

**HARVARD PLANNING BOARD
MEETING MINUTES
March 18th, 2024
APPROVED APRIL 1, 2024**

Chair Richard Cabelus called the open meeting to order remotely at 7:00pm, pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023, which has suspended the requirement of the Open Meeting Law to have all meetings at publicly accessible locations and allowing all public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Members Present: Richard Cabelus, John McCormack, Doug Thornton, Stacia Donahue, Arielle Jennings, Richard Abt (associate member),

Others Present:

Frank O'Connor (Town Planner), Vittoria Konstantinidis (Admin. Assist. Land Use), Erin McBee, Matthew Littell (Utile), Carlos Sainz Caccia (Utile), Ryan Johnson, Bertrand Bahizi

Public Hearings:

Public Hearing pursuant to Massachusetts General Laws Chapter 40A, Section 3A, to consider and receive comments from interested parties concerning the proposed addition to Chapter 125 of the Code of the Town of Harvard the Protective Bylaw for a Multi-family overlay district. Potential updates to Draft Bylaw MBTA-3A Multi-family overlay district.

See Page 4 for full details

Old Business:

Proposed Town Center Overlay District and Town Center Action Plan

Richard Cabelus updated the Planning Board that Steve Nigzus had talked with the town administrator and had found out that the town center's sewage is currently at around 95% capacity. Erin McBee noted that she was surprised that this number was so high at the moment. Stacia Donahue and John McCormack do not think this should impede the Planning Board's action plan. Stacia Donahue suggested that the Board move forward with the zoning recommendation. If access to water is a future constraint, the developers will need to deal with it at that time.

2016 Master Plan progress report

With the updates on Devens, the Planning Board discussed postponing these talks at the moment due to the unforeseen future with the new zoning plans that will be happening in the area. Stacia Donahue asked if she should withdraw the request for DLTA funds from MRPC during their next meeting on March 21st, 2024. John McCormack and Richard Cabelus think that the Planning Board should continue to request these funds and to continue to plan and update the Master Plan in the area that they can look into.

Discussion of Ayer Road Vision Plan & Form Based Code with introduction to proposed Form-Base Code with UTILE / Form Based CODE team in Commercial District

Presentation:

The UTILE group started the meeting with Matthew Littell updating the Planning Board that they are currently working on plans for phase 3. Carlos Sainz Caccia of the Utile group presented his part of the presentation to recap what was already discussed as well as a refresher on what Form-Based Code is. As the UTILE group is wrapping up Phase 2, they are working on having their draft of Phase 3 vision of Form Based Code done in the next couple of months for the public. Ryan Johnson addressed the current Harvard Bylaw and how their group would like to specifically emphasize their plans to match the style and intent that Harvard desires.

Questions/Comments/Concerns

- John McCormack is skeptical that the Town will be on board with increasing the percentage of residential units that would be added to this district. He believes a 50% residential and 50% commercial is a realistic, but difficult goal the UTILE group needs to consider.
- Stacia Donahue wanted to clarify that the Harvard Planning Board is made up of volunteers and this needs to be remembered in the future so future bylaws and the new form-based code can be easily understood by those who serve on the Board.
- John McCormack thinks the biggest issue currently for the Commercial District is the lack of connectivity among properties.
- Richard Cabelus believes that the biggest current issue is that the current regulations are too restrictive to provide the proper incentives for potential business in this district.
- Matthew Little asked about the use of the Ayer Road Village Special Permit, and Richard Cabelus noted that it had only been used twice in 20 years, perhaps because the process is a burden and there are insufficient incentives for developers.
- John McCormack wants the Board to revisit bylaw 125-52, the Ayer Road Village Special Permit and update the document to become more appealing for developers.

New Business:

Harvard Fire Dept. staff meeting on Wed. April 3, 2024

Frank O'Connor informed the Planning Board that it was recommended at the Land Use Board that someone attend the Fire Department's monthly staff meeting to get in front of a new group of people while completing their own bylaw amendment on MBTA 3A multi-family housing. The Fire Chief has welcomed anyone from the Board who would like to attend and quickly speak about the MBTA bylaw.

Update from Attorney General Office on amended Open Space Conservation-Planned Residential Development bylaw §125-35.

Frank O'Connor informed the Planning Board that the Attorney General's office had informed his office that a step was missed in the process. The Planning Board did not send the notice for public hearing to the EOHLC. Frank O'Connor will fix this and expects that there will be no tangible delay for the Board's plans.

Minutes:

Motion: Stacia Donahue made the motion to approve the minutes for February 26th 2024 and March 4th 2024 minutes as amended.

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Adjournment:

Motion: Doug Thornton made the motion to adjourn the meeting at 9:42pm.

Seconded by Stacia Donahue

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Harvard Planning Board

Special Public Hearing Minutes

March 18th 2024: Meeting called to order at 8:08pm

Public Hearing pursuant to Massachusetts General Laws Chapter 40A, Section 3A, to consider and receive comments from interested parties concerning proposed addition to Chapter 125 of the Code of the Town of Harvard the Protective Bylaw for a Multi-family overlay district. Potential updates to Draft Bylaw MBTA-3A Multi-family overlay district.

The Planning Board started the Special Public Hearing with updates on their current timeline. Frank O'Connor verified to the Planning Board that Harvard Cable Access TV will be available for the Board for their hybrid meeting in the upper town hall on Monday April 1st 2024 at 7pm. Stacia Donahue will post a notice on nextdoor.com. Stacia Donahue met with the Council on Aging. She informed the Board that most people had heard of the new MBTA requirements. The main concern that she heard about revolved around housing. People were pleased that the housing height would not be extended any further than it currently is.

The Planning Board then spent the rest of the time working on potential outreach and ways to prepare for the upcoming town meeting. The Board discussed asking someone from the Traffic Advisory Board or another traffic expert to help with the question and answer portion during the town meeting. Frank O'Connor and Stacia Donahue will reach out and try to find more specific data on the current traffic that is exiting the current parcel being used in the new bylaw. Doug Thornton mentioned the issue of schools and that the Board should be prepared for questions concerning expected enrollment. Arielle Jennings asks if there were anyone on the school committee who can explain how decisions are made based on fluctuating enrollment. Frank O'Connor will check with the town administrator to find answers about this. Frank O'Connor said that the standard planning factor is 0.6 students per unit, so a development of 120 units may yield 72 new students. John McCormack suggested contacting the School Committee to obtain their projections for enrollment. The Planning Board should be ready to show, with enrollment projections, how an increase of 72 students might impact the school district's capacity.

Arielle Jennings shared her screen to show a simulation of the affordable housing percentages and what to expect with the current bylaw. Arielle Jennings also showed the flyer made for the public and asked for comments from the Board. The Planning Board helped with minor edits and likes how the flyer looks at the moment. When the back side of the flyer is complete, Arielle Jennings will send this draft to the Board for their feedback. She is hoping that this can be posted to both the town website and to nextdoor.com.

Motion: Stacia Donahue motioned to continue the Special Public Hearing on Monday April 1st 2024 for a hybrid meeting at 7:15pm.

Seconded by Arielle Jennings

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings
Passed unanimously