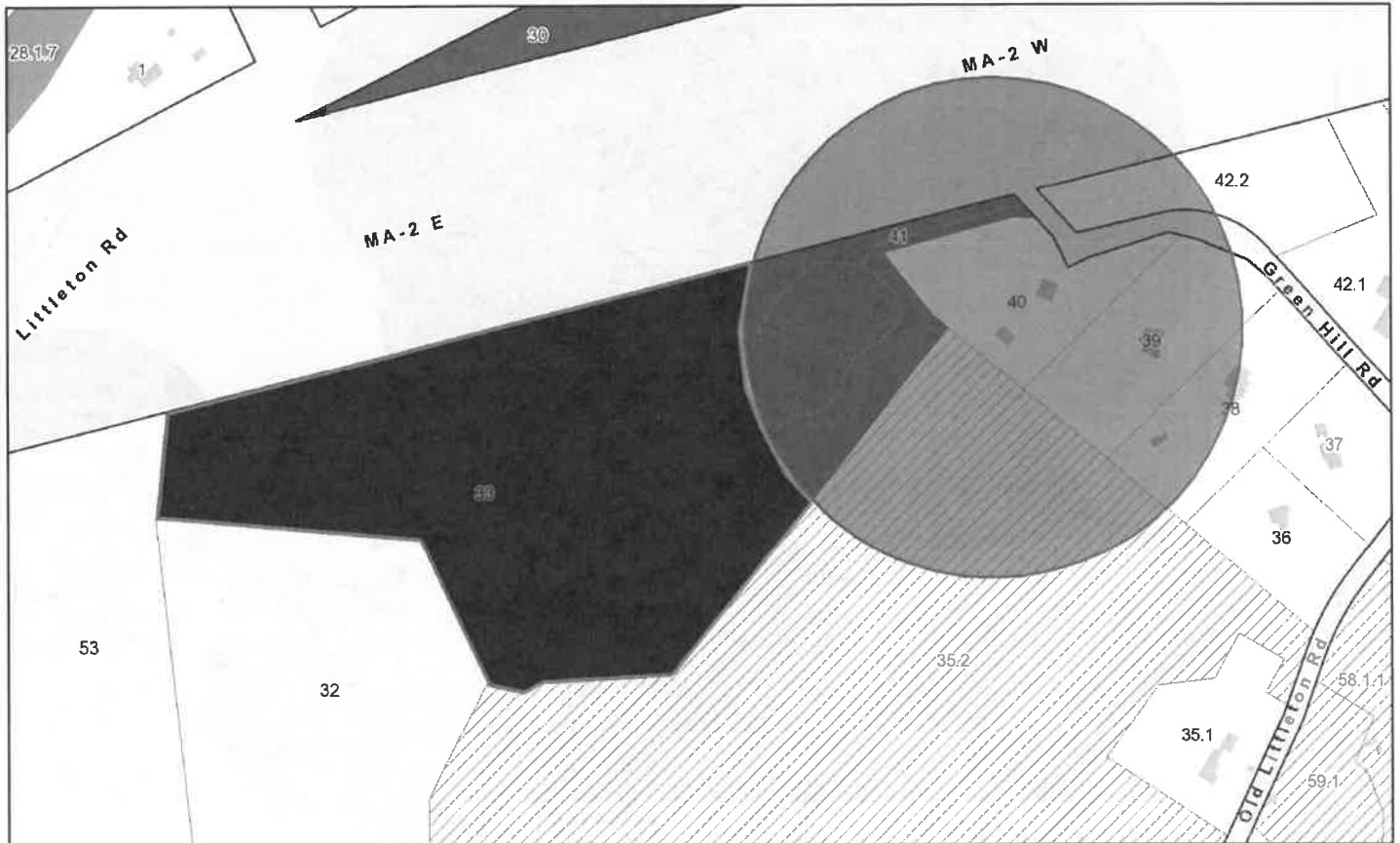
Shaker Spring House

14.4 acres

1 inch = 277 Feet



February 11, 2021



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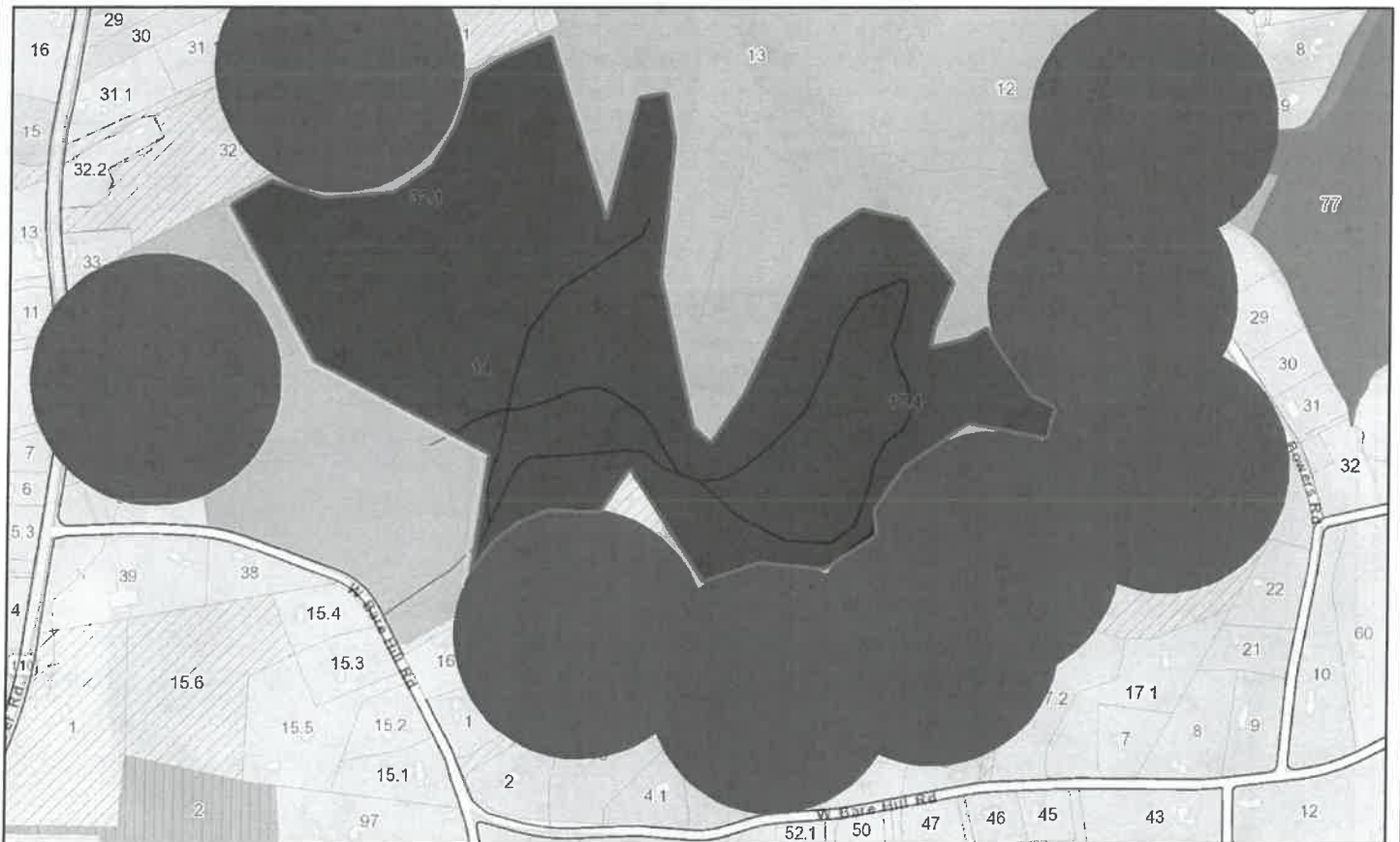
Sprague Land

73 acres

1 inch = 555 Feet



February 11, 2021



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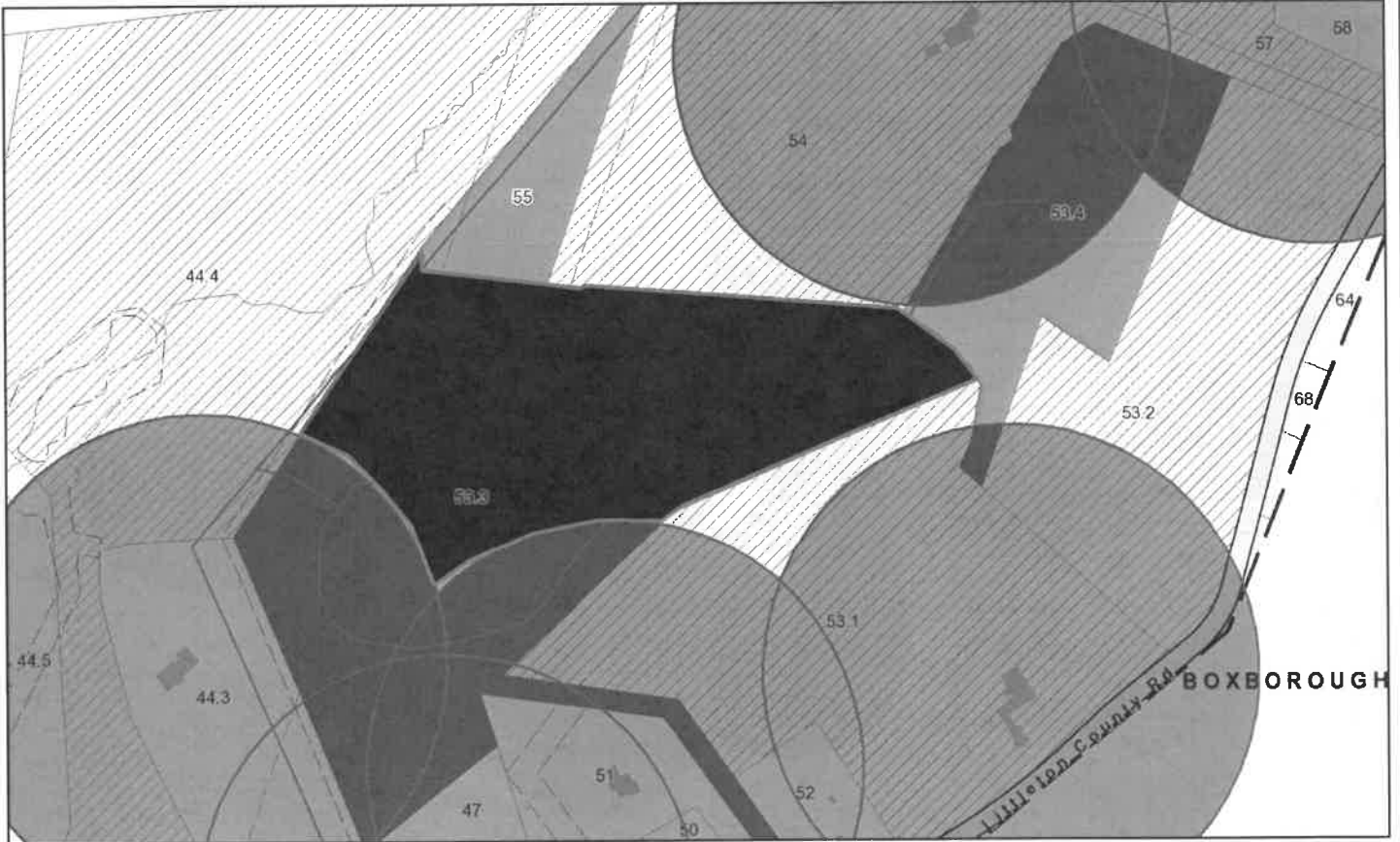
Vesenka Land

11.2 acres

1 inch = 277 Feet



February 11, 2021



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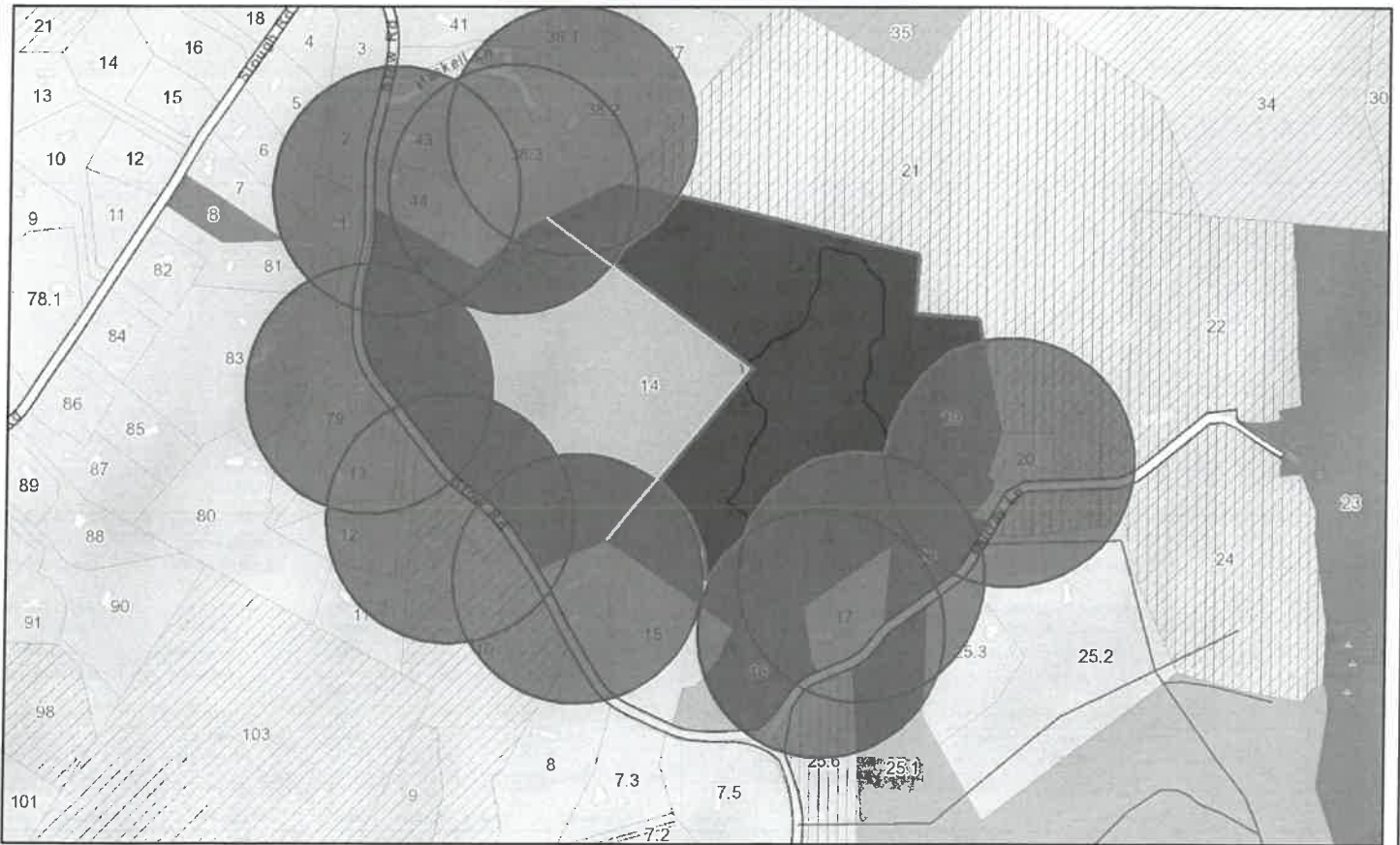
Williams Land

23.1 acres

1 inch = 555 Feet



February 11, 2021



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parcel	address	access	setback	houses	forest type	parking	trail	comments
Blomfelt	Ayer Road	easy	13.4	8	by pine	yes	skirts southern edge of hunttable area	access from Ann Lee or Ayer Road restricted in CR to bow hunting only
Dunlap	Old Littleton Road	easy	17.1	7	mostly HW	yes	down middle	access over easements
Great Elms	Stow Rd	easy	47	7	W 3rd HW; bal pine	limited	loop in middle	
Hermann Orchard	Ayer Road	modera	64	0	HW on north orchard; pine stands;	poor	perimeter of orchard	
Maxant	Ayer Road	easy	8.1	5	mostly hardwoods	yes	along eastern edge	Access from Old Mill Road
Prospect Hill Rd	Depot Rd	easy	96	4	HW with mixed stands	yes	multiple separated trails	good separation between trail segments
Shaker Spring House	Green Road	easy	14.4	1	mix HW & pine	yes	loop setback from bounds	access from Green Hill Road
Sprague Land	West Bare Hill Rd	easy	73	9	pine stands; mixed	yes	multiple separated trails	excludes fields and swamps
Vesenka	Littleton County Road	easy	11	2	mixed & stands pine	limited	loop in middle	
Williams	Stow Rd	easy	23.1	4	mostly pine	yes	loop on east side	setback acres excludes fields



Message

Mon, Jul 12, 2021 9:34 PM

From: Daniel Tracey <detracey@gmail.com>

To: Liz Allard

Subject: Fwd: Harvard Deer Question

Attachments: Attach0.html / Uploaded File

1

Hi Liz,

At the April 15th ConCom meeting, I asked Sue McCarthy from Mass Wildlife about historical data relating to her comment that 69 deer were harvested on private and public land in Harvard in 2020. I am forwarding her recent reply email which contains data from 2013 to 2020.

Please forward this information to the ConCom members in advance of the DMS discussion on July 15th. It appears that Sue has already shared the information with the DMS.

Thanks very much,
Daniel

Begin forwarded message:

From: "McCarthy, Susan E (FWE)" <susan.e.mccarthy@state.ma.us>
Date: July 12, 2021 at 12:27:47 PM EDT
To: Daniel Tracey <detracey@gmail.com>
Cc: robert douglas <drbobdouglas@yahoo.com>, "Feehan, Martin (FWE)" <martin.feehan@state.ma.us>
Subject: RE: Harvard Deer Question

Hi Daniel,

I pulled together the data I had access to back in March and provided it to the DMS. Below are a few tables summarizing the data going back to 2013 (when we began using an online licensing and harvest reporting system). Accessing historical town data prior to 2013 is a bit more difficult, as it is stored in old databases at our Field Headquarters.

You'll notice that the total deer harvest for 2020 was not significantly different from previous years, so not an anomaly. Our harvest reporting system requires that hunters enter the town of harvest and the type of land (public, private, or special hunt) but doesn't require exact

harvest location data. Thus, we do not have any maps detailing those locations. This may be an additional piece of information the DMS would consider asking of hunters participating in the controlled hunt. This, however, wouldn't be helpful in identifying where else in town the vast majority of deer are being harvest (private properties).

Harvest by Year	
Year	Total Deer Harvest
2013	40
2014	41
2015	40
2016	47
2017	62
2018	57
2019	57
2020	69
Total	413

Harvest by Year by Land Type					
Year	Public	Private	Special	Unknown	Total
2013	5	35	0	0	40
2014	8	33	0	0	41
2015	6	34	0	0	40
2016	9	38	0	0	47
2017	12	50	0	0	62
2018	12	39	0	6	57
2019	11	46	0	0	57
2020	15	53	1	0	69
Total	78	328	1	6	413

Harvest by Year by Land Type					
Year	Public	Private	Special	Unknown	
2013	12.50%	87.50%	0.00%	0.00%	
2014	19.51%	80.49%	0.00%	0.00%	
2015	15.00%	85.00%	0.00%	0.00%	
2016	19.15%	80.85%	0.00%	0.00%	
2017	19.35%	80.65%	0.00%	0.00%	
2018	21.05%	68.42%	0.00%	10.53%	
2019	19.30%	80.70%	0.00%	0.00%	
2020	21.74%	76.81%	1.45%	0.00%	

Harvest by Year by Implement					
Year	Bow	Crossbow	Shotgun	Muzzleloader	Total
2013	25	1	2	12	40
2014	16	4	8	13	41
2015	20	4	9	7	40
2016	19	9	6	13	47
2017	30	8	8	16	62
2018	18	14	15	10	57
2019	23	11	12	11	57
2020	33	15	13	8	69
Total	184	66	73	90	413

Harvest by Year by Season					
Year	Youth	Archery	Shotgun	Primitive	Total
2013	0	25	5	10	40
2014	0	18	13	10	41
2015	1	23	14	2	40
2016	0	27	11	9	47
2017	1	35	14	12	62
2018	0	29	18	10	57
2019	0	30	15	12	57
2020	1	38	19	11	69
Total	3	225	109	76	413

Harvest by Year by Sex				
Year	Male Fawn	Female	Male	Total
2013	0	9	31	40
2014	3	12	26	41
2015	3	16	21	40
2016	1	19	27	47
2017	3	17	42	62
2018	7	19	31	57
2019	3	21	33	57
2020	7	25	37	69
Total	27	138	248	413

Susan McCarthy
Wildlife Biologist
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6326 | e: susan.e.mccarthy@mass.gov
mass.gov/masswildlife | [facebook.com/masswildlife](https://www.facebook.com/masswildlife)

-----Original Message-----

From: Daniel Tracey <detracey@gmail.com>
Sent: Friday, July 9, 2021 1:44 PM
To: McCarthy, Susan E (FWE) <Susan.E.McCarthy@mass.gov>
Subject: Harvard Deer Question

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Sue,

I attended several Zoom meetings of the Harvard Deer Mgmt Subcommittee and Conservation Commission where you mentioned that 68 deer were harvested on federal and private land in Harvard in 2020.

At the Con Com meeting on April 15th, I asked if you knew of any historical data prior to 2020 that would show any trends in the Deer harvest over the past 20 or 30 years.

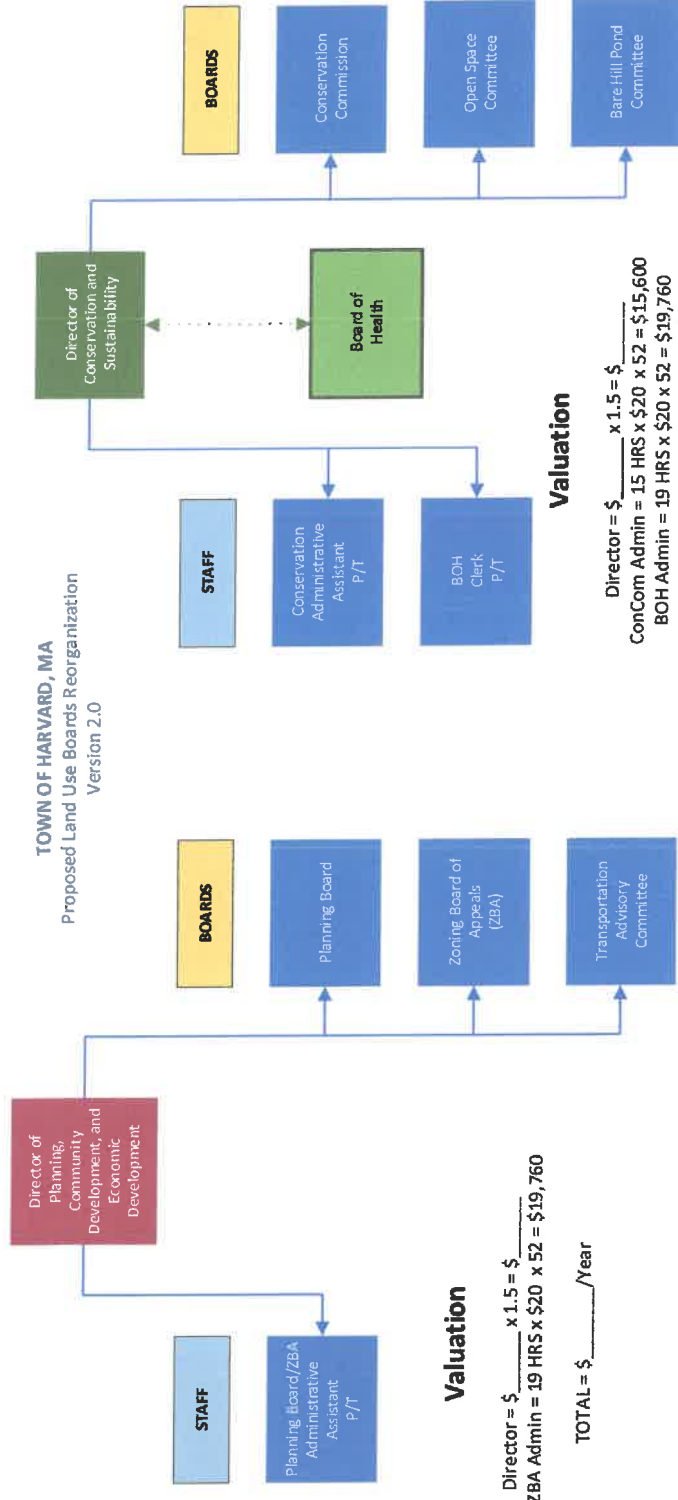
There will be a discussion at the Con Com meeting on July 15th about DMS's plans for the upcoming season. If you have access to any historical data for Harvard, it would be very helpful to know if 2020 was an anomaly or not. If you could send me the data or a link to website that shows the data, I will forward it to the Con Com members. Also, if you happen to have any data or maps detailing the locations or parcels where the 68 deer were harvested in 2020, that would also be extremely helpful.

Thank you for your help.

Best regards,
Daniel Tracey

149 Shaker Rd.
Harvard, MA 01451
detracey@gmail.com
Cell my (978) 235-6237

TOWN OF HARVARD, MA
Proposed Land Use Boards Reorganization
Version 2.0



Valuation

Director = \$ _____ x 1.5 = \$ _____
 PB/ZBA Admin = 19 HRS x \$20 x 52 = \$19,760
 TOTAL = \$ _____/Year

Valuation

Director = \$ _____ x 1.5 = \$ _____
 ConCom Admin = 15 HRS x \$20 x 52 = \$15,600
 BOH Admin = 19 HRS x \$20 x 52 = \$19,760
 TOTAL = \$ _____/Year

