

**HARVARD ZONING BOARD OF APPEALS  
MEETING MINUTES  
SEPTEMBER 8, 2021  
APPROVED: DECEMBER 8, 2021**

Chair Chris Tracey called the meeting to order at 7:03pm, virtually pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures adopted during the State of Emergency and signed into law on June 16, 2021, and under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

**Members Present:** Chris Tracey, Michael Lawton, Theodore Maxant, Steve Moeser, and Orville Dodson

**Others Present:** Liz Allard (Land Use Boards Administrator), Ashley Owens ([RE]Architect) and Hilary Maglothin

**Special Permit Hearing – Ashley Owens with [RE]Architect, 13 Old Littleton Road.** Opened at 7:05pm (see page 3 for complete details)

**Elect Officers for Fiscal Year 2022**

Steve Moeser made a motion the Zoning Board of Appeals continue with the existing officers: Chris Tracey, chair; Michael Lawton, vice chair; and Liz Allard, clerk. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion by a roll call vote, Theodore Maxant, aye, Michael Lawton, aye; Steve Moeser, aye; Orville Dodson, aye; and Chris Tracey, aye.

**Approve Minutes**

Theodore Maxant made a motion to approve the minutes of May 12 and June 10, 2021, including the executive session, as amended. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion by a roll call vote, Theodore Maxant, aye, Michael Lawton, aye; Steve Moeser, aye; Orville Dodson, aye; and Chris Tracey, aye.

**Approve Demand Letter to Fairway Partners & Default Notice Letter to Bond Safeguard Insurance Company**

After a brief discussion, Steve Moeser made a motion to approve the letter to Fairway Partners and the default notice letter to Safeguard Insurance Company as drafted. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion by a roll call vote, Theodore Maxant, aye, Michael Lawton, aye; Steve Moeser, aye; Orville Dodson, aye; and Chris Tracey, aye.

**Review Proposed Land Use Board Organizational Chart**

The Board discussed the proposed organizational chart, which would create a full-time Director of Conservation, and two part-time positions, a Planning Board and Zoning Board of Appeals (ZBA) Administrative Assistant and a Sustainability Administrative Assistant. The existing Land Use Administrator/Conservation Agent position would be eliminated; therefore, the proposal includes the addition of no new benefit-eligible positions. Chris Tracey is in support of this proposal as long as Liz Allard remains available to with the transition. It was further explained the current chair of the Land Stewardship Subcommittee (LSS) term is ending in 2022, who will not be seeking re-appointment. This will leave the Conservation Commission without someone to manage all of the tasks associated with land management. The ZBA was interested in know more on what activities the LSS is involved with, but in general was amenable to overall support of the Land Use Board's effort.

**Codify Letters sent to Pine Hill Village & Craftsman Village re: Requirements for Certificates of Occupancy**

Steve Moeser made a motion to codify the letters sent to Pine Hill Village and Craftsman Village regarding the requirements for Certificates of Occupancy. Theodore Maxant seconded the motion. The vote was unanimously in favor of the motion by a roll call vote, Theodore Maxant, aye, Michael Lawton, aye; Steve Moeser, aye; Orville Dodson, aye; and Chris Tracey, aye.

#### **Adjournment**

At 8:02pm Theodore Maxant made a motion to adjourn the meeting. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion by a roll call vote, Theodore Maxant, aye, Michael Lawton, aye; Steve Moeser, aye; Orville Dodson, aye; and Chris Tracey, aye.

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

#### **DOCUMENTS & OTHER EXHIBITS**

- Town of Harvard, Zoning Board of Appeals Agenda, dated September 8, 2021
- DRAFT Zoning Board of Appeals Meeting Minutes, May 12, 2021 prepared by Liz Allard
- DRAFT Zoning Board of Appeals Meeting Minutes, June 10, 2021 prepared by Liz Allard
- Proposed Land Use Boards Reorganization Version 3.0 August 2021

## **Harvard Zoning Board of Appeals**

### **Special Permit Hearing Minutes**

**Ashley Owens with [RE]Architect**

**September 8, 2021**

The hearing was opened at 7:05pm virtually, pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures adopted during the State of Emergency and signed into law on June 16, 2021, and under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

**Members Present:** Chris Tracey, Theodore Maxant, Michael Lawton, Steve Moeser and Orville Dodson

**Others Present:** Liz Allard (Land Use Boards Administrator) and Ashley Owens with ([RE]Architect),

This hearing is for a Special Permit filed by Ashley Owens with [RE]Architect for addition of a deck to a pre-existing non-conforming structure at 13 Old Littleton Road, Harvard.

Ashley Owens, of [RE]Architect, explained the proposed addition of a deck to the rear of the house to serve an existing sliding glass door. This addition will not increase the existing non-conformity. When asked Ms. Owen was not aware of the location of the septic tank, which will require some exploratory work during construction and may have to adjust the location of the support posts. As for being able to access the septic tank once the deck is installed, Ms. Owens explained the deck will have a height of eight (8) feet. Currently the access to the backyard is to go around the house. There was a deck in that location at one point, but was removed prior to the current owner.

Abutter Hilary Maglothin stated the deck would make a beautiful addition.

Steve Moeser made a motion to close the evidentiary portion hearing. Theodore Maxant seconded the motion. The vote was unanimously in favor of the motion by roll call vote, Theodore Maxant, aye; Michael Lawton, aye; Steve Moeser, aye and Chris Tracey, aye.

Steve Moeser made a motion to issue a Special Permit to Ashley Owens with [RE]Architect for addition of a deck to a pre-existing non-conforming structure at 13 Old Littleton Road, Harvard. Theodore Maxant seconded the motion. The vote was unanimously in favor of the motion by roll call vote, Theodore Maxant, aye; Michael Lawton, aye; Steve Moeser, aye; and Chris Tracey, aye.

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