

**HARVARD ZONING BOARD OF APPEALS  
MEETING MINUTES  
SEPTEMBER 9, 2015  
APPROVED: OCTOBER 14, 2015**

Vice Chairman Robert Capobianco opened the meeting at 7:33pm in the Hapgood Room at 7 Fairbank Street under the Zoning Act Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Robert Capobianco, Chris Tracey, Theodore Maxant, Orville Dodson and Mike Lawton

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.) and John Finn

**Continuation of a Special Permit Hearing – John Finn, 44 Peninsula Road.** Opened at 7:30pm (for detailed minutes see page 2)

**Approve Minutes**

Theodore Maxant made a motion to approve the minutes of August 12, 2015 as amended. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion.

**Discuss Escrow Account Refund – Harvard Common Condos**

Liz Allard explained that back in February she had requested the Board vote to release the remaining funds in the escrow account for the project on Littleton Road known as Harvard Common Condominiums. At that time the Board requested the Zoning Enforcement Officer, Gabe Vellante, review the site for compliance with the Comprehensive Permit before releasing the funds. When requested to do so, Mr. Vellante stated he would like to wait until spring to review the site. Ms. Allard has been several attempts over the past few months to have this review completed by Mr. Vellante with no success.

Robert Capobianco suggested, and the members agreed, a letter is to be sent to Mr. Vellante stating the ZBA intends to vote to release the escrow account at the October 14<sup>th</sup> meeting unless Mr. Vellante advised otherwise.

**Adjournment**

At 7:43pm Theodore Maxant made a motion to adjourn the meeting. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk

## **Zoning Board of Appeals**

### **Continuation of a Special Permit Hearing Meeting Minutes**

#### **John Finn, 44 Peninsula Road**

**September 9, 2015**

The hearing was opened at 7:33pm by Vice Chair Robert Capobianco in the Hapgood Room at 7 Fairbank Street under the Zoning Act, MGL Chapter 40A and the Code of the Town of Harvard, the Protective Bylaw, Chapter 125

**Members Present:** Robert Capobianco, Christopher Tracey, Theodore Maxant, Orville Dodson and Mike Lawton

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc) and John Finn

This hearing was continued from August 12, 2015 for a Special Permit filed on behalf of John Finn for the reconstruction of a pre-existing non-conforming dwelling and conversion to year round use at 44 Peninsula Road, Harvard.

Dan Wolfe, President of Ross Associates, was present to represent the applicant, John Finn who was also present. Mr. Wolfe stated the ZBA requested the hearing be continued to allow for the Conservation Commission to complete their process and issue an Order of Conditions, which took place last week; to add a rain garden to the plan and to remove the second kitchen from architectural design plans on page 4 of the plan set. A revised site plan, dated August 19, 2015 was submitted to the file.

With no further questions or comments Theodore Maxant made a motion to close the evidentiary portion of the hearing. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion.

After a brief discussion, Theodore Maxant made a motion to grant a Special Permit to John Finn for the demolition and reconstruction of a single-family dwelling on pre-existing non-conforming lot and the conversion of a seasonal residence to year-round residence. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk

## **DOCUMENTS & OTHER EXHIBITS**

### **Continuation of a Special Permit Hearing – John Finn, 44 Peninsula Road**

- Site Plan, John Finn, 44 Peninsula Road, Harvard, MA, David E. Ross Associates, Inc., Job No. 30122, Plan No. L-12643, dated August 19, 2015