

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
JANUARY 19, 2017
APPROVED: FEBRUARY 16, 2017**

Chairman Paul Willard called the meeting to order at 7:01pm in the Town Hall 13 Ayer Road under MGL Chapter 131 §40 The Wetland Protection Act and The Code of the Town of Harvard Chapter 119 the Wetland Protection Bylaw

Members Present: Paul Willard, Don Ritchie, Wendy Sisson, Charlie Gorss and Jaye Waldron

Others Present: Liz Allard (LUB Admin), Steve Nigzus, David Outman (HCT), Peter Dorward (HCT), Tom Cotton, (HCT), Jim Lee (HCT) and Stu Sklar (BOS)

Wetland Violation – 26 Madigan Lane

Steve Nigzus was present to discuss recent tree removal from the resource area and buffer zone on his property at 28 Madigan Lane. Mr. Nigzus stated over the last two years the area has lost 15- 20 oak trees due to wind storms. These oaks had fallen over and became over grown with invasive plants. The work to remove the fallen trees was completed by hand with no heavy equipment and the stumps remain in place. A pile of brush remains at the site currently, which Mr. Nigzus was going to remove and burn elsewhere on the property. Paul W asked that a brush pile remain to allow for wildlife habitat. In addition the Commission requested the area be allowed to re-vegetate naturally.

Re-Establishment of the Conservation Fund

Stu Sklar, a member of the Board of Selectmen, was present to follow-up on the previous meetings discussion in regards to re-establishing the conservation fund. Mr. Sklar has spoken with the Town Administrator, who has stated the Finance Committee give a lot of push back on this request without a priority list of lands for protection from the Commission. The Town Administrator's argument is that when land is removed from Chapter status the Town has the right of first refusal to purchase.

After discussing the pros and cons of creating a priority list of lands, Don Ritchie agreed to continue to work with Harvard Conservation Trust to create an overall plan that details the type of land to preserve.

Executive Session

Don Ritchie made a motion to go into Executive Session to discuss the possible purchase of real property, the public discussion of which could have detrimental effects on the negotiating position, only to return to the public meeting once completed. Joanne Ward seconded the motion. A roll call vote was taken: Joanne Ward, aye; Jaye Waldron, aye; Don Ritchie, aye; Wendy Sisson, aye; and Paul Willard, aye.

At the conclusion of the discussion under executive session, Don Ritchie made a motion to come out of executive session and to return to the public meeting. Joanne Ward seconded the motion. A roll call vote was taken: Joanne Ward, aye; Jaye Waldron, aye; Don Ritchie, aye; Wendy Sisson, aye; and Paul Willard, aye.

Questions on Conservation Fund Warrant Articles

Questions received from the Finance Committee (FinCom) in regards to the warrant article request for \$200,000 for the conservation fund were discussed. Wendy Sisson will draft a response to the questions in regards land stewardship. Don Ritchie and Paul Willard agreed to assist Liz Allard with the answers to questions regarding the history of the previous funding of this fund. Ms. Allard will complete the questions in regards to the Community Preservation Fund and the expenditures of the conservation fund. Representatives from the Commission will need to attend the FinCom meeting on Wednesday January 25th.

Review & Approval 2016 Annual Report

Don Ritchie made a motion to approve the Conservation Commission's annual report as drafted. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Review & approve MOU: Hours for administrative assistance to the Land Use Boards in Board of Health budget

Paul Willard was unable to answer questions about the MOU as he had not been involved in the discussions regarding its development. Joanne Ward stated the language within the MOU need some work; she volunteered to take a look at re-drafting some of the language. Members will re-visit this item at their next meeting.

Approve Minutes

Wendy Sisson made a motion to approve the minutes of December 15, 2016 as amended. Don Ritchie seconded the motion the vote was unanimously in favor of the motion.

Approve Invoice

Wendy Sisson Made a motion to approve the invoice for Mark Lanza in the amount of \$51.00. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Land & Water Conservation Fund Grant Application

Members discussed the potential of applying for the Land & Water Conservation Fund grant to preserve the 24+/- acres of land along Still River Road currently owned by Charles Davis. Members agreed they would be unable to complete the grant on such short notice, however if Harvard Conservation Trust is willing to prepare the necessary application, then the Commission is willing to take on the necessary steps to secure funding from the Town for the project.

A motion was made by Wendy Sisson and seconded by Don Ritchie to effect stated above. The vote was unanimously in favor of the motion.

Proposed Harvard Snowmobile Club Protocol

The draft protocol is still under development, but will be distributed for the next meeting of the Commission.

Willard Land Conservation Restriction & Trail Easement

The meeting with Wendy Sisson, Paul Willard and a representative from Still River Realty Trust is being re-scheduled. Additional details to follow once this meeting takes place.

Open Space & Recreation Plan Update

Liz Allard stated she has not had an opportunity to complete the final review of the formatting of the draft Open Space & Recreation Plan (OSRP), but once she does she will forward it to the appropriate authorities for their comments. Once those are received the final document can be sent to the State for approval.

Update on Gifts of Land

- Stone Cutter's Path – Liz Allard stated Attorney Lanza has stated since the Commission has alternative access to the parcel, the easements that were over private land are now a matter for the homeowners to deal with. These easements were never recorded, but remain as part of the approved decision from the Planning Board under the subdivision approval. With the matter of the easements on longer an issue for the Town, Attorney Lanza will prepare a deed to transfer the land to the Town.
- Still River Road – Nothing new to report

Adjournment

Don Ritchie made a motion at 10:08pm to adjourn the meeting. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard
Land Use Administrator/
Conservation Agent

EXHIBITS & DOCUMENTS

Wetland Violation – 26 Madigan Lane

- 26 Madigan Lane_Map with Wetlands Layer, dated January 18, 2017
- 26 Madigan Lane_Map without Wetlands Layer, dated January 18, 2017

Questions on Conservation Fund Warrant Articles

- Email from Tim Bragan, Subject: Re: Monetary Warrant Article – ConCom, dated January 13, 2017

Review & approve MOU: Hours for administrative assistance to the Land Use Boards in Board of Health budget

- DRAFT MEMORANDUM OF UNDERSTANDING
Subject: Hours for administrative assistance to the Land Use Boards in Board of Health budget, Date: January 6, 2017