

**Town of Harvard Open Space Committee**  
**December 9, 2021, 8:30 am**  
**Minutes**

Members present: Paul Cohen, Brian Cook, Dan Daly, Rich Maiore, Peter Dorward (Chair), Jim Lee  
Non-voting members present: Liz Allard, Chris Ryan

Meeting Called to order 8:30 AM

**Minutes of 11/4/21**

Peter shared several suggested edits to clarify the minutes. Jim moved to accept as edited. Paul seconded. Approved by unanimous vote.

**Old Business**

The agenda was rearranged as some members had to leave early.

**Article 97 Land for use as Playing Fields**

Peter explained several changes that were made to the map and list of Potential Article 97 land for Active Recreation:

1. The analysis was discovered to be overestimating road frontage. Peter indicated he had improved the calculation, but it wasn't exact yet. The correction resulted in the deletion of one parcel near Black Pond on Old Littleton Road from the potential sites.
2. Liz identified 4 of the Article 97 parcels which had Conservation Restrictions (CRs), and supplied the CRs. Peter analyzed the CRs for permitted/non-permitted uses, and found that playing fields with parking would be precluded from each by the CRs. He shared the details of his analysis via a memo which was distributed to the OSC.
3. Peter identified several of the remaining Article 97 parcels which had severe access limitations, including long narrow strips and access which crossed wetlands.

Paul questioned why OSC would further qualify these parcels by introducing new criteria beyond the initial requirements for active recreation that the OSC approved. Brian suggested adding notes to the list indicating some of the parcels have potential access issues.

Dan requested copies of the 4 CRs so he could review them. Peter agreed to send the CRs to the OSC.

Jim asked if the map and list of Article 97 land would be shared with any committees/boards other than P&R. No plans to do so were indicated.

Jim suggested several notes should be added to the Article 97 list:

- Powell Reed Land – contains a 15 year American Chestnut restoration project
- Shapley Land - half of the parcel is an active orchard run by Carlsons
- Prospect Hill – while it does have > 3 acres of land with slope < 4 degrees, the level land is disjointed with many gulleys, which would likely preclude its use for playing fields

Peter observed that six of the Article 97 parcels on the list are currently being farmed, so conversion to playing fields would go against OSC's stated goal of protecting active agriculture. Brian pointed out that OSC was not recommending use of the Article 97 land for playing fields, but just providing the data to others.

Peter then reported on his briefing of ConCom at their 11/4/21 meeting. ConCom was not supportive of the use of Article 97 land for playing fields, and several members were very disappointed that P&R had not come to ConCom to discuss the issue before requesting the list from OSC. At their subsequent meeting on 11/18/21, ConCom voted unanimously against the conversion of Article 97 land to playing fields. ConCom also voted unanimously to send a letter to P&R stating their position. (Peter had shared this letter with the OSC.)

Dan questioned how/why this situation between P&R and ConCom had developed. Peter observed that OSC's charter indicates it has no role mediating between P&R and ConCom. Brian then reiterated that OSC's role in the matter was simply to provide information and not to recommend.

Brian relayed the request from ConCom that the disclaimer on the map and list "Creation of this map/list does not indicate approval by the ToH Open Space Committee of the use of ToH Conservation land for active recreation" to read "...by the ToH Open Space Committee or Conservation Commission...". Dan stated that adding ConCom to the disclaimer was not appropriate.

Paul suggested creating two lists of potential active recreation sites – with and without Article 97 land. Peter indicated the list without Article 97 land had already been reviewed by OSC and provided to P&R.

Jim suggested that the scenario had played out as it should have. ConCom owns the land, and therefore gets to opine on its potential use for active recreation. And they have now done so.

Dan suggested that the disclaimers already on the map/list were an over emphasis on the conservation side of OSC and do not belong there, as OSC's charge is to support the other boards. Brian supported the disclaimer as a way to highlight potential issues in the conversion of Article 97 land for active recreation. Peter reminded the committee that the disclaimers were approved at OSC's last meeting as part of the vote on whether to share the Article 97 map/list with P&R.

Brian suggested replacing the word "suitable" in "This list shows potential land suitable for active recreation" with a different descriptor as suggested by ConCom. Paul suggested striking "suitable" which resonated with others. Peter will remove "suitable" and republish the map and list.

The sense of the OSC was not to add "ConCom" to the disclaimer as requested by ConCom and relayed by Brian. The Committee agreed to share the list as presented with the edits proposed by Jim and Paul.

### **CPC Applications**

Jim reported that the applications for the CHP APR and Still River Woods were to be reviewed at the next CPC meeting on 12/15/21. Jim also invited members of OSC to join him on a walk of the CHP orchard which he has organized for CPC members.

### **CPIC Application**

Dan reported that he and Linda had presented the CPIC application for the athletic complex to CPIC, and had answered the usual questions – need, due diligence, funding break down. CPIC will vote at a future meeting on the ask.

Paul thanked Linda and Dan for shepherding the CPIC application through the process.

Liz asked if CPA funds will go to the Conservation Fund if awarded. When hearing yes, she suggested ConCom be represented at the CPC meeting. Peter said he would inform Don Ritchie, ConCom chair.

### **OS Map Update**

Peter indicated he had not made any progress on the update, but hoped to by next meeting. Peter informed the committee that MassGIS has released a new mapping app – MassMapper – which includes new farm soil data. This will be included in the OS map updates along with new data from UMass CAPs IEI.

### **Potential Sites for Active Recreation**

Peter asked if any progress had been made on culling out sites that would not be suitable. Dan answered that none had.

### **New Business**

#### **Annual Report**

Peter indicated that OSC's annual report was due 1/31/22, so would need to be voted on at the next OSC meeting. Peter asked if anyone was willing to draft it. Hearing no responses to the affirmative, he said he would do it but would need a paragraph or two from the active recreation folks. Dan said he would provide something.

Next meeting was set for 1/13/22 at 8:30 AM.

Liz announced that the job description for the Conservation Agent had been redrafted and that support for OSC had been deleted.

Paul wished everyone a Happy Holidays.

Jim made a motion to adjourn. Paul seconded. The meeting was adjourned at 9:25 AM by unanimous vote.

Submitted by: Peter Dorward