



HARVARD
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TRUST

Harvard Conservation Trust

What is a Conservation Restriction?

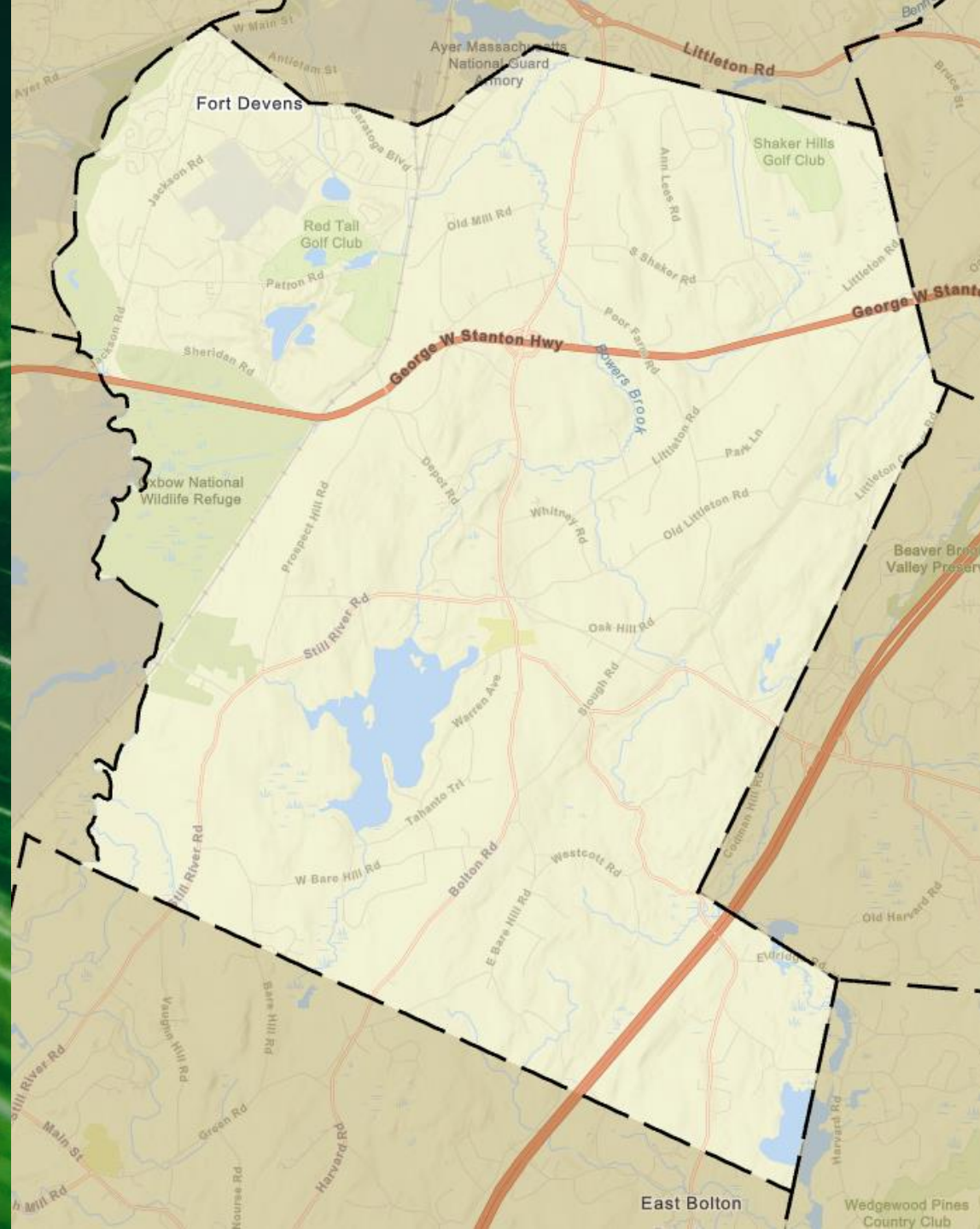


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50th Anniversary

- HCT was established in 1973.
- We actively seek to preserve:
 - Harvard's rural character and farmlands;
 - Areas conducive to outdoor education, recreation, and enjoyment;
 - Areas of historical significance or natural beauty;
 - Water resources, wildlife habitat, and areas of ecological significance.

<http://www.axisgis.com/HarvardMA/> - Accessed 2/12/24

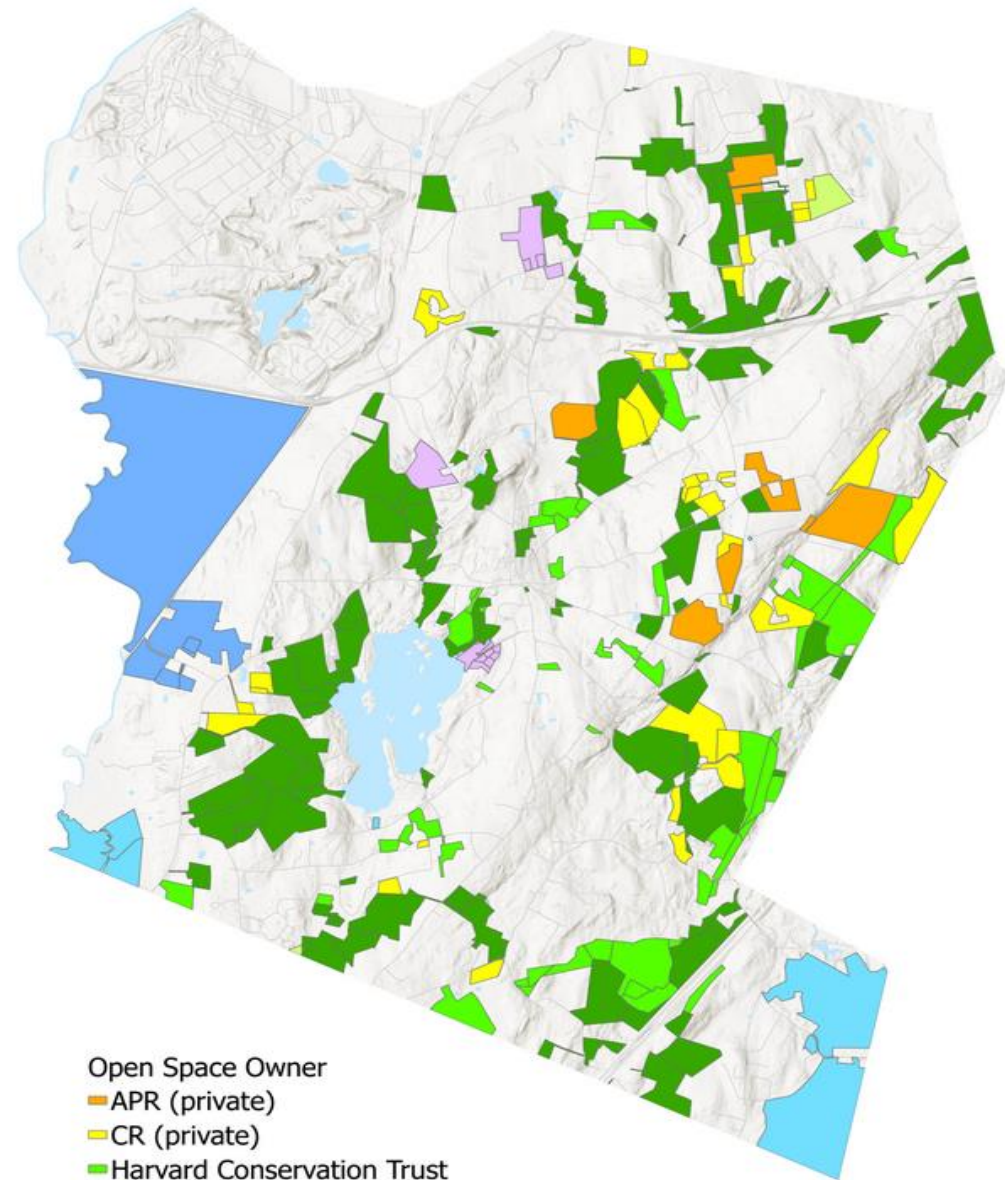




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Land Conserved

- Over the past 50 years HCT and our partners have permanently protected over 1,100 acres.



- Open Space Owner
- APR (private)
 - CR (private)
 - Harvard Conservation Trust
 - Other Land Trust
 - Conservation Commission
 - Park & Recreation Commission
 - Mass Fish & Wildlife
 - US Fish & Wildlife





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Conservation Restriction?

- “A conservation restriction is a legally enforceable agreement whose purpose is to ensure permanent protection of specific conservation values while permitting limited land uses consistent with the protection of said conservation values.”
- Ownership is retained.
- Selling the development rights?

<https://www.mass.gov/info-details/conservation-restriction-review-program> - Accessed 2/12/24





Public Benefit?

- **Must be granted to one or more qualified organizations whose purpose includes the conservation of land or water.**
- **State of MA requires a lengthy report submission and review process.**
- **The details of the application can be highly variable but there must be a public benefit.**
- **The holder of the CR carries a responsibility to monitor and enforce the restriction.**





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Financial?

- A Conservation Restriction has economic value.
- It can be purchased, sold, or donated.
- It is however permanent and cannot be easily changed.
- Details are site specific.
- Income tax benefits for perpetual conservation restriction.



Photos by Ben



Example - Prospect Hill

- 70 acres of forest and active farmland.
- A joint project with Sudbury Valley Trustees (SVT) and MA Department of Agriculture (MDAR)
- Permanently protecting this important landmark with an Agricultural Preservation Restriction. (APR)





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Example – Crescent Valley

- 34 acres of forest and wetland, divided into two parcels
- Note the exclusion area - building envelope.
- Baseline Documentation Report
 - Recording...
 - Maps and Surveys
 - Boundary Conditions
 - Affidavits
 - Documentary Photos
 - Copy of the recorded restriction.



Orthophoto Map 1

Crescent Valley West CR

Source: CR and exclusion boundaries based on metes and bounds. See baseline documentation report Section III. C. MassGIS Data: Protected and Recreational Open Space; USGS Color Ortho Imagery (2019)

0 200 400 600 800 Feet

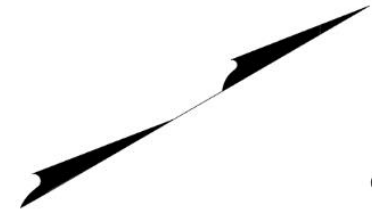
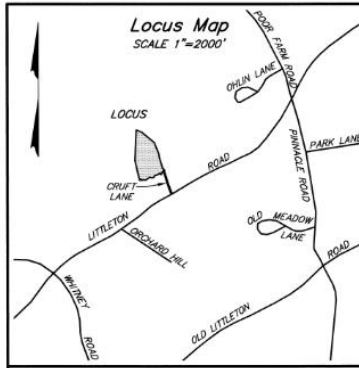


11/19/2020

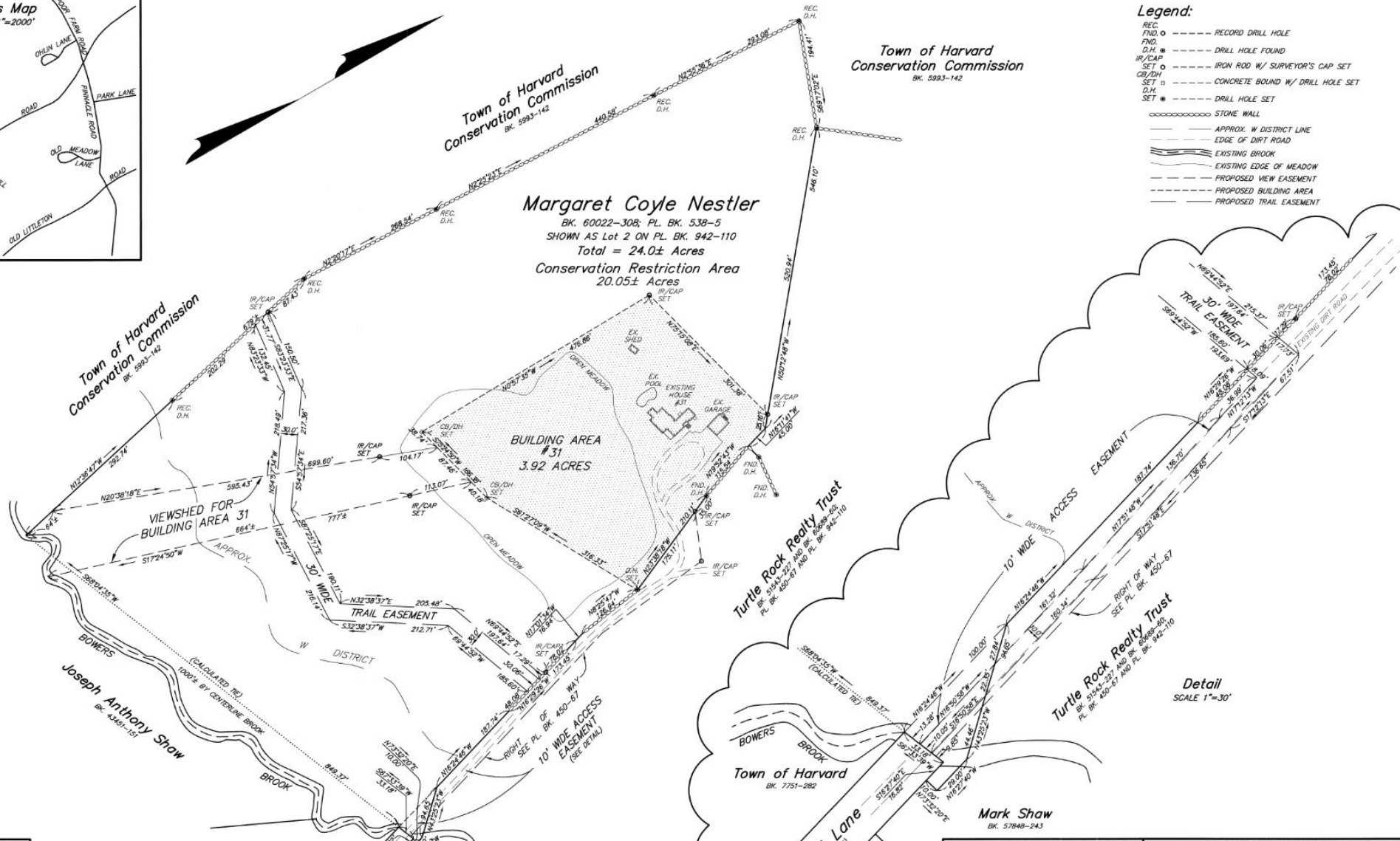
This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.



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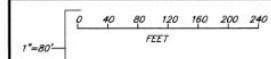


- Legend:**
- REC. D.H. --- RECORD DRILL HOLE
 - FND. D.H. --- DRILL HOLE FOUND
 - IR/CAP SET --- IRON ROD W/ SURVEYOR'S CAP SET
 - CB/DH SET --- CONCRETE BOUND W/ DRILL HOLE SET
 - D.H. SET --- DRILL HOLE SET
 - DRILL HOLE SET
 - STONE WALL
 - APPROX. W DISTRICT LINE
 - EDGE OF DIRT ROAD
 - EXISTING BROOK
 - EXISTING EDGE OF MEADOW
 - PROPOSED VIEW EASEMENT
 - PROPOSED BUILDING AREA
 - PROPOSED TRAIL EASEMENT



M.G.L. C41 S81-X Surveyor's Certificate
 I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

7/2/2020 DATE
 [Signature] SURVEYOR



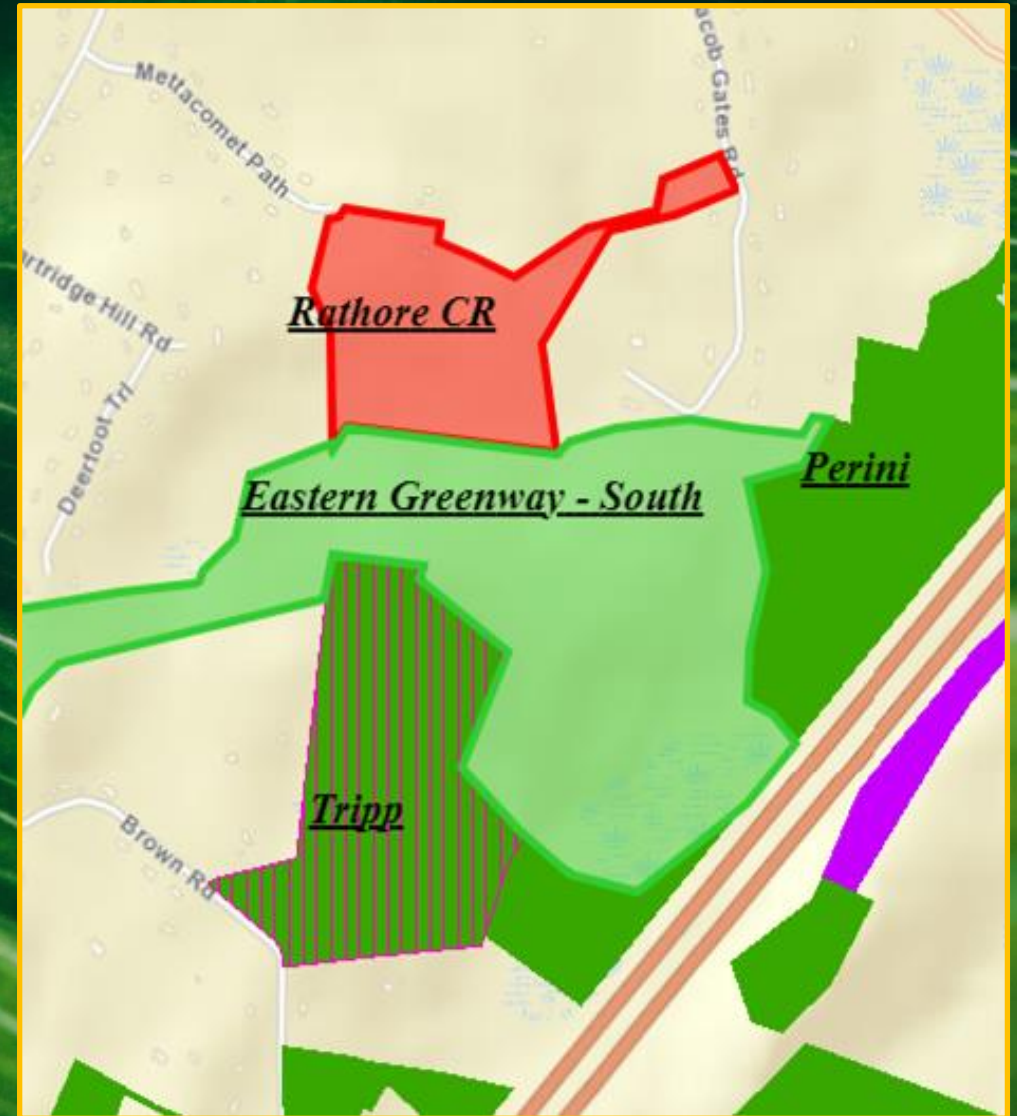
I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.
 7/2/2020 DATE
 [Signature] SURVEYOR

CONSERVATION RESTRICTION AND EASEMENT PLAN OF LAND IN
Harvard, Mass.
 OWNED BY
Margaret Coyle Nestler
 SCALE: 1"=80'
David E. Ross Associates, Inc.
 CIVIL ENGINEERS - LAND SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 PO BOX 795-6 LANCASTER COUNTY RD, HARVARD, MA 01451
 (TEL. NO. 978-772-6232)
 JOB NO. 31002 SHEET 1 OF 1 PLAN NO. L-13821A



Example - Rathore

- Provides walkable trails that connect to an existing network of trails on permanently protected conservation land.
- Protects a tributary of Elizabeth Brook.
- Protects wildlife habitat identified as a priority parcel by Mass Audubon.
- Consistent with Town and State public policies and plans.





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Example - Rathore

Prohibited Acts and Uses

- Structures and Improvements
- Extractive Activities
- Disposal Storage
- Adverse Impacts to Vegetation
- Adverse Impacts to Water & Soil
- Adverse Impacts to Stone Walls
- Introduction of Invasive Species
- Motor Vehicles

Permitted Acts and Uses

- Water Supply
- Vegetation Management
- Removing non-native species
- Composting
- Ecosystem Improvement
- Trails and Signs
- Forest Stewardship
- Septic (With Written Approval)

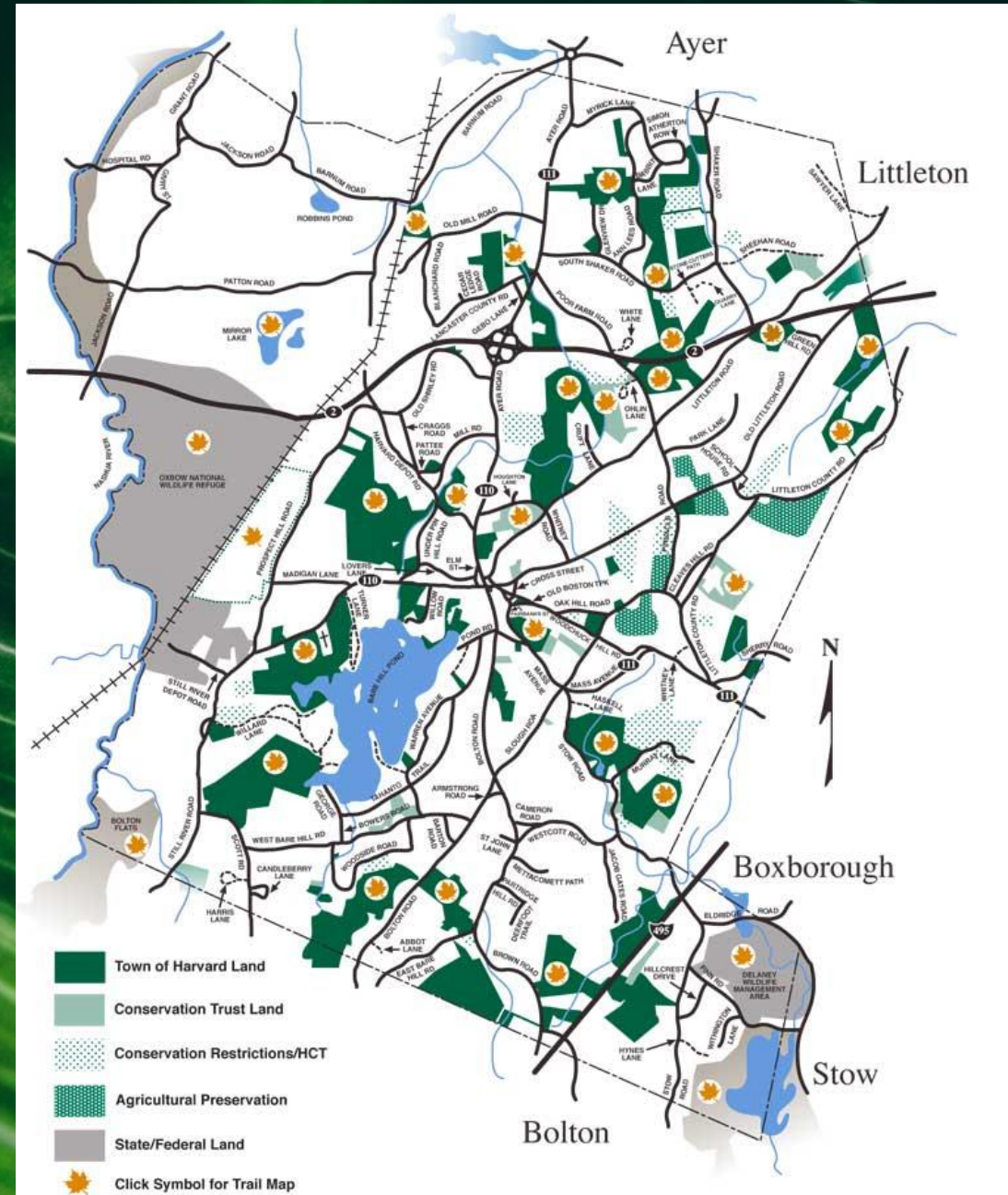


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The work continues...

Additional Resources –

- Umass Amherst
– Mass Woods
- Division of Fisheries and
Wildlife - MassWildlife
- Trustees of Reservation
- Sudbury Valley Trustees
- Harvard Conservation Trust





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Thank you.

