

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
AUGUST 3, 2017
APPROVED: SEPTEMBER 21, 2017**

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

Members Present: Paul Willard, Don Ritchie, Wendy Sisson, Jaye Waldron, Joanne Ward and Jim Burns

Others Present: Liz Allard (LUB Admin)

Election of Officers

Wendy Sisson made a motion to continue with Paul Willard as chairman and Don Ritchie as the Vice Chairman of the Commission until June 30, 2018. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Approve Minutes

Don Ritchie made a motion to approve the minutes, as amended, of June 15, 2017, including the executive session minutes and the July 3, 2017. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

Open Space Protection Strategy & Plan

Wendy Sisson suggested the ranking be removed from the document. The Commission does not intend to purchase all of the available land, as large tracks were protected in the 1970's by the Commission. At this point the goal is to maintain what the Commission has and obtain smaller parcels that have connectivity to existing open space.

Minor editorial changes have been made to the plan. Jim Burns stated when land becomes available for open space protection the Commission can apply the ranking system to that parcel as part of determining if is worthy of protection. The plan can detail the ranking system that will be used when comparing properties. After discussion whether or not to include a list of parcels that are vulnerable to development, the members agreed the language within the plan will need to be reworked away from the ranking system.

In regards to annual funding for the preservation and maintenance of open space, members discussed the amount of funding that should be requested annually. There were varying amounts from \$200,000 for purchases, with an additional \$25,000 to \$50,000 annually for maintenance, with funding for purchases coming from the Community Preservation Committee. Members agreed that \$100,000 will be requested annually starting in fiscal year 2019.

With no further discussion, Jim Burns made a motion to approve the Harvard 5-Year Open Space Protection Plan as revised this evening. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

FY2017 4th Quarter Review of Conservation Funds

Liz Allard had previously distributed the excel spreadsheet for the final quarter of fiscal year 2017 for the members review. There were no questions or comments from the members.

Licensing of Conservation Land Update

Joanne Ward reviewed the spreadsheet she created for lands that are being used for agricultural that are under the management of the Commission. The spreadsheet will be expanded to include the type of agricultural use. Don Ritchie agreed to review the sites to determine if they are still being used for agricultural use.

Review & Approve Capital Planning & Investment Committee application for Davis Land

Revisions were suggested to the narrative that is to be included with the application to the Capital Planning and Investment Committee. In addition, the members requested the map be revised to show the surrounding Town's open space.

The application itself had no suggested revision; therefore Don Ritchie made a motion to approve the application to the Capital Planning and Investment Committee in the amount of \$200,000 for the purchase of the 11.8 acres of land along Still River Road, known as the Davis land. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Request to conduct Forest Therapy walks on conservation land

The main issue with this request is parking; the Commission does not want other users of the land turned away because there is not sufficient parking. The Commission needs to know how many people are expected at these walks. Any advertisement of these walks should not mention it is on conservation land.

Other areas were suggested for this activity and will be relayed to the requester, Pam Fredrick. Those areas include the Prospect Hill management area, Bolton Springs (in Bolton), the Tank Trail at the Oxbow National Wildlife Refuge and the Sprague land. Liz Allard will follow up with Ms. Fredrick on the requested information for the next meeting.

Request for a Certificate of Compliance – 311 Still River Road, DEP#177-347

Don Ritchie made a motion to issue a Certificate of Compliance for 311 Still River Road, DEP#177-347. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Re-issuance of Certificates of Compliance – 34 Peninsula Road, DEP#177-364 & 177-515

Liz Allard stated she had come across the re-issued certificates of compliance sent to the previous owners of 34 Peninsula Road, which were never recorded at the registry of deeds. Ms. Allard is requesting the COC be re-issued to the new owners in hopes they will be recorded at the registry of deeds, which will close out both files (DEP#177-364 and 515).

Joanne Ward made a motion to re-issue the Certificates of Compliance, DEP#177-364 and 515, for 34 Peninsula Road. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion.

Protection of Open Space – Woodside Road, Map 30 Parcel 14

Liz Allard stated she has been contacted by Joanne O'Donnell who owns a 2.69 acre parcel of land along Woodside Road, in regards to donating the land to the Town in lieu of back taxes. The back taxes currently owed are in the excess of \$160,000. Ms. Allard spoke with the Town Administrator about the matter, who has stated if the Commission is interested in preserving the land as open space then he will work to find the funds to pay back the principle balance of roughly \$77,000.

The lot is approximately 80% wetlands with practically no potential of being an actual building lot. In discussing the lot with the Assessor's, Ms. Allard has learned at a minimum the Commission could vote the lot as unbuildable due to the existence of wetlands and the associated setbacks under the Wetland Bylaw Rules.

The Commission was curious as to why now the Town was willing to only require the principle be paid. Previous discussion about the property years ago ended when the Commission was told the entire amount would need to be paid. Liz Allard stated it would be difficult to obtain an answer as the Town employees involved at that time no longer work for the town. Ms. Allard will review minutes of the Commission to determine the history.

At a minimum the Commission can reaffirm their determination that the lot is unbuildable, which will reduce the value of the land and subsequently reduce the taxes moving forward. Wendy Sisson made a motion confirming the determination previously made by the Commission in regards to the lot along Woodside Road, known as Map 30 Parcel 14, as a non-buildable lot. At the time of that determination the Town had indicated it wanted full payment of the back taxes and continued to assess the property as a buildable lot. Jaye Waldron seconded the motion. The vote was 5-0-1 with Paul Willard abstaining from the vote.

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 adjourn the public meeting once completed. Jaye Waldron seconded the motion. A roll call vote was taken: Wendy Sisson, aye; Paul Willard, aye; Jaye Waldron, aye; Jim Burns, aye; Joanne Ward, aye; and Don Ritchie, aye.

Adjournment

Joanne made a motion to adjourn the meeting at 9:32pm. Jim Burns seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

Conservation Commission Agenda, dated August 3, 2017