

**HARVARD PLANNING BOARD
MEETING MINUTES
JUNE 7, 2021
APPROVED: JULY 19, 2021**

Chair Justin Brown called the meeting to order at 7:04pm 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: Justin Brown, Stacia Donahue, Fran Nickerson and Becca Kelley (Associate Member)

Others Present: Christopher Ryan (Director of Community and Economic Development), Matthew Flokos (Harvard Press), Richard Cabelus, Nicole Schmidt, Beth Williams (Council on Aging), Paul Green, Mike Lawton, Gregory Boucher (Saul Ewing Arnstein & Lehr, LLP) and Michael Maglothlin

Interview Interested Volunteers

- Richard Cabelus – Cabelus stated he has watched from afar all of the work the Planning Board does. He has familiarized himself with the Master Plan, the Zoning Act, Chapter 125 Protective Bylaw and Chapter 133 Regulations. As a highly regulated Board he hopes his skills as an attorney, although not land use, can bring the knowledge of law to the Planning Board. Cabelus would be happy to remain on Harvard Historical Commission as the Planning Board liaison. Cabelus supports the Ayer Road Project; is intrigued with form base code; and understands bringing the Town along in the process is a balancing act. Cabelus also supports senior housing, as the Town continues to age, by providing opportunities to down size in town, keeping in mind the integrity of the Town.
- Jefferson Burson – Burson stated he has been working with Ryan on the Community Resiliency Working Group; planned development from that perspective led him to wanting to get involved with the Planning Board. Burson feels there needs to be a crossing referencing between the two and he is happy to fill that role. In regards to the Ayer Road project, he is hoping to learn more about it through the process. When asked about senior housing his response was he would have to be a humble learner on that work.

Donahue made a motion to recommend to the Select Board both Richard Cabelus and Jefferson Burson for appointment to the Planning Board. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Nickerson, aye; Kelley, aye; and Brown; aye.

Approve Minutes

Donahue made a motion to approve the minutes of March 1, 2021 as drafted. Nickerson seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Nickerson, aye; Kelley, aye; and Brown; aye.

Renewal of a Special Permit and Driveway Site Plan Approval Hearing- SBA 2012 TC Assets, LLC, 60 Old Shirley Road. Opened at 7:30pm (see page 4 for complete details)

Board Member Reports

•Representatives & Liaisons

- Ryan is seeking an update from each of the members on their liaisons to the Master Plan – within the next week

•Community Matters - None

Director's Update

Covered under other items this evening

Fall Town Meeting, October 16, 2021, Bylaw Amendments

•Ayer Road Visioning Plan Update

- Grants recently submitted, including One Stop for Growth grant, looks at an entire project from start to finish, whereas the grant from the Executive Office of Environmental Affairs is for planning assistance targeted towards Phase 1; hopeful they can consider other parts of the project as well.
- Continue working with the Select Board on moving this project forward.
- Speaking with consultants in determining ways to reduce the cost, such as having town staff take on some of the tasks.
- Rand funds may be available for this project, but Select Board has asked the Planning Board to attempt to reduce the overall cost.
- There is a constant flow of request for activity within the commercial district as of late.

•Senior Residential Development – Amend Chapter 125-57

- With short time frame between Spring and Fall town meeting Ryan is recommending pushing Open Space Residential Development to Spring 2022. Therefore, Ryan is suggesting for the Fall the Board review and amend as needed Assisted Living provision under §125-52 Ayer Road Village – Special Permit by moving it to §125-57 Senior Residential Development. An alternative to amending Assisted Living the Board would be to allow for a Continuing Care Retirement Community (CCRC) within §125-57, which would allow for Assisted Living type development. Nickerson stated CCRC's are the direction in which seniors are going as they look to downsize; Assisted Living would only serve a small group; going CCRC would be a broader group. Need to determine if a CCRC is marketable at the limits set within §125-57. Amendments to §125-10 Conversion of multiple residence would encourage senior friendly development as well.

•Town Center Zoning District – Amend Chapter 125 Article IV

- An action item with the Master Plan. This amendment would assist in protecting the scale and layout of Town Center. The easiest way to accomplish this is to create an overlay district. Overlay districts can be confusing as you have two districts in which a property owner can choose which to comply with. Base zone is a more complete conventional zoning solution. Form-based code is the ideal design to apply to existing town centers or developed areas where community not only want to retain much of the existing pattern of development, but also makes sure that any new buildings or building additions meet the desired pattern of that area. Ryan indicated he has an individual interested in assisting pro-bono; is the Board interested? Kelley was interested in understanding form-based code before answering this question. Allard asked if the Board decides to go either the form based or base zoning they could not be heard at the fall town meeting due to the heavy lift either would entail? Donahue suggested looking at what Ayer has recently done for their center.

•Erosion Control – Add new section §125-58

- This bylaw has been before Town meeting twice and needs some minor tweaking to be ready for another try this fall.

•Scenic Roads – Amend Chapter 90

- Also, an action item within the Master Plan, these amendments are focused on enforcement and design guidelines. Allard will take the lead on this amendment.

•Mapping the Multiple Residence District – Amend §125-42

- Ryan explained the MBTA community requirement. This amendment would require mapping the area(s) and amending language in §125-10 to comply with the MBTA requirements. Donahue will draft a survey to get a sense of where the public would want to see this type of development.

The Board agreed to bring the following items to Fall town meeting:

- Erosion Control – Add new section §125-58;
- Scenic Roads – Amend Chapter 90; and
- Mapping the Multiple Residence District – Amend §125-42

In addition, the Board will consider bringing Senior Residential Development – Amend Chapter 125-57 to the Fall Town meeting as well. With the Harvard Press on vacation for parts of July and August, Allard will create a schedule, including timing for legal notice, for the summer for review at the next meeting.

Spring Town Meeting, 2022

- **Open Space Residential Development – Amend Chapter 125-35 – Introduction**

Ryan explained what an open space residential development is. Ryan reviewed the schedule moving forward. Kelley has concerns with the development of narrow roads in Harvard that do not provide sidewalks or the ability for safe pedestrian use. Safety and a sense of community in these developments by providing walking paths within the development is key.

Adjournment

Donahue made a motion to adjourn the meeting at 9:29pm. Nickerson seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Nickerson, aye; Kelley; aye; and Brown; aye.

Signed: _____ Liz Allard, Clerk

EXHIBITS & OTHER DOCUMENTS

- Planning Board Agenda June 7, 2021
- Director of Community and Economic Development UPDATE, June 7, 2021

Harvard Planning Board

Renewal of a Special Permit and Driveway Site Plan Approval Hearing Minutes

June 7, 2021

The public hearing was opened at 7:30pm by Chair Justin Brown 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: Justin Brown, Stacia Donahue, Fran Nickerson and Rebecca Kelley (Associate Member)

Others Present: Christopher Ryan (Director of Community and Economic Development), Matt Flokos (Harvard Press) and Gregory Boucher (Saul Ewing Arnstein & Lehr, LLP)

This hearing, a continuation from May 3, 2021, is for a Renewal of a Special Permit and Driveway Site Plan Approval filed on behalf of CCATT LLC, to renew the existing Special Permit and Driveway Site Plan Approval for a wireless communications tower 336 Old Littleton Road, Harvard.

Justin Brown stated that Becca Kelley is assigned as a voting member this evening for this application.

Gregory Boucher (Saul Ewing Arnstein & Lehr, LLP) gave a brief overview of the process to date. Ryan followed up on the requested waivers to some of the conditions as things have changed over time in regards to Telecom Act.

Donahue made a motion to approve the renewal of the Special Permit and Driveway Site Plan as presented with the standard conditions and special conditions as detailed in the Directors Report, dated June 7, 2021. Nickerson seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Nickerson, aye; Kelley; aye; and Brown; aye.

Signed: _____ Liz Allard, Clerk