

**HARVARD PLANNING BOARD  
MEETING MINUTES  
MAY 18, 2020  
APPROVED: JULY 20, 2020**

Chair Erin McBee called the meeting to order at 7:02pm virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

**Members Present:** Erin McBee, Justin Brown, Fran Nickerson, Stacia Donahue and Jarrett Rushmore

**Others Present:** Christopher Ryan (Director of Community and Economic Development), Heather Dudko

**Request to Amend Special Permit decision - Rollstone Bank, 285 Ayer Road**

Heather Dudko, representing Rollstone Bank, was present. McBee summarized the proposed change to the sign, which is to alternate the base of the sign from one aluminum coated post to two granite posts. Ryan noted in his opinion the change was *De Minimus*. Brown commented 285 Ayer Road was missing from one drawing and clarified that the sign will, in fact, have the address on it. After a long discussion it was determined the applicant could proceed with the requested change to the sign. Brown made a motion to approve the revision to the Rollstone Bank sign as a *De Minimus* amendment to the Special Permit, dated December 4, 2019. The motion was seconded by McBee. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; Rushmore, aye; and McBee, aye.

**Approve Electronic Signature for Planning Board Decisions**

Brown made the following motion; the Harvard Planning Board authorizes the Director of Community Economic Development, Christopher Ryan, to electronically sign Harvard Planning Board Documents on behalf of individual Planning Board members, listed below. The term Harvard Planning Board Documents as used in the preceding sentence means only those documents that the Harvard Planning Board voted to issue and sign at a public meeting during Covid-19 State of Emergency. Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; Rushmore, aye; and McBee, aye.

**Annual Board Member Appointments - New Volunteer Rebecca Kelley**

Rebecca Kelley was not in attendance. The Board reviewed her volunteer application.

**ZBA Request for Comments – 134 Old Littleton Road**

After a brief discussion the Board agreed they had no comments on this application.

**Special Permit and Site Plan Review Hearing – Three Season Landscape, 264 Ayer Road.**

Open at 8:29pm (see page 3 for complete details)

**Scenic Road Consent and Public Shade Tree Hearing – Carl & Tracy Lando, 110 Pinnacle Road.** Open at 8:29pm (see page 5 for complete details)

**Board Member Reports – Committee Activities**

Donahue reported there has been little activity with Montachusett Regional Planning Commission as of lately.

Donahue also reported on the Littleton Transportation group, which have been discussing the possibility of a regional bike path in the towns of Harvard, Littleton, Ayer, and Devens to connect what Boxboro/Acton has done with the Town of Littleton.

**Director's Update**

Ryan reviewed his current report.

**Approve Minutes**

Nickerson made a motion to approve minutes from March 2, 2020 as drafted. Brown seconded the motion. The vote was 4-0 in favor of the motion by a roll call, with Rushmore abstaining; Brown, aye; Donahue, aye; Nickerson, aye; and McBee, aye.

**Adjournment**

Brown made a motion to adjourn the meeting at 9:43pm. McBee seconded the motion. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; Rushmore, aye; and McBee, aye.

Signed: \_\_\_\_\_

Liz Allard,  
Land Use Administrator/  
Conservation Agent

**EXHIBITS & OTHER DOCUMENTS**

- Planning Board Agenda, May 18, 2020
- D/F Non-lit Pylon, Rollstone Bank & Trust, 283 Ayer Road, Harvard, MA, Job Number: RBT\_002, Drawing Number: B84680, prepared by Philadelphia Sign, dated 3/11/20
- Rollstone Bank, RBT\_00002- Harvard, 283 Ayer Road, Harvard, MA, DWG NUM: A34546, prepared by Philadelphia Sign, dated 02.10.20
- Vote Authorizing Signatures of Harvard Planning Board, undated
- Site Plan, Michael Hood, Three Season Landscape, 264 Ayer Road, Harvard, MA, Job No. 33051, Plan No. L-13982, prepared by David E. Ross Associates, Inc., dated 4/1/20
- Sewage Disposal System, Carl & Tracy Lando, Pinnacle Road (Portion of 166 Littleton Road Harvard, MA), Job No. 33174, Plan No. L-13506, prepared by David E. Ross Associates, Inc., dated 3/27/20
- Director of Community and Economic Development UPDATE, May 18, 2020
- Draft Harvard Planning Board Minutes, prepared by Liz Allard, March 2, 2020

## Harvard Planning Board

### Special Permit & Site Plan Approval Meeting Minutes

#### Three Season Landscape, 264 Ayer Road

May 21, 2020

The public hearing was opened at 8:29pm by Chair Erin McBee under MGL Chapter 40A the Zoning Act and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

**Members Present:** Erin McBee, Justin Brown, Fran Nickerson, Stacia Donahue and Jarrett Rushmore

**Others Present:** Christopher Ryan (Director of Community and Economic Development), Neil Gorman (Ross Associates, Inc.) and Michael Hood (Three Season Landscape)

Neil Gorman, of Ross Associates, Inc., along with Michael Hood, owner of Three Season Landscape, were present. Gorman reviewed the site plan. Rushmore questioned the location of the existing well; Gorman it was not a concern and clarified the infrastructure within the driveway is manhole. Ryan questioned the lack of connection to the septic system; Gorman stated there is septic system connection, however it is not shown on this plan. The sign for the business has not been designed at this point. Comments in regards to the driveway as revised included better turns for trucks and the one-way traffic pattern going south to north seemed to work better. Brown asked about screening; Gorman stated screen is not necessary due to the area question had nothing in view to screen from. Gorman noted existing trees will remain.

The Board discussed the need for sidewalks along Ayer Road, but are unsure as to how this project would tie into the Transportation Improvement Project planed along Ayer Road and therefore were agreeable to move forward with this application without the requiring sidewalks. Ryan reviewed the requirements for Site Plan approval as detailed in Chapter 125-39 of the Protective Bylaw. Hood confirmed that vehicles and equipment do not idle at the site.

Brown made a motion to close the hearing and issue a Special Permit and Site Plan Approval to Three Season Landscape, at 264 Ayer Road as required by Chapter 125-23B of the Protective Bylaw with the following conditions:

- The applicant offers the Town a payment-in-lieu, rather than providing the 6' concrete sidewalk specified in the Commercial Design Guidelines (Section H, p. 19) or gravel path based on a cost per linear foot of \$15.13 and on a 5' width. In this case, a payment would translate to \$4,266.66.
- The applicant provides 6' commercial grade parking blocks for all gravel spaces.
- The driveways provide clear directional signage and that the narrower portion of the driveway be restricted from two-way commercial traffic.
- The applicant provides an as-built site plan upon completion of project prior to final inspection.
- The applicant seeks and receives a driveway permit from DPW.
- If any commercial scale waste receptacle is deemed necessary in the future, that the applicant submit plans for the receptacle to the Planning Board for approval.

Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; Rushmore, aye; and McBee, aye.

Signed: \_\_\_\_\_

Liz Allard,  
Land Use Administrator/Conservation Agent

## Harvard Planning Board

### Scenic Road Consent Meeting Minutes

#### Carl & Tracy Lando, 110 Pinnacle Road

May 21, 2020

The public hearing was opened at 7:31pm by Chair Erin McBee under MGL Chapter 40A the Zoning Act and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

**Members Present:** Erin McBee, Justin Brown, Fran Nickerson, Stacia Donahue and Jarrett Rushmore

**Others Present:** Christopher Ryan (Director of Community and Economic Development), Neil Gorman (Ross Associates, Inc.), JC Ferguson (Harvard Tree Warden), Carl and Tracy Lando

Carl and Tracy Lando, owners of 110 Pinnacle Road, were present. JC Ferguson, Harvard's Tree Warden noted that the removal of the tree is against Massachusetts General Law, Chapter 40 Section 15C and Chapter 87, in which a fine could be levied of up to \$500. Ferguson recommended a donation be made to the Elm Commission in lieu of a fine for the removal of a shade tree along a scenic road without proper consent. The Lando were in agreement with this recommendation. Neil Gorman, of Ross Associates, detailed the site plan which includes the removal of three trees and the opening of an existing stone wall to the minimum degree possible to satisfy the dimensional requirements of the by-law. The stones that are proposed to be removed will be placed on both sides of the driveway entrance to keep with the character of the scenic road features. Brown suggested additional restitution by the planting of five new trees along Pinnacle Road.

Brown made a motion to close the hearing and issue Scenic Road Consent to Carl and Tracy Lando for 110 Pinnacle Road. Nickerson seconded the motion. JC amended to strike 'from the roadway' from the motion. Brown withdrew his original motion. Brown made a new motion to close the hearing and issue Scenic Road Consent to Carl & Tracy Land for 110 Pinnacle Road, with the following conditions:

1. The planting of five (5) shade trees along the roadway with a minimum 3" diameter and sites to be chosen in collaboration with the Tree Warden, and
2. A contribution of \$500 for the removal of shade trees without consent paid to the Elm Commission.

Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; Rushmore, aye; and McBee, aye.

Signed: \_\_\_\_\_

Liz Allard,  
Land Use Administrator/  
Conservation Agent