

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
JUNE 15, 2023  
APPROVED: JULY 6, 2023**

Chair Don Ritchie called the meeting to order at 7:00pm, virtually, pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on March 29, 2023, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

**Members Present:** Don Ritchie, Eve Wittenberg, Jaye Waldron, Joanne Ward, Jim Burns (7:17pm), and Mark Shaw

**Others Present:** Liz Allard (Conservation Agent), Bob Douglas (Deer Management Subcommittee), Saulo Stewart and Danya Sclar

**Discuss Strategic Planning Session**

A strategic planning session has been suggested to be scheduled for the month of July. Members have been asked to provide dates they are not available during the month of July by the end of next week. Liz Allard will narrow-down possible dates and times in a doodle poll to be sent out the last week of June.

**Land Stewardship Re-appointments – Jim Burns & Brian McClain**

Joanne Ward made a motion to re-appoint Jim Burns and Brian McClain to the Land Stewardship Subcommittee each for a three-year term to expire June 30, 2026. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Mark Shaw, aye; Jaye Waldron, aye; Joanne Ward, aye; Eve Wittenberg, aye; and Don Ritchie, aye.

**Approve Minutes**

Jaye Waldron made a motion to approve the minutes of February 16, 2023 as amended. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Mark Shaw, aye; Jaye Waldron, aye; Joanne Ward, aye; and Eve Wittenberg, aye.

**Approve Invoice**

Eve Wittenberg made a motion to approve the following invoices:

- Beals & Thomas, \$5886.25 (March & May)
- Blue Seal Feeds & Needs, \$611.92 (Haskell Land seed)

Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Mark Shaw, aye; Jaye Waldron, aye; Joanne Ward, aye; and Eve Wittenberg, aye.

**Continuation of a Notice of Intent Hearing – Bare Hill Pond Watershed Management Committee, Harvard#0523-03.** This item was on the agenda in error; the hearing was actually continued to July 6, 2023 at 7:30pm

**Request for Determination of Applicability Hearing – Saulo Stewart, 99 Depot Road, Harvard#0523-05.** Opened at 7:35pm

**Review Proposed Chapter 125-35 Open Space Residential Development Bylaw**

Members have not fully reviewed the proposed amendments as of yet, but will do so for discussion at the July 6<sup>th</sup> meeting.

**Review Deer Management Annual Process and Procedures**

Don Ritchie stated the process and procedures as drafted may be over-management of the Deer Management Subcommittee (DMS). Joanne Ward stated the meetings, as scheduled, have been a bit erratic; recently two meetings were scheduled on back-to-back evenings making it difficult for members to attend. Mark Shaw suggested the members of DMS should be asked their opinion of the meeting scheduled. Eve Wittenberg stated the development of this document was a reaction to the events that occurred in late 2022 pertaining to the sharing of information with the Conservation Agent. Ms. Ward agreed, adding issues with the process or procedures should be brought to the Conservation Commission first and then, if unresolvable, to the Select Board.

In regard to record keeping, Mr. Ritchie does not think the Conservation Commission (ConCom) needs all of the information on the hunters within the program. Jaye Waldron disagreed, stating the ConCom should have all of the information for their records. Ms. Wittenberg and Ms. Ward agreed, with Ms. Wittenberg stating she was not interested maintain a record of each hunter's qualifying information but the additional information on the hunters should be maintained with the Town via the ConCom staff. Ms. Ward inquired about the requirements for re-qualifying to participate in the program.

The submittal of the updated annual checklist reflecting the schedule for activities for the upcoming year was discussed at length; conclusion was that the March 31st date for final submittal of the checklist with dates was accurate, and completion of items would proceed from that date forward through to the following year. The mission of the DMS was discussed, which brought to the attention of the ConCom that it should be revised to reflect the on-going program as opposed to the development of the program.

A revised draft, as discussed this evening, will be provided to the DMS for an opportunity to discuss as a Subcommittee, with a joint meeting with the ConCom to follow. Information about the re-qualification process will be requested from DMS as well.

#### **Update on Enforcement Order – 320 Ayer Road**

Grant McClean is discussing with the property owner the possibility of sharing the cost to have the wetland delineation surveyed for the development of a site plan. Mr. McClean has not filed an application with the Planning Board as of yet. The logs that were to the right of the access road have been split, presumably for chipping.

#### **Pine Hill Village Status Update**

Peter Cricones had requested the Phase 3 clearing begin this week, however with rain predicted for most of the week this request was denied. Mr. Cricones will begin clearing for Phase 3 this coming week, but has been informed he may be delayed on Tuesday as there is a potential for rain on Monday evening. With Monday June 19<sup>th</sup> being a holiday, the clearing cannot start until Tuesday.

#### **Adjournment**

Jim Burns made a motion to adjourn the meeting at 8:13pm. Mark Shaw seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Mark Shaw, aye; Jaye Waldron, aye; Joanne Ward, aye; Eve Wittenberg, aye; and Don Ritchie, aye.

Respectfully submitted,

Liz Allard,  
Conservation Agent

#### **EXHIBITS & OTHER DOCUMENTS**

- Conservation Commission Agenda, dated June 15, 2023

- Harvard Conservation Commission Policies and Procedures for Deer Management Subcommittee Draft for Discussion Purposes, May 30, 2023
- Conservation Commission & Deer Management Subcommittee 2022 Annual Checklist

**Harvard Conservation Commission  
Request for Determination of Applicability Hearing Meeting Minutes  
Saulo Stewart, 99 Depot Road, Harvard#0523-05  
June 15, 2023**

The public hearing was opened at 7:35pm 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, pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on March 29, 2023.

**Members Present:** Don Ritchie, Eve Wittenberg, Jaye Waldron, Joanne Ward, Jim Burns, and Mark Shaw

**Others Present:** Liz Allard (Conservation Agent), Saulo Stewart and Danya Sclar

This hearing is for a Request for Determination of Applicability filed by Saulo Stewart, for the replacement of an existing deck within the 100' wetland buffer zone at 99 Depot Road, Harvard

Saulo Stewart detailed the plan to remove the existing deck and replace it with new deck within the same footprint. New footings will be installed as the existing ones are not conforming to building code. A site walk was conducted last week with members of the Commission.

Jim Burns motion to close the hearing and issue a Negative #2 Determination. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jim Burns, aye; Mark Shaw, aye; Jaye Waldron, aye; Joanne Ward, aye; and Eve Wittenberg, aye.

Respectfully submitted,

Liz Allard,  
Conservation Agent