

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
JULY 1, 2021  
APPROVED: AUGUST 5, 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 regard 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 determined before a final 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 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

**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 to be 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

**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 a 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

**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