

**HARVARD PLANNING BOARD
MEETING MINUTES
MARCH 10, 2014
APPROVED: MAY 5, 2014**

Chair Kara McGuire Minar opened the meeting at 7:38pm at the Hildreth House under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Kara McGuire Minar, Jim Breslauer, Erin McBee and Joe Hutchinson

Others Present: Liz Allard (LUB Admin), Bill Scanlan (Town Planner), Mark Lanza (Town Counsel) and Valerie Hurley (Harvard Press)

Board Member Reports

Hutchinson reviewed the Master Plan Steering Committee (MPSC) roundtable discussions from last week. Hutchinson stated the events were well attended. The format of the events was interesting to Hutchinson because there were no visuals. The MPSC are relying on consultants to do a summary of what they heard at those discussions. Hutchinson stated one of the interesting things that came out of the discussions is that the interchange between Route 2 and 110 is half way between available service stations in Leominster and Acton; Hutchinson feels the Town will most likely be receiving pressure for such a facility over the next year. Scanlan stated there is a fair amount of support for development in commercial district, as long as residents concerns are taken into consideration. The development of design guidelines for the commercial district will be helpful as well.

Hutchinson and Lucy Wallace, the Board of Selectmen liaison to the MPSC, meet with EDC to discuss their goals and the Master Plan. Hutchinson stated the conversation centered around the potential for a grocery store and faster permitting.

Planner Report

Scanlan had previously circulated possible ideas for participation in the District Local Technical Assistance (DLTA) Program in regards to the Town Center. Scanlan suggested the items that address traffic concerns should be undertaken by traffic grants that Montachusett Regional Planning Commission (MRPC) regulate. Members agreed to scale down the scope of the request for DLTA to creating a new conventional district for the Center, design standards for the Town Center, design a new parking and circulation plan for the area around Town Hall, and prepared a landscaping and public realm plan. Scanlan will prepare and submit the application to MRPC by the deadline on Friday.

Approve Invoices

Allard stated the following invoice has been received for payment on the next bill warrant.

- ❖ William Scanlan - \$2400 (Town Planner)

Breslauer made a motion to approve the above mentioned invoice for inclusion on the next bill warrant. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

Continuation of the Protective Bylaw Amendments Hearing. Opened at 8:00pm

Approve Final Language of 125-27 Bylaw Amendment

Scanlan had circulated the final language as discussed at the previous meeting in regards to the amendment to Chapter 125-27. With no questions or comments, Breslauer made a motion to approve the language as amended this evening. McBee seconded the motion. The vote was unanimously in favor of the motion.

Discuss Follow-up to Legal Counsel Request

McGuire Minar discussed the letter she received from the Town Administrator on February 13th in regards to the Planning Board hiring of outside counsel. McGuire Minar has learned of additional information on the matter and is requesting she be allowed to write a follow-up letter to the Town Administrator. Breslauer made a motion to authorize McGuire Minar to send a follow-up letter to the Town Administrator on the matter of hiring outside legal counsel. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Schmoyer made a motion to adjourn the meeting at 9:47pm. Breslauer seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

Harvard Planning Board

Continuation of the Protective Bylaw Amendments Hearing

March 10, 2014

Chair Kara McGuire Minar opened the hearing at 8:00pm at the Hildreth House under MGL Chapter 40A and the Code of the Town of Harvard, Chapter 125 the Protective Bylaw

Members Present: Kara McGuire Minar, Jim Breslauer, Tim Schmoyer, Erin McBee and Joe Hutchinson

Others Present: Liz Allard (LUB Admin), Bill Scanlan (Town Planner), Mark Lanza (Town Counsel) and Valerie Hurley (Harvard Press)

Adult Entertainment Districts

Revisions were made by the members to include an inside boundary line of 200' from the edge of the commercial district and to add the words "digital media" to the definition of "Adult Video Store". It is Town Counsel, Mark Lanza, opinion that the setbacks, as depicted on the map, do not indicate inclusionary zoning. The map will be included as a handout for town meeting.

With no further discussion, Breslauer made a motion to recommend the support of Article 46 Zoning – Amend 125-12 and 14 for Adult Entertainment as presented in the warrant for annual town meeting with the above mentioned revisions. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

McBee made a motion to close the hearing on Adult Entertainment Districts. Schmoyer seconded the motion. The vote was unanimously in favor of the motion.

§125-3 Existing Structures and Uses

Members discussed the final point within the new provision, which is whether to increase the gross floor area and foot print requirement from 15% to 20% under 125-3B(1)(b). After a brief discussion, members agreed to increase the number to 20%.

McBee made a motion to recommend the support of Article 40 Zoning – Amend §125-3 Existing Structures and Uses as presented in the warrant for annual town meeting with the above mentioned revision. Schmoyer seconded the motion. The vote was 4-1 with Breslauer opposing.

Schmoyer made a motion to close the hearing on §125-3 Existing Structures and Uses. McBee seconded the motion. The vote was unanimously in favor of the motion.

§125-31 and 39 Driveways

Members discussed a definition for "traffic island", the number of units under Table 2 and language for inclusion of large delivery trucks on residential driveways. With a large portion of the provision to be reviewed, Breslauer made a motion to continue the hearing to March 17th at 7:45pm in the Town Hall. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

Medical Marijuana Treatment Centers

Members agreed changes previously made to the Adult Entertainment District map this evening should be applied to medical marijuana treatment centers. Language to 125-14G(1) will need to be adjusted, similar to the adult entertainment. McGuire Minar suggested the total square footage of allowed facility be limited to 6,000 square foot rather than the proposed 10,000 square feet; members agreed.

McGuire Minar made a motion to recommend support of Article 45 Zoning – Amend 125-14 for Medical Marijuana Treatment Centers as presented in the warrant for annual town meeting with the above mentioned revisions. Hutchinson seconded the motion. The vote was 4-1 with Schmoyer opposing.

Breslauer made a motion to close the hearing on Medical Marijuana Treatment Centers. Schmoyer seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

DOCUMENTS & OTHER EXHIBITS

Continuation of the Protective Bylaw Amendments Hearing

- ❖ Proposed Buffers in the Commercial Districts for the Adult Entertainment and Medical Marijuana Bylaws Map, undated
- ❖ Amendment for Adult Entertainment, drafted dated 2-18-2014
- ❖ Article II Non-conformities, undated
- ❖ Proposed Driveway Amendments, draft dated 2-10-2014
- ❖ Amendment for Medical Marijuana Treatment Center, draft dated 2-18-2014

Discuss Follow-up to Legal Counsel Request

- ❖ Memo from Town Administrator, Tim Bragan. RE: Planning Board's Authority to Hire Legal Counsel, dated February 13, 2014