

**HARVARD PLANNING BOARD
MEETING MINUTES
JANUARY 5, 2015
APPROVED: FEBRUARY 23, 2015**

Vice Chairwoman Erin McBee opened the meeting at 7:05pm in the Town Hall Meeting Room under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Kara McGuire Minar, Erin McBee, Don Graham and Michelle Catalina

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press), Jon Bishop (Nashoba Publishing), Joe Theriault (Harvard Historic Commission), Wendy Eldredge, Dan Klasnick (Duval & Klasnick), Kevin Conover (Ross Assoc.) and Dale Welch

Board Member Reports

Catalina stated the Municipal Affordable Housing Trust (MAHT) has an important role in the shaping of the community and should be meeting on a regular basis; there are no minutes for the past year on the Town's website making it difficult to keep up on their activities. The neighborhoods surrounding the Poor Farm on Littleton Road are concerned with what will happen with the property now that MAHT has decided to abandon the plan for development and sell the property. Catalina would have liked to know about the meeting on December 22nd when the sale of the property was decided. McBee feels strongly that the property should be affordable housing as it has history being the Poor Farm. Graham agreed with McBee. Catalina has requested the MAHT notify her of the next meeting.

Graham stated the Economic Development Committee will be meeting on January 13th.

The Commercial Design Standard Task Force will resume meeting tomorrow night. Scanlan has been reviewing design standards for parking and landscaping methods for review by the task force members.

Discuss new Planning Board Nominee to the Historical Commission – Wendy Eldredge

Joe Theriault, chair of the Harvard Historic Commission (HHC) and Wendy Eldredge were present to discuss Wendy's nomination by the Planning Board (PB) to the HHC. Theriault explained when Ken Swanton was elected to the Board of Selectmen he resigned his seat on HHC; Swanton's seat was the one nominated by the PB. Theriault stated the HHC is beginning a new program that will train new commissioners on historical preservation. Eldredge explained she was a teacher and lecture at the University of Lowell previous to moving to China for three years for her husband's job. Although she has enjoyed not working, she is eager to volunteer her time to the Town. She has been a resident of Harvard since 2005. The Board thanked Eldredge for volunteering. McBee made a motion to nominate Eldredge to the Board of Selectmen for appointment to the Harvard Historic Commission. Catalina seconded the motion. The vote was unanimously in favor of the motion.

2015 Protective Bylaw Amendments

With Joe Theriault, the chair of the Harvard Historic Commission (HHC), while present for the previous discussion the board took the opportunity to discuss an amendment to the zoning map that dealt with the historic districts. Scanlan explained the current zoning map depicts the historic districts as zoning districts, which they are not. Scanlan would like to have this removed from the map.

McGuire Minar stated the HHC had previously discussed a demolition delay bylaw a few years ago; McGuire Minar asked Theriault the status of this bylaw. Theriault stated the HHC will be presenting an article at the annual town meeting (ATM) in the spring to change the reference in the bylaw to a new digitized map. Theriault stated the HHC would like this added in as a layer in the Geographic Information System (GIS) the assessing department has created. The demolition delay bylaw is on the priority list for HCC, but not for this year's ATM. Theriault sees no harm in removing the districts from the zoning map as they have been captured by the HHC maps at this point.

McGuire Minar asked if the HHC has any thoughts on Still River as a historic district. Theriault stated that will need to be considered very carefully; there are many other things to pursue. The HHC is in process of broadening their scope of work; they have been focused on the districts, but there are so many historic structures and areas outside of the historic districts that need attention as well. Scanlan mentioned Mass Historical Commission technical assistances grants may help in some of the HHC endeavors.

It was suggested that the Planning Board (PB) and the HHC combine the required hearings for the amendments to the maps into one hearing. All agreed. Theriault will be notified of the scheduling hearings once the PB determines that date.

Other zoning amendments were discussed later in the evening (see below 2015 Protective Bylaw Amendments, Continued)

Planner Report

Scanlan stated he has primarily been working on commercial design guidelines; determining what is there today, what are the constraints and what is the growth potential. Also, as previously mentioned this evening Scanlan has been reviewing design standards for parking and landscaping methods. McGuire Minar asked if there are best practices for such things as parking depending on the square foot of a building or type of development. Scanlan stated there are many that range in details, such as having set maximum and minimum standards, but those details are more of a site standard issue and not a design standard. It was determined that it is too early in the process for the task force to have any recommendations for this year's annual town meeting.

Unified Planning Work Program Update

Scanlan stated the Unified Planning Work Program being administered by the Montachusett Regional Planning Commission (MRPC) will conduct a traffic study of the town center, to include parking, traffic flow, circulation through the area, and pedestrian flow. The study will begin in February and Scanlan is recommending the establishment of a local committee to work with MRPC staff; and what type of committee, a technical one comprised of employees of the Town (i.e. Public Works Director, Police Chief) or a committee of local volunteers will need to be decided. Scanlan has asked Brad Harris of MRPC to attend the January 26th meeting to further discuss with the Board and to get better sense as what the study will encompass. The study deadline is September 30th. Catalina would like to get a copy of a similar report that MRPC has completed for another community to get a sense of what the final result will be.

Division of Land – 207 & 211 Still River Road

Kevin Conover, of Ross Associates, was present to represent the applicant's Approval Not Required plan before the Board for 207 and 211 Still River Road. Conover explained the plan consists of two pieces of property, one owned by Shelia Anderson (211) and the other owned by Dale Welch and Kristen Ostberg (207). An upgrade to the septic system at 211 Still River Road resulted in a survey of the property which indicated that land being used by the abutting property, 211 Still River Road, belonged to Anderson. As

well, land at the front of the property owned by Welch and Ostberg is within four feet of the building owned by Anderson, making maintenance of the structure from Anderson's property virtually impossible. Since the Welch and Ostberg property is registered in land court, it is land court's rules that dictate how each parcel or chunk of land is described; therefore the terminology of lots 1 and 2 and parcels b & d on the plan. The plan indicates an equal conveyance of land between the two owners. This is being conducted in an effort to clean up the property lines and allow for uses to remain as they have been for years. McGuire Minar stated although this is not your typical ANR plan with proper frontage and land area, she had confirmed with Town Counsel that as long as there are no new non-conformities that the Planning Board can endorse the plan as an ANR. With no further questions McBee made a motion to endorse the Approval Not Required plan for Dale Welch, Kristen Ostberg & Shelia Anderson, prepared by David E. Ross Associates, Inc., Job No. 29364, Plan No. L-12474, dated December 2014. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Special Permit Modification & Extension Hearing – Sprint Spectrum, LLC, 47 Poor Farm Road
Opened at 7:48pm.

Approve Invoice

The following invoice has been received for payment on the next bill warrant:

- William Scanlan -\$2400.00 (Town Planner)

McBee made a motion to approve the above mentioned invoice. Graham seconded the motion. The vote was unanimously in favor of the motion.

2015 Protective Bylaw Amendments, Continued

Scanlan stated the adult entertainment bylaw has been sent to Town Counsel to forward to the Attorney General's office for comments; we are waiting for those comments back. The proposed map of the district was acceptable to the AG's office last year. The revised bylaw contains criteria in order to obtain a Special Permit; as long as an applicant can comply with the criteria they must be granted a Special Permit.

Scanlan had drafted and previously distributed some definitions of "building" and "grocery store" for the members to review. The reasoning behind creating a definition for "building" is to prevent what happen at Bower's Brook, which was the separation of buildings by the use of fire wall.

The Board agreed to begin the public hearings on February 2, 2015.

McBee stated she has located language in regards to the stock piling of earthen material for consideration as a bylaw. Scanlan stated this would be a general bylaw rather than a zoning bylaw. Allard stated warrant articles are due February 2nd, so the Planning Board would need to decide fairly quickly on whether or not they want to include this bylaw with the warrant for Town Meeting. Members agreed to review language on January 26th, with a potential hearing date of February 23rd.

Scanlan stated the Zoning Map would be revised to include the Large-Scale Ground-Mounted Solar Photovoltaic Overlay District and to denote the Historic District as an overlay district rather than a zoning district as it does currently on the Zoning Maps.

ZBA Request for Comments

The Board discussed the concerns over the need for a Special Permit to alter the existing structure at 90 Warren Avenue. The lot size and width do not conform to the current protective bylaw, but the existing and proposed structures do conform. The Board was divided over the need for a Special Permit. The

letter already sent to the ZBA should be revised to include the fact that the Planning Board was divided on the matter and that ZBA should seek Town Counsel advice on the matter.

Revisions to Chapter 133/Policies & Procedures

With Hutchinson absent this evening the Board opted to table this discussion until the next meeting.

Adjournment

Graham made a motion to adjourn the meeting at 9:11pm. McBee seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

Harvard Planning Board

Special Permit Modification & Extension Hearing

Sprint Spectrum, LLC, 47 Poor Farm Road

January 5, 2015

Chairwoman Kara McGuire Minar opened the hearing at 7:48pm in the Town Hall Meeting Room under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Kara McGuire Minar, Erin McBee, Don Graham and Michelle Catalina

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press), Jon Bishop (Nashoba Publishing) and Dan Klasnick (Duval & Klasnick),

This hearing is for the modification and extension of a Special Permit filed on behalf of Sprint Spectrum, LLC for the installation of additional antennas on the existing telecommunications tower at 47 Poor Farm Road, Harvard.

Dan Klasnick was present to represent the applicant. Klasnick explained the application is similar to the previous application before the board for Bell Atlantic this past fall. The providers of cellular service are trying to keep up with the demands being placed on the network. The mounting of new equipment will require the removal of the stealth covering on the tower. A fiber optic line will be installed along the monopole and an additional equipment cabinet will be installed on the ground within the fenced in area. Klasnick explained the fiber optics is for remote radio heads and improvement over the co-axial cable previously used. A copy of the required bond was provided with the application.

With no further questions or comments, McGuire Minar made a motion to issue a Special Permit for a modification to the existing wireless communications tower and the extension of the Special Permit for another five years. Graham seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk