

**TOWN OF HARVARD  
CONSERVATION COMMISSION AGENDA  
THURSDAY OCTOBER 6, 2022 @7:00PM**

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Pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 14, 2022, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

**Join Zoom Meeting**

<https://us02web.zoom.us/j/82396664040?pwd=eFl1RkIrdkYRjQ3OVlobmhqNEx1dz09>

**Meeting ID: 823 9666 4040**

**Passcode: 789546**

One tap mobile

+13017158592,,82396664040# US (Washington DC)

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**Meeting ID: 823 9666 4040**

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**New Business:**

1. Request to Remove Tree on Reuben Reed land (7:05pm)
2. Deer Management Subcommittee Request to add the Coke Land to Allowed Bow Hunting Areas for the 2022 Season (7:10pm)
3. Harvard Youth Baseball & Softball Association Request for Input on Community Preservation Committee Applications for Ryan Land and Ann Lee Fields
4. Proposal for 400 Beaver Brook, Boxborough (former Cisco property)
5. Approve Minutes
6. Approve Invoices – Harvard Press, \$72.00

**Public Hearings:**

- 7:30pm **Notice of Intent Hearing – Pradeep & Marisa Khurana, 110 Warren Avenue, Harvard#0922-04**, for minor modifications to the existing sewage disposal system, the addition of a two-car garage, deck, covered porch, modified gravel driveway and walkway/retaining wall to an existing single-family home within the 200' buffer zone to Bare Hill Pond and the 100' wetland buffer zone to a wetland resource area – **Waiver Request**
- 7:45pm **Continuation of a Notice of Intent Hearing – Yvonne Chern, 203 Ayer Road, DEP#177-711, Harvard#0322-01**, for the construction of commercial structures with associated parking, grading and drainage within the 100' wetland buffer zone – **Waiver Request**
- 8:00pm **Continuation of an Abbreviated Notice of Intent Hearing - Town of Harvard Conservation Commission, the Barton Land, located between the dam of Bare Hill Pond and Still River Road, Harvard#0922-03**, for the management of invasive plant species within a wetland resource area - **Waiver Request**

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.

8:10pm **Notice of Intent Hearing – John Iacomini, 310 Ayer Road, Harvard#0922-05**, for the construction of an in-ground swimming pool and patio area, surrounded by a security fence within the 100' wetland buffer zone to a wetland resource area – ***Waiver Request***

**Old Business:**

1. Update from the All-Boards Meeting
2. Ayer Road Meadow Access Improvements Update
3. Pine Hill Village Update

**NEXT MEETING:  
OCTOBER 20, 2022**

**Re: Elm Tree on Ruben Reed**

Margaret Sisson &lt;mwsisson4@gmail.com&gt;

Tue 09/20/22 3:35 PM

To: jc@stillriver.org &lt;jc@stillriver.org&gt;; John Lee &lt;jwilee989@gmail.com&gt;

Cc: dsritchie@aol.com &lt;dsritchie@aol.com&gt;; Jim Burns &lt;Harvardmaple@gmail.com&gt;; Liz Allard &lt;lallard@harvard-ma.gov&gt;

Hello JC and John,

I've taken a look at the elm on the edge of "Park Street" and would agree that it's going downhill and not a candidate for heroic measures, especially hemmed in by pavement as it is. Because this is not a tree on typical conservation land, but rather a tree in the Town Center, Liz suggests the Commission should give permission to cut it down. She will put that on the agenda for October 6th to discuss and none of us need to be present -- unless you choose to be. I noticed that the sugar maple (presumably, a sugar maple; I was driving by) has some crown die-back and wonder if it could get professionally assessed and perhaps helped with feeding or other measures. If that maple is compromised, I'd suggest that conversions start about what new tree(s) might be planted to get started on that space. Ruben Reed was all about maintaining shade trees on this land, so we should think to the future -- as I know you both are.

Thank you for looking after the Common!

Wendy

On Mon, Sep 19, 2022 at 8:31 PM JC Ferguson <[jc@stillriver.org](mailto:jc@stillriver.org)> wrote:

Hello Wendy, the tree is, unfortunately, in serious decline and I would deem it "dangerous" as some limbs are outright dead and could break off and fall on someone.

There is a disease resistant elm variation, which could be planted in its place. Bill Calderwood of the Elm Commission could help with this, if we ask him nicely.

I would cut the tree with help from Mr Lee :)

-jc

On 9/19/22 17:50, Margaret Sisson wrote:

Thank you John for (not surprisingly) knowing about the Ruben Reed land! That sounds fine with me for JC to take care of it and thank you, but I will ask another on LSS to take a look, as I will, before giving the green light. If only the elms were doing better, we'd be protective of every candidate, as Ruben Reed specified the protection of shade trees when he bequeathed this land to the town.

Wendy

On Mon, Sep 19, 2022 at 3:51 PM John Lee <[jwilee989@gmail.com](mailto:jwilee989@gmail.com)> wrote:

Don and Wendy,

JC (the tree warden) and I were walking the Center Cemetery and some of the commons yesterday. We noticed that the elm on the edge of "Park Street" is in very tough condition. JC said he needed permission to cut it if it were on the Town Common

land. I explained that it wasn't and that it was actually on Town Conservation land. He said that he expend his funds on conservation lands either. Seeing as it is a relatively small tree with no obstacles in the way he said that he would be glad to take care of it himself if he had your permission.

Let me know if you would like JC to take care of it.

John



# Coke Lands

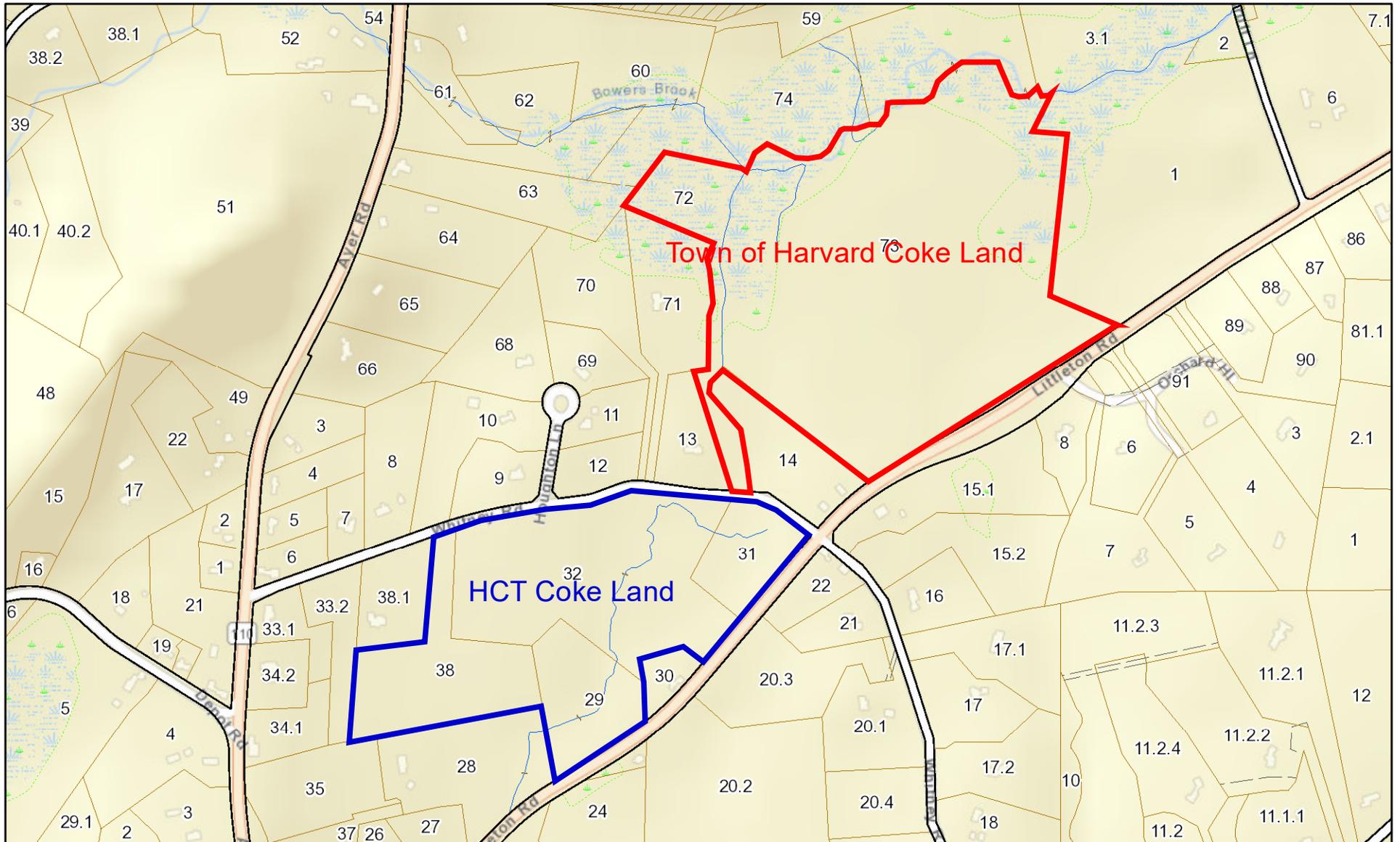
Harvard, MA



September 19, 2022

1 inch = 555 Feet

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

## Re: Stewardship and DMS recommendation for Coke land

Margaret Sisson <mwsisson4@gmail.com>

Thu 09/29/22 3:52 PM

To: robert douglas <drbobdouglas@yahoo.com>

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

Hi Bob,

Yes I can be at the October 20th Concom mtg if that is helpful. More importantly, I reached the farmer, Jim Pickard, today and he has given permission for archery hunting on the Coke land. He also will allow driving in there -- at the hunter's risk -- because it can be a muddy quagmire if saturated with rain. He doesn't know when he will have all the corn cut and removed, but the way needs to be clear for at least 12' width of equipment at all times so they can go in there to harvest corn or bring in manure, which I've seen them do in winter. Naturally, they want the corn standing until harvest, so if the corn were still standing and an injured deer were pursued into the corn, all care should be given not to trample it down. They use the entire plant for silage. These conditions will need to be passed on to any hunter using the area and I will copy Liz so they are recorded. I will add an exclusion to the area 75' around the Community Gardens, with the understanding that hunters do not wish to be stationed in that area in any case and plan to use the forested area north of the corn fields abutting Bowers Brook.

Wendy

On Thu, Sep 29, 2022 at 1:27 PM robert douglas <[drbobdouglas@yahoo.com](mailto:drbobdouglas@yahoo.com)> wrote:

Hi Wendy,

I think you said you would be unable to attend the Harvard ConCom meeting Thursday October 6. We have asked Liz to shift the Camera Study discussion to October 20th as they have a full schedule next Thursday.

I would like to ask your help. Its important to open up Coke-land this season if we can. It seems like the ideal non-controversial site for the current climate. Would you be comfortable putting together some bullet points related the property?

Some we discussed:

**It is contiguous to other conservation properties.**

**It is near an orchard and has been not legally hunted for a long time.**

**It has been scouted by DMS, and there is deer sign there and places to hang stands.**

**It is not an area with extensive trails.**

**It received the unanimous assentation of the Stewardship Committee at their last meeting.**

There may be other items I forgot.

Many thanks!

Bob

## Re: Coke for inclusion in deer mgt program

Margaret Sisson <mwsisson4@gmail.com>

Tue 10/04/22 9:47 AM

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

Hi Liz, Bob asked if I would attend the mtg so I said not necessary but I'd put this recommendation in writing — to precede the particulars concerning Jim Pickard's farming in a previous email (that I thought was in this thread, but maybe not). — Wendy

The land stewardship subcommittee discussed on 9/27 the addition of the Coke land in the deer management program and recommends doing so. This is a large conservation area with highly valuable wildlife habitat along Bowers Brook, an abundance of deer and no walking trails. The area suitable for stands is in the back, north and east, near Bowers Brook and far from Littleton Rd. The farmer growing feed corn here has given permission for this bow hunting and the program will honor his requests outlined below....

Sent from my iPhone

On Sep 29, 2022, at 4:38 PM, Liz Allard <lallard@harvard-ma.gov> wrote:

I will share you comments with the ConCom - be well

Liz Allard  
Land Use Administrator/  
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.***

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**From:** Margaret Sisson <mwsisson4@gmail.com>  
**Sent:** Thursday, September 29, 2022 3:55 PM  
**To:** Liz Allard <lallard@harvard-ma.gov>  
**Subject:** Re: Coke for inclusion in deer mgt program

Oh, just saw this. Well I'll have my phone and can be there, or you can pass on what I've relayed.

On Thu, Sep 29, 2022 at 3:46 PM Liz Allard <[lallard@harvard-ma.gov](mailto:lallard@harvard-ma.gov)> wrote:

Ok, but it's on the agenda for Oct 6<sup>th</sup>

Liz Allard  
Land Use Administrator/

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.*

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**From:** Margaret Sisson <[mwsisson4@gmail.com](mailto:mwsisson4@gmail.com)>

**Sent:** Thursday, September 29, 2022 2:53 PM

**To:** Liz Allard <[lallard@harvard-ma.gov](mailto:lallard@harvard-ma.gov)>

**Subject:** Coke for inclusion in deer mgt program

Jim Pickard says ok, even if he hasn't finished cutting down the corn, which he will have by the time it can be ready with abutter notification. I got an email from Bob D asking me to present this to concom on Oct 20 which I can do if desirable for concom.

Sent from my iPhone



Community Preservation Committee – Town of Harvard Request for Funding for FY2024

APPLICANT:

Your Organization: Harvard Youth Baseball and Softball

Application Date: 26-Sep-22

Contact Name: James O'Leary
Email: jamesoleary81@yahoo.com

Phone No.: 978.456.0108

PROJECT:

Project Title: Baseball and Softball Field Improvements

Requested Amount: \$47,000

Purpose (Check all that apply):

- Open Space, Historic Preservation, Affordable Housing, Recreation

Summary Description of Project:

Provide upgrades Ryan Land and Ann Lees fields including new hitting cages, electricity to cage and scoreboards at RL. Purchase bleachers, scoreboards and portable mounds for fields. Safety improvement for all fields (fenced-in on deck areas).

Does the project require approval by another organization (e.g., Board of Health, Historical Commission, Mass Department of Environmental Protection, etc.)?

N/A

If so, please explain:

- Has a copy of this application been submitted to the Harvard Climate Resilience Working Group to assess its climate impact?

Please note whether the project has been endorsed by any of the following:

- Harvard Conservation Commission (Open Space Projects)
Harvard Historical Commission (Historic Preservation Projects)
Harvard Municipal Affordable Housing Trust (Affordable Housing Projects)
Parks & Recreation Commission (Recreation Projects)

How will this project benefit the community?

The baseball and softball fields are used by approx 30 middle & high schoolers and 150 youth in the town program. These improvements will impact the quality, safety and experience of the fields.

Total Project Cost: \$47,000 If this is larger than the request, please note other funding sources:

Do you have any other funds available? If so, can they be used for this project? Why or why not?

HYBSA is willing to support 10% of cost of this project.

Please submit this form electronically, along with any supporting documents you wish to attach, by 4:00 PM on Friday, October 14, 2022 to Julie Doucet in the Harvard Select Board office at jdoucet@harvard-ma.gov.

Thank you for helping to preserve our community!

## Details items for RL & AL Fields

- Replace the hitting cage (suggest double-wide) at RL - \$10K  
<https://www.ondecksports.com/Tuff-Frame-Elite-Batting-Cage?custcol360=1&custcol361=2>

- Electricity to hitting cages/bullpen & scoreboards RL - \$14K

### Joseph J. Cusano Electric

395 Prospect St  
 West Boylston, MA 01583 US  
 JJCUSANO@GMAIL.COM

### Estimate

ADDRESS  
 James O'Leary  
 37 Candleberry Lane  
 Harvard, MA 01451

ESTIMATE baseball field work  
 DATE 09/23/2022  
 EXPIRATION DATE 11/30/2022

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
09/22/2022	Labor cost	71 Depot Road, Harvard  Install circuit from shed to scoreboards in PVC conduit(200 ft)  Install circuit from shed to batting cage using the same trench in PVC  All circuits will be GFCI protected and trenched 18 in depth, sanded, caution taped, and Inspected.	1	3,000.00	3,000.00
09/22/2022	Materials List	PVC pipe and fittings Wire Boxes Devices, plates/covers GFCI Breakers Receptacle posts	1	2,200.00	2,200.00
09/23/2022	Excavation	Excavate a 200' trench at an 18" depth using a mini excavator  Sand, caution tape, and back fill trench, not responsible for landscaping	1	8,000.00	8,000.00
09/23/2022	Permit	Permit fee	1	200.00	200.00
SUBTOTAL					13,400.00
TAX					137.50
TOTAL					<b>\$13,537.50</b>

Accepted By

Accepted Date

- Replace irrigation\* at RL2 - \$3K

- Install spigots\* at RL1 & RL2 for game day hand-watering - \$1.5K

\* NOTE: Quotes provided by Corbett Irrigation (Concord)

- Install or replace bleachers, as necessary, at each field - \$12K, \$4K covered by Schools

The screenshot shows the Beacon Athletics website's product page for "Economy Aluminum Bleachers". The page features a main image of a set of bleachers on a grass field, with two smaller inset images below it. The product details include a price of \$3,209, a quantity selector set to 1, and an "ADD TO CART" button. The product is identified as item 115-765-409. The configuration options are: ROWS (3 rows), WIDTH AND DEPTH (21W x 5D (42 seats)), and FOOT PLANK (20" Double). There is a "Typically ships within 5-7 business days" note and a "Clear Selection" link. Social media icons for Facebook, Twitter, and Email are also present.

- Purchase portable mounds for RL2 to allow for baseball - \$2K

The screenshot shows the Beacon Athletics website's product page for "Proper Pitch Portable Game Mounds". The page features a main image of a green portable mound on a baseball field, with a person standing next to it. The product details include a price of \$1,795, a quantity selector set to 1, and an "ADD TO CART" button. The product is identified as item 330-620-029. The configuration options are: SIZE (6' youth). There is a "Typically ships within 10-15 business days" note and a "Clear Selection" link. Social media icons for Facebook, Twitter, and Email are also present.

- Purchase and install scoreboards for RL1 & RL2 - \$4K + installation \$1K

**Everbrite Baseball Scoreboard**  
SKU V-1454221

Shipping is calculated at checkout  
\$1,885.70

Split your purchase into monthly installments with [shopify](#) [Learn more](#)

[Need Help? Start Live Chat!](#)

Item  
Wireless Control Console

Quantity  
1

[Add to cart](#)

[Buy it now](#)

- Outdoor baseball scoreboard
- 18"H Home & Guest scores 0 - 99
- 16"H Inning 0 - 19
- 2" dia Ball/Strike/Out/Hit/Error indicators
- Standard built-in wireless radio receiver and antenna
- Power Requirements-120VAC/20 amp circuit
- Wireless control console sold separately
- Optional items include: team name/sponsor panels/protective digit lens kit
- Available in 9 standard colors

- Fenced-in on-deck circles (AL, RL1, RL2)- \$3.5K Note: this is a safety improvement

Lowe's - 6 sets of fencing, not more than 150' total fencing, 4' tall, posts and concrete as necessary + installation

September 27, 2022

Dear Mr. Chairman and Planning Board members,

I am a resident of Trail Ridge Way in Harvard. Our community of 52 families is a direct abutter to the proposed construction at Beaver Brook Road. When the permit was issued for this project in 1997, our homes were not here. As a direct abutter and a regular user of the Beaver Brook Open Space, I have several concerns and questions about the proposed development. I watched both meetings of the Board where this proposal was discussed. I was dismayed to note that neither the Board nor the Applicant acknowledged the existence of 52 residential units (built between 2004-2021) within 200-300 feet of the proposed build out, especially considering the increase in well water use so close to a residential development that also uses well water.

The applicant relies on an approval obtained more than 25 years ago to describe what can be built and their plans for the property. While I acknowledge the town's desire and need for increased tax revenue, and the owner's right to build on commercially zoned property, I urge the Board to require an entirely new special permit process with new site plans, elevations, and environmental reviews and permits including stormwater. In my opinion, to re-issue a 25-year old permit as an extension for all intents and purposes, without a full review and re-consideration of the site, sets a dangerous precedent for the Planning Board and future development in Boxborough.

So much has changed in how we work, and how we understand environmental impacts and systems specifically related to landscaping, impervious surface, weather and climate related changes, invasive species, and species diversity and decline. It is incumbent upon the Planning Board to look ahead rather than back as the applicant would like you to. Sure, this was all approved 25 years ago but so much has changed and so much WILL change that none of us can predict. It is my fervent hope that the Board will consider the issues I detail below and use its authority and discretion under a special permit to require this applicant to address them.

- There are 52-units of residential development built after original permitting that are located within 200-300 feet of proposed construction of buildings 800. There is an elevation increase from the proposed building site which means these adjacent homes would look down onto the buildings. I am concerned about impact to the peaceful enjoyment of our homes, and our property values as a result of this development, and light and noise pollution during and after construction.
  - How will these buildings be screened?
    - Will there be screening or orientation of the buildings so that there is minimal disruption of scenic views from our homes, as well as consideration of the visual impact of the buildings themselves?
  - What lighting is the applicant proposing for the rear of the buildings?
    - Will the Board require timed lighting after dark, night sky friendly lighting, and the minimum required for safety?

- What will traffic patterns be like to these buildings- timing, numbers and types of vehicles?
  - On the site plan there are truck bays to the rear of the buildings. How often will trucks be traveling to the site? Will there be a “no idling” requirement for trucks? A requirement that trucks enter and leave the site only during normal business hours? No back-up beeping signals on trucks, or a site design that will minimize trucks reversing?
- Can truck bays be oriented away from our homes?
- What environmental permits are required?
  - Our homes use well water. What will the impact of new wells to supply these buildings be on our water supply and quality?
    - What state environmental review will take place to ensure continued water quality and availability at Trail Ridge Way?
  - As a regular user of the open space portion of this property, I have seen 100s of turtles, snakes and frogs including dozens of endangered Blanding’s turtles over the years. In addition, there are otters, beaver, bobcat and innumerable bird species using this site.
    - How will additional traffic impact these species?
    - How will wildlife be protected during construction? Will any species inventory take place before construction? Under whose authority?
    - Curbing throughout the northern part of the site was designed to protect turtles crossing the road, how will their continued safety be ensured when there is increased traffic to the site? There are already many turtles killed in the road, despite specialized curbing, and decreased traffic volume due to the pandemic and vacant buildings. Will the Board require:
      - Signs stating the presence of endangered species?
      - Additional speed limit signs?
      - Speed bumps?
      - That traffic entry and exit be restricted to the Swanson side of the site?
    - Is there a maintenance plan for the turtle crossing underpasses? They are very overgrown and maybe not functioning as intended. Will the Board require maintenance of the underpasses?
- The applicant touted their plans to build “Netzero” buildings. I applaud their commitment to reduced carbon footprint. How will this commitment be applied to the site overall?
  - Will the buildings be designed and oriented to maximize solar gain?
  - Is the applicant proposing lawn? This requires water and fertilizer inputs as well as regular mowing by CO2 emitting machinery. Is there an alternative?
  - How will landscaping be watered? Is the applicant willing to commit to native species and low water plantings? How will landscape watering affect well water consumption?

- In times of drought, will the applicant be required to reduce water usage for landscaping?
- The site plan shows trees for landscaping and as replacements to trees removed during construction. Can the applicant be required to plant more trees as a counter to heat island effects created by the development?
- The site is overrun with invasive species (knotweed and bittersweet) which can become more prevalent when a site is disturbed. How will the applicant be required to remove, reduce, control or prevent invasive species?
- The applicant stated that there is no “increase” in impervious surface proposed. I do not know the exact number, but there is already an extraordinary amount of parking on site. Even prior to the pandemic when almost everyone went *to* work, there were always vacant parking spots.
  - What data does the applicant have to support their need for existing parking?
  - Can the applicant ensure with any certainty that parking as proposed will be used?
  - How many employees will be on site each day?
  - Given the changes in how people work since the pandemic, can the Board tie parking spaces to actual anticipated number of employees on site daily, rather than building square footage?
  - Why is the applicant proposing four low rise buildings rather than one or two 2-3 story buildings (buildings 700 & 800)? An increased number of buildings increases impervious, lot coverage and site disturbance.

As a Fortune 500 company (TUV-Reinland) teamed up with the “third largest developer” in Massachusetts (Campanelli), the applicant has more than enough resources to undergo a lengthy and detailed permit review process. Please hold them to the highest standard of review.

Kind regards,  
 Rebecca Cheney  
 3B Trail Ridge Way, Harvard

Cc:  
 Trail Ridge Way HOA  
 Boxborough Conservation Commission  
 Boxborough Board of Health  
 Boxborough Conservation Trust  
 Boxborough Climate Action Committee  
 Harvard Conservation Commission  
 Harvard Planning Board  
 Harvard Board of Health  
 Andrew Marshall, DEP Compliance Administrator  
 Kelly Boudreau, Small Systems Operator, Small Water Systems Services, LLC

## MEMORANDUM

**TO:** Tracy Murphy, Town Planner  
Mark Barbadoro, Chair – Planning Board  
Rich Guzzardi, Chair – Economic Development Committee  
Elizabeth Markiewicz, Chair – Conservation Commission  
John Markiewicz, Member – Select Board

**FROM:** Rita Grossman, President – Boxborough Conservation Trust  
Lisa St. Amand, Clerk – Boxborough Conservation Trust  
Meredith Houghton, Land Protection Specialist – Sudbury Valley Trustees

**DATE:** July 15, 2022

**SUBJECT:** Beaver Brook Road, Boxborough / Littleton County Road, Harvard  
Former Cisco Beaver Brook Campus - Undeveloped Parcels

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We are writing in regards to the undeveloped parcels of land located along Beaver Brook Road in Boxborough and Littleton County Road in Harvard, situated within the former Cisco Beaver Brook Campus and currently owned by Campanelli-Trigate (see Table 1 for a list of parcels and Map 1 showing their locations).

In January 2022, representatives of Boxborough Conservation Trust (BCTrust), Sudbury Valley Trustees (SVT), and the Harvard Conservation Trust (HCT) met with former Town Planner, Mr. Simon Corson, to discuss the existing Open Space Commercial Development (OSCD) Special Permit for the Campus, which encompasses the undeveloped parcels, in light of the new ownership of the property. With this memo, we aim to provide a summary of important details concerning the Special Permit as it relates to conservation, as well as outline the conservation values and priorities associated with the undeveloped parcels, which have long been, and should continue to be, a highly valued open space amenity for Boxborough and the surrounding community.

**Table 1.**

Address	Assessor's Parcel ID	Acreage
100 Beaver Brook Rd, Boxborough	08-006-000	5.17
300 Beaver Brook Rd, Boxborough	08-004-000	19.28
350 Beaver Brook Rd, Boxborough	03-010-000	28.25
700 Beaver Brook Rd, Boxborough	03-008-000	8.31
800 Beaver Brook Rd, Boxborough	03-009-000	33.81
820 Beaver Brook Rd, Boxborough	03-002-000	69.44
995 Beaver Brook Rd, Boxborough	01-007-000	23.78
999 Beaver Brook Rd, Boxborough	01-006-000	3.45
Littleton County Rd, Harvard	019-010	46.12
	<b>Total</b>	<b>Approx. 237 acres</b>

## Permit Information

It is our understanding that under the original OSCD Permit (Decision #97-01), open space restrictive covenants were placed on Assessor's Parcel 08-004-00, Parcel 03-002-000, and a portion of Parcel 03-010-000 in Boxborough. Pursuant to the 2001 amendment to the OSCD (Decision #01-01), the following parcels were also designated to be protected with open space restriction areas, in return for permission to increase the number of allowable buildings in the campus from 7 to 10, and the maximum square footage allowed from 900,000 to 1,400,000: the remainder of Assessor's Parcel 03-010-000, Parcel 01-006-000, Parcel 01-007-000, all located in Boxborough, and Parcel 019-010, located in Harvard. These four parcels intended for protection total 87 acres, with 41 in Boxborough and 46 in Harvard. In the January 2022 meeting with Mr. Corson, we discussed these details, and reiterated our hope that the Town will honor the original intent of the permits to protect these now well-used open spaces into the future with a new landowner, in order to balance any new development on the campus.

Further, it is our understanding that Parcels 03-008-000 and 03-009-000, though currently undeveloped, may be considered for future development by the current landowner. Though these parcels were not designated for protection under the previous permits, we suggest the validity of the permits be reviewed, as appropriate, with specific consideration of the known natural resources on these parcels (i.e., priority habitat of state-listed rare species and bird breeding habitat, further discussed below) and how that may impact proposed future plans for this land, given its conservation value. We acknowledge that much may have changed since 2001, and so we encourage a thoughtful review of the permits to ensure they reflect what is permissible and acceptable to decision-makers and relevant stakeholders when considering the potential future plans for these parcels.

## Conservation Value - Why these undeveloped parcels are a priority for protection:

- **Passive recreation opportunities and accessibility:** As noted, the existing sidewalks and trails located adjacent to the current open space are well-used by the community, including visitors of all ages due to easy access and paved surfaces, allowing for strollers, wheelchairs, and other aids to be utilized when recreating. The current amenity provides a low-traffic area for individuals and families to visit and enjoy the open space in a safe environment.
- **Open space corridor:** Because these undeveloped parcels are part of a larger network of other open space properties, this land is more enjoyable for visitors, more of an asset to the community in terms of the services the natural areas provide, and more valuable for wildlife habitat. The surrounding open space includes the Elizabeth Brook Knoll land to the south, the Beaver Brook Valley Preserve to the east, parcels along Beaver Brook Road to include 900, 850 and the majority of 820 Beaver Brook Road, as well as other protected open space located in Harvard to the west of the undeveloped parcels of interest.
- **Groundwater resources:** At least a portion of all of the undeveloped parcels of interest fall within a Zone II wellhead protection area and/or Interim Wellhead Protection Area (IWPA), which means that this land is important for protecting the recharge area around public water supply groundwater sources. (See Map 2)
- **Wildlife habitat:** All of the undeveloped parcels are located within an area of priority habitat of state-listed rare species, as designated by the Natural Heritage and Endangered Species Program (NHESP), with at least one potential vernal pool located on this land, and several potential or certified vernal pools located immediately adjacent (see Map 3). As such, these lands and

ecological features are critical to maintaining healthy habitat for rare species, such as the Blanding's Turtle. Beyond this, it appears that the following bird species likely breed on Parcels 03-008-000 and 03-009-000, based on frequent visitor sightings: the Field Sparrow (populations of which are in steep decline) and the Prairie Warbler (which is on conservation watch).

- **Environmental Justice communities:** Lastly, all of the undeveloped parcels of interest are located within an area designated as an Environmental Justice (EJ) Population, as the block group minority population is greater than or equal to 40% (at 41%), or the block group minority population is greater than or equal to 25% and the median household income of the municipality the block group is in is less than 150% of the Massachusetts median household income. This means that this land not only provides an amenity to the broader community, but also provides access to open space and enhances the environmental quality of the immediate area for residents living nearby, many of which belong to a minority group and/or meet the income-based criteria for an EJ Population. The undeveloped parcels of interest, if maintained as open space, help to ensure that the community members residing here do not lack environmental assets in their neighborhoods and are not disproportionately impacted by environmental hazards.

To conclude, the Town of Boxborough currently benefits in many ways from this undeveloped land. By providing this information on the high-quality conservation value of this land and the history of the Special Permit, we hope to facilitate future conversations with decision-makers when considering the various options for use and land protection at the Campus. We look forward to being a support in these future discussions as the landowner's plans for the property continue to emerge.

Please do not hesitate to contact us with any questions you may have.

Sincerely,



Rita Grossman  
President, BCTrust  
[rgrossman@bctrust.org](mailto:rgrossman@bctrust.org)



Lisa St. Amand  
Clerk, BCTrust  
[lstamand@bctrust.org](mailto:lstamand@bctrust.org)



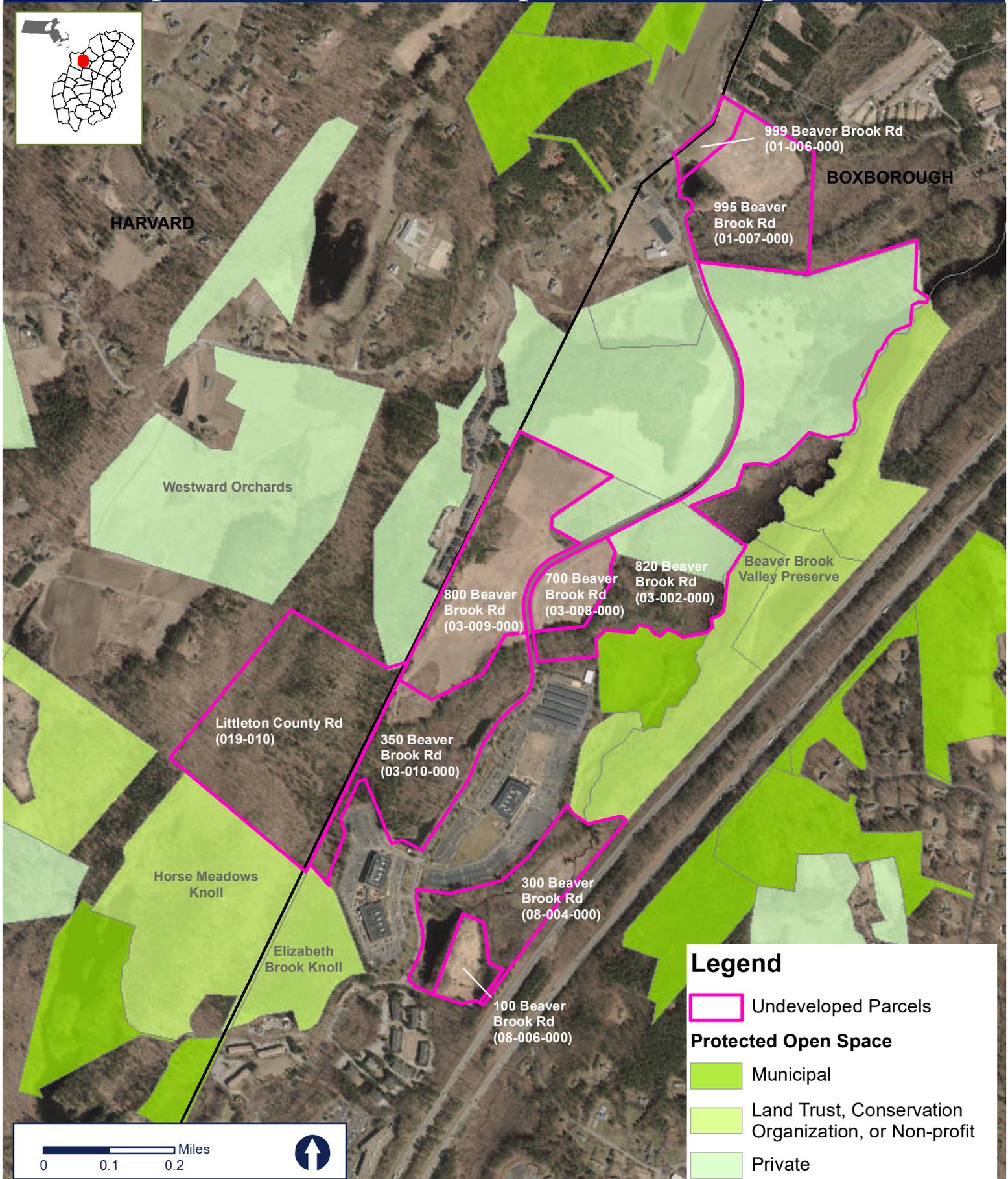
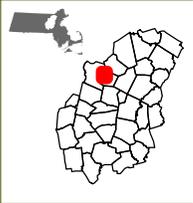
Meredith Houghton  
Land Protection Specialist, SVT  
[mhoughton@svtweb.org](mailto:mhoughton@svtweb.org)

Attachments:

Map 1 - Open Space Context

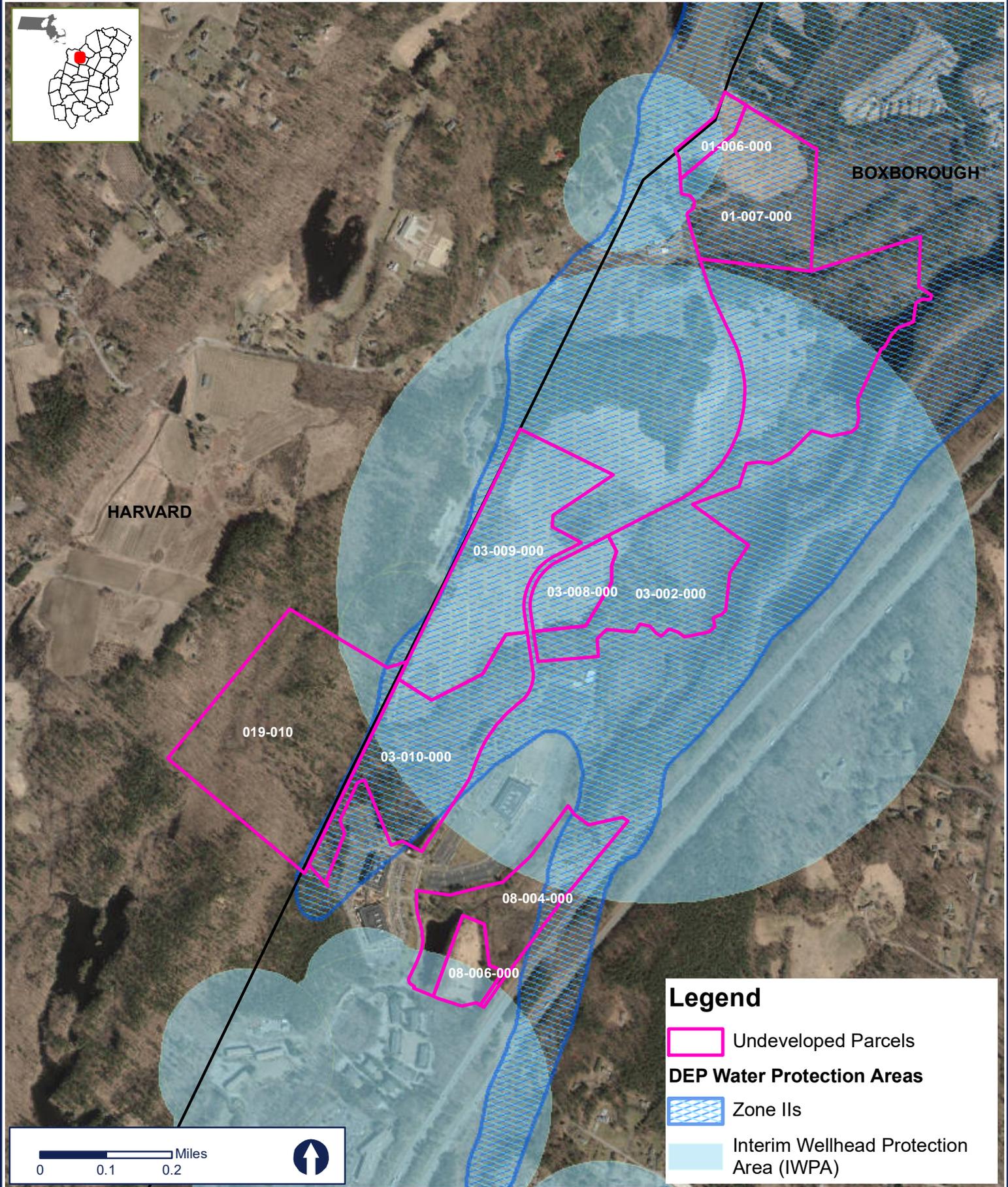
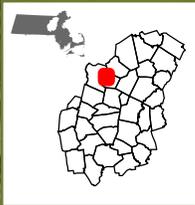
Map 2 – Water Protection Areas

Map 3 – NHESP Priority Habitats





# Map 2: Beaver Brook Campus - Boxborough/Harvard



**Legend**

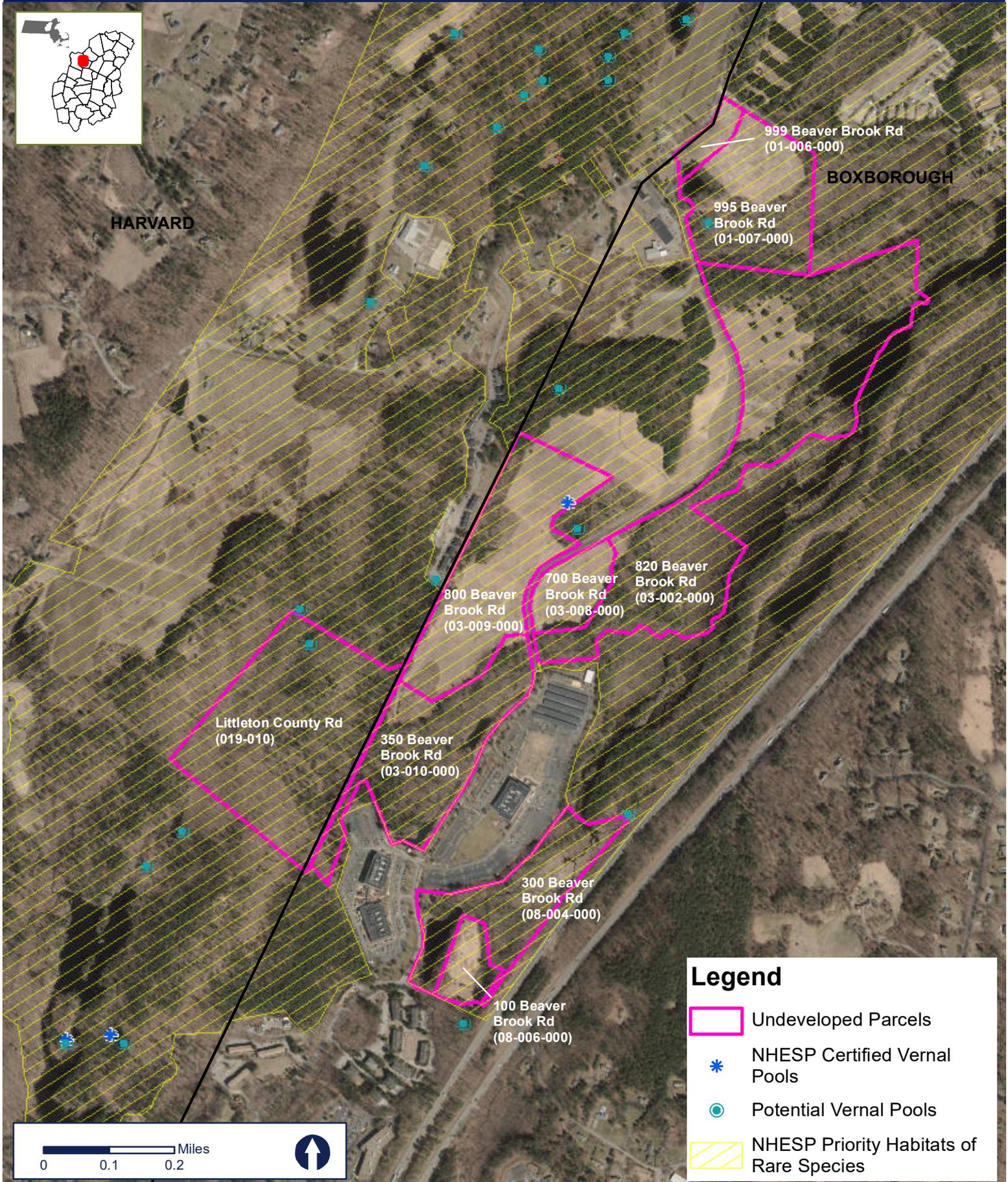
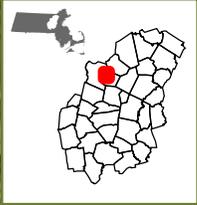
-  Undeveloped Parcels
- DEP Water Protection Areas**
-  Zone IIs
-  Interim Wellhead Protection Area (IWPA)

0 0.1 0.2 Miles





# Map 3: Beaver Brook Campus - Boxborough/Harvard



**RE: Comments about proposed construction at CISCO site Boxborough**

Andrew Marshall &lt;Marshall@swss.biz&gt;

Fri 09/30/22 2:13 PM

To: Rebecca Cheney &lt;rebeccacheney@gmail.com&gt;

Cc: Liz Allard &lt;lallard@harvard-ma.gov&gt;;foconnor@harvard.ma.gov &lt;foconnor@harvard.ma.gov&gt;;Harvard BOH &lt;boh@harvard-ma.gov&gt;;Kelly Boudreau &lt;boudreau@swss.biz&gt;;Angela Jaffarian &lt;Angela@swss.biz&gt;;Jordan Vachon &lt;jordan@swss.biz&gt;;Kim Packard &lt;Kim@swss.biz&gt;

 1 attachments (1 MB)

Trail Ridge IWPA Map.pdf;

Good Afternoon Rebecca,

Thank you very much for including us on your email and notifying us of this new construction project. SWSS takes activities near wellheads, the impacts on the related groundwater resources, and the health of the public we serve very seriously.

MassDEP established the Source Water Assessment Protection Program (SWAP) a long time ago, which delineates wellhead protection zones for Public Water Systems (PWS) such as the one SWSS serves at Trail Ridge. There are two levels of regulatory protection for Trail Ridge's wellhead- Zone I, and IWPA (Interim Wellhead Protection Area). Both of these are based on calculations for approved withdrawal, derived from pump testing or septic design performed by a civil engineer, and are approved and enforced by regulators from MassDEP Drinking Water Program. These are used to determine impacts of land use on groundwater sources, and the IWPA is an estimation of the wellhead recharge zone. For more information, this page on GIS mapping provides more detail: <https://www.mass.gov/info-details/massgis-data-massdep-wellhead-protection-areas-zone-ii-zone-i-iwpa#zone-i->

I've attached to this email a map, which demonstrates the Zone I and IWPA of both Trail Ridge wells (PWS #2125026), and the Campanelli Development PWS well (#2037034) (this serves the CISCO facility in question). A few things I have noticed:

- The Trail Ridge PWS wellhead protection areas appear to fall outside of new construction, and
- The Campanelli PWS appears to be performing construction in their own wellhead protection areas. There was likely some form of review conducted on the impacts of Campanelli's wellhead protection area (something like an Environmental Impact Statement), but as SWSS does not operate this PWS, we cannot confirm any environmental review processes at this time.

Please let us know if we can provide you with any other answers.

Kind Regards,

Andrew W. Marshall  
Compliance Administrator  
SWSS – *Small Water Systems Services, L.L.C.*  
Operators of Water & Wastewater Systems

**WBE Certified**

PO Box 2014  
Littleton, MA 01460  
Ph: 978.486.1008  
Fax: 978.486.0971  
[www.swss.biz](http://www.swss.biz)

---

**From:** Rebecca Cheney <rebeccascheney@gmail.com>  
**Sent:** Thursday, September 29, 2022 9:36 AM  
**To:** Rebecca Cheney <rebeccascheney@gmail.com>  
**Cc:** Liz Allard <lallard@harvard.ma.us>; foconnor@harvard.ma.gov; boh@harvard-ma.gov; Andrew Marshall <Marshall@swss.biz>; Kelly Boudreau <boudreau@swss.biz>  
**Subject:** Comments about proposed construction at CISCO site Boxborough

Good morning-

Please see attached comments that I sent to the Boxborough Planning Board regarding an application for additional commercial development at the Beaver Brook/CISCO site which has access from Littleton County Road in Harvard, and borders Harvard.

Impacts to Harvard traffic, conservation and water are all pertinent to this application. I am sharing to make boards that may not otherwise be aware, that this is in the works and to be taken up again at the 10/3 Boxborough Planning Board meeting.

Thank you-  
Rebecca Cheney

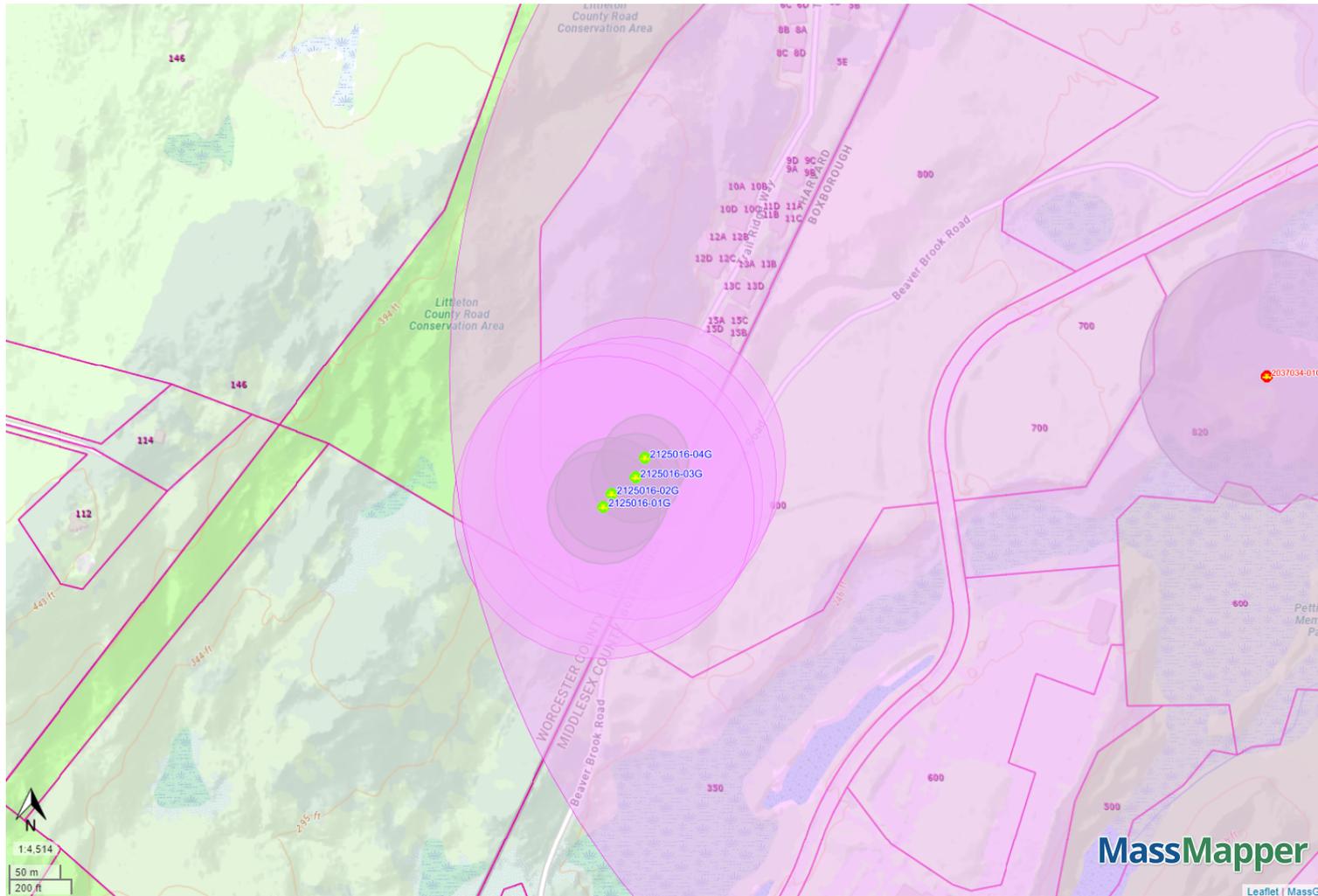
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Rebecca Cheney

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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

# Trail Ridge PWS Groundwater Protection Areas



- Public Water Supplies**
  - Community Groundwater Well
  - Non-Community Groundwater Well
  - Surface Water Intake
  - Emergency Surface Water Intake
- Community Labels**
- Non-Community Labels**
- Zone Is**
- IWPAs**
- Property Tax Parcels**

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# Invoice

**BILL TO**

Harvard Conservation Commission  
13 Ayer Road  
Harvard, MA 01451

**SHIP TO**

Harvard Conservation Commission  
13 Ayer Road  
Harvard, MA 01451

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
9136	09/26/2022	\$72.00	10/26/2022	Net 30	

DATE	DESCRIPTION	QTY	RATE	AMOUNT
09/09/2022	<b>1x6 I</b> LEGAL NOTICE Conservation Commission virtual public hearing on Sept. 15; notice of intent for management of invasive species on the Barton Land	1	72.00	72.00

BALANCE DUE

**\$72.00**