



**Board of Selectmen  
Minutes  
Tuesday, June 2, 2015 at 7:00pm  
Hapgood Meeting Room**

The meeting was called to order at 7:00PM by Chair, Ron Ricci in the Hapgood Meeting Room. Selectmen Lucy Wallace, Leo Blair, Stu Sklar and Ken Swanton were in attendance as well as Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

### **Minutes**

Leo Blair had comments he wished to add therefore the board decided to approve the 5/19 minutes at their next meeting.

### **Signage and Convex mirror request on Ayer Road**

Gus and Jenifer Fraser, 60 Ayer Road attended the meeting to ask the Selectmen to approve installation of a blind driveway sign and a convex mirror in an effort to address their family's concerns about safety when exiting their driveway. Jenifer Fraser described the line of sight to be very difficult when exiting their driveway. They have spoken with the DPW Director who was supportive of their request. He told them they would need approval from the Board of Selectmen. The Public Safety Department also provided input on their request. The board members acknowledged and understood the traffic issues in this area. They also discussed the current placement of the speed limit sign near the police station curious if moving it closer to route 2 would assist in slowing down traffic. On a Blair/Wallace motion, the board voted unanimously to authorize the installation with costs associated to be paid by the homeowners. Additionally, Wallace asked to have the Public Safety department investigate moving the speed limit sign.

### **Harvard Road Race Association**

Race Directors Michael Thornton and Jim Lee were present to seek approval for the association's two annual events. Their first event is held the morning of July 4<sup>th</sup> and the second (Apple Harvest Ramble) on the 4<sup>th</sup> weekend in September which this year is Sept. 26<sup>th</sup>. Thornton provided liability insurance certificates for both events. Ron Ricci explained the new policy on special events is to essentially control the number of events held in one day and to take into account which areas in town will be impacted. The board is sensitive to how events effect coming and going of residents in town. Ricci acknowledged the association events have been held for many years therefore they will be added as recurring events to the calendar. Thornton noted they intend to hang banners for each event in front of John Lee's home on Ayer Road. On a Wallace/Blair motion, the board unanimously approved both events.

### **Super Town Meeting**

Ricci invited Planning Board Chair Kara Minar to discuss the Planning Board's recommendations on the proposed zoning changes. She began with two general comments by the Planning Board. First, they expressed concern on not having enough time to suggest alternate language that might better protect and benefit Harvard and secondly the lack of a comprehensive accurate zoning map showing the changes.

She summarized their concerns on each article and reiterated their votes on each article:

Article 1 – do not support

- Breaking the housing cap of 282 units
- Inconsistent with what constitutes affordable housing based on percentages being used on the Grant Housing project.
- Ignoring potentially viable use for Vicksburg Square

Article 2 – do not support

- This articles permits uses which may result in services that directly compete with the professional medical and health care offices in our commercial district.

Article 3 – do support

- PB supports this article because it will allow new housing in Adams Circle, land in Willow Brook corridor in permanent open space protection and Rogers Field will be rezoned to open space and recreation.

Article 4 – do not support

- Proposed uses are not compatible with residential neighborhoods and could have a negative impact on nearby residences.
- Imprecise language denoting the area

Leo Blair asked for clarification on a couple of items mentioned in the letter. He advocated for approaching changes to Chapter 498 in a piece meal manner as a better method moving forward. Lucy Wallace understands his suggestion but feels strongly we are obligated to consider the DREZ in its entirety. She also shares the same concerns as the Planning Board regarding Vicksburg Square. She does not believe the proposed changes support housing in the area therefore she is not supportive of the articles. Stu Sklar agreed with Wallace on a more holistic approach. Ken Swanton admires Shirley's ability to come up with a proposal. He encourages Harvard to take the time and decide what we want in Devens. He also is not excited about the articles as presented. Ricci echoed Wallace's sentiments about Vicksburg Square.

After more discussion over the following votes were made:

- On a Sklar/Blair motion, the board voted unanimously to oppose article 1.
- On a Wallace/Blair motion, the board voted unanimously to oppose article 2.
- On a Blair/Sklar motion, the board voted to oppose article 3. (3/2)  
(Swanton, Blair, Wallace – Nay / Sklar & Ricci – Aye)

When the vote came up on article 4 two members from the Devens Economic Analysis Team asked to speak briefly on the article. Paul Green and Noyan Kinayman were invited to come forward. They reviewed analysis the committee has done sharing the positive impact a major industry, such as pharmaceutical, could have on Harvard.

MassDevelopment Senior Vice President Thatcher Kezer explained article 4 is an attempt to have a portion of Grant Road of a certain size zoned commercial. He indicated a number of bio firms are looking for large parcels of land for manufacturing pointing out there are very few sites like this in Massachusetts. This is a mechanism to create an opportunity which may not be there in the future. He understands there are reservations but cautions letting perfection get in the way of progress.

Blair reiterated his notion the current process of requiring Super Town Meetings to make changes to Chapter 498 as a hopeless with too many varying interests at odds.

- On a Blair/Wallace motion, the board voted to support article 4. (3/2)  
(Swanton, Blair, Wallace – Nay / Sklar & Ricci – Aye)

### **Grant Road Housing Development**

Lucy Wallace and David Hopper gave a quick update on what occurred at the hearing last week when the Devens Village Green unified permit was approved. Hopper expects to hear from the developer to finalize an agreement with the trust. He explained an agreement with the developer will be independent of the DEC decision on the project. The board discussed their next steps related to concerns with the IRD Regulations. While Hopper is confident the developer is intent on finalizing a favorable agreement that does not address concerns raised with respect to future projects. Hopper and the developer will work with the Department of Housing and Community Development (DHCD) to achieve an agreement that works for all parties involved. The DEC commissioners stood by the IRD Regulations during the hearing. Hopper said the application was submitted with waivers but not significant changes were made. Leo Blair added it is important to know the developer was approached to request an extension of the decision but they declined to do so. Blair recommended the board retain legal counsel to appeal the decision. They discussed the appeal period and the need to act expeditiously.

### **Town Administrator report**

Tim Bragan presented the board with three attorneys to consider for assist with Devens issues. The Assistant Town Administrator worked with Bragan to provide the recommendation. Lucy Wallace made a motion to direct the Town Administrator to contact attorneys in the order presented with their first course of action to prepare an appeal to be filed if necessary and work with us to determine if IRD can be adopted as regulations and not as zoning bylaw changes. Blair suggested the motion be simpler. Blair amended the motion to direct the Town Administrator to contact attorneys in the order presented with their first course of action to draft appeal of decision. Ron Ricci asked the board to meet at 6:30pm on June 8<sup>th</sup> to discuss further with legal counsel.

### **Finance Committee appointments**

Bragan reported the Moderator has reappointed Alice Von Loesecke and Steve Colwell to another three year term. John Seeley will continue as an associate member.

Bragan told the board he is meeting with a company to discuss maintenance of town buildings.

**Fire Truck vote**

On a Wallace/Sklar motion, the board voted unanimously that the maximum useful life of the Fire Department Tanker Truck to be financed with the proceeds of the \$350,000 borrowing authorized by the vote of the Town passed March 28, 2015 (Article 24) and excluded from the limitations of Proposition 2 Y2 (so-called by a vote of the Town passed April 7, 2015 (Question 2) is hereby determined pursuant to G.L. c.44, §7(9) to be /S- years.

**BOS Goals & liaison assignments***Goals*

The board made one minor change. On a Wallace/Blair motion, the board voted unanimously to accept goals.

*Liaison Assignments*

Blair and Sklar traded Park & Rec and Fin Com. Sklar kept town hall and gained the Board of Health. Ricci will no longer have JBOS but will gain the Water System Study Committee.

**Farm winery – farmers market – Turtle Creek Winery**

On a Wallace/Blair motion, the board voted unanimously to approve the license.

**Bromfield student request**

The board members agreed to set up a gift account for the student and have a link on our website soliciting donations on behalf of the individual. On a Blair/Wallace motion, the board voted unanimously to set up a gift account.

The meeting was adjourned at 9:10pm.

## Documents referenced:

Letter from the Frasers – dated 5.11.2015

Special event applications – Harvard Races Association – dated 5.20.2015

Super Town Meeting – letter from the Planning Board – dated 6.2.2015

Farm Winery – Farmers market application – dated 5.18.2015

Bromfield student letter – dated 5.21.2015