

Action Items	Member/Staff Responsible
Check with MMA & Burlington on Wireless Technology, Small Cell Towers, Including 5G	Ryan
Contact DEP re: 125-56 Groundwater Protection Overlay District, "other potential contaminates; district boundaries	Ryan
Verification from the Water & Sewer Commission on the status of well#3	Ryan
Revisions to 125-57 Erosion Control	Ryan

**HARVARD PLANNING BOARD
MEETING MINUTES
FEBRUARY 25, 2019
APPROVED: MARCH 4, 2019**

Chair Erin McBee called the meeting to order at 7:13pm in the Volunteer Room at Town Hall, 13 Ayer Road, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

Members Present: Erin McBee, Stacia Donahue, Justin Brown and Jarrett Rushmore

Others Present: Liz Allard (LUB Admin), Chris Ryan (DCED), Matt Flokos (Harvard Press), Laura McGovern, Jay Wallace, John Rietman, John Osborne (Harvard Press), Jessica Stronkin (MassDevelopment) and Ed Starzec (MassDevelopment)

MassDevelopment Vicksburg Square Rezoning Discussion Board Member Reports

Ed Starzec, from MassDevelopment, was present to discuss the amendments to the Devens Bylaws to facilitate the redevelopment of Vicksburg Square. Starzec stated the biggest changes to the bylaw were made through community outreach. As previously proposed (November 13, 2018) there are no new revisions under Change #1, 2, 4, 6 and 7 within the document dated February 20, 2019. Change #3 has the most revisions. Community outreach indicated the uses were to broad; want to retain as much flexibility as possible to be able to retain the buildings and/or retain the use if the buildings need to be removed. Mix Use A, residential use including multi-family dwelling, senior housing, elderly housing and nursing home, must be comprised of 85% of the developed gross square footage, with up to 15% as ancillary uses. Also within Use Mix A there are two options for counting all of the units toward the Subsidized Housing Inventory. Under Use Mix B allowed primary uses include those in the Innovation Technology Center district, including medical; no residential or dormitories are allowed. It was suggested to add the requirements of design guidelines in the narrative so the communities will know it will be accommodating to the district. Change #5 further explains the increase to the housing cap not to exceed 702 units (282 units as the original cap; 120 units added in Shirley; and 300 units at Vicksburg Square). Within the Uses table, under Change #8 columns have been added for Use Mix A and B.

The use of marijuana facilities was discussed; as a Federal area this use is not allowed. Community outreach will continue via the MassDevelopment website, town websites and public meetings such as this one this evening. It was suggested the League of Woman Voters be asked to host an informational event too.

Continuation of a Protective Bylaw, Chapter 125 of the Code of the Town of Harvard, Amendments Hearing. Opened at 7:44pm (see page 3 for complete details)

Re-Endorse Approval Not Require Plan – 281 Still River trust, 281 Still River Road

It was explained to the Board the original Approval Not Require plan endorsed on June 4, 2018 was not recorded within six months at the Registry of Deeds, therefore the applicant's representative is requesting the same plan endorsed on June 4, 2018 be re-endorsed by the Board for recording. Donahue made a motion to re-endorse Plan of Land in Harvard, Mass., owned by Two Eighty One Still River Trust at 281 Still River Road, Job 181019, prepared by GPR, Inc., dated May 2, 2018. Brown seconded the motion. The vote was unanimously in favor of the motion.

Review Site Plan Approval – Harvard Public Schools, 27 Massachusetts Avenue

Add language about Dover Amendment and the public good, variances.

Wireless Technology, Small Cell Towers, Including 5G

After a brief discussion as to the fact if these towers are located with the towns right-of-way and the Planning Board would have no authority to regulate, Ryan suggested researching what the Massachusetts Municipal Association may have for information on the matter as well as what the Town of Burlington has done or is working on.

Director's Report

Ryan asked the Board to be able to apply for funding for a market analysis for the Ayer Road corridor. The members were in agreement with this request.

Ryan noted Harvard has received its American Association of Retired People (AARP) designation and a representative from AARP will be attending an upcoming Select Board meeting to present the certificate.

An Engineer & Developer's listening session is scheduled for this Wednesday at 1:00pm on the proposed bylaw amendments for 2019, including Open Space Design for the fall town meeting.

Approve Minutes

This item was passed over this evening

Zoning Board of Appeals Request for Comments – 17 Oak Hill Road

This item was passed over this evening.

Adjournment

Rushmore made a motion to adjourn the meeting at 9:09pm. Brown seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____ Liz Allard, Clerk

Harvard Planning Board

Continuation of Protective Bylaw Amendments, Chapter 125 of the Code of the Town of Harvard

February 25, 2019

Chair Erin McBee opened the public hearing at 7:44pm in the Town Hall Meeting Room, 13 Ayer Road, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

Members Present: Erin McBee, Stacia Donahue, Justin Brown and Jarrett Rushmore

Others Present: Liz Allard (LUB Admin), Chris Ryan (DCED), Matt Flokos (Harvard Press), Laura McGovern, Jay Wallace, John Rietman and John Osborne (Harvard Press)

125-56 Groundwater Protection Overlay District

John Rietman, who owns property in the district associated with the Town well#3, was present to discuss concerns he has with the bylaw. In Section 125-56E(4) Rietman is concerned with the term "other potential contaminants". After discussing the intent of the language, it was suggested it may be best to remove the subsection in its entirety. Ryan will further vet this out with Department Environmental Protection and other sources. Rietman explained the current status of well #3, which is in a decommissioned status. Rietman suggested removing the district associated with well#3 from the bylaw. The Board requested Ryan obtain further verification from the Water & Sewer Commission on the status of well#3. In addition, Rietman is concerned with the term "household use" in 125-56H(1)(b). Ryan explained this language is consistent with the boilerplate bylaw provided by the State. Allard suggested removing the word "household", as these types of products should be used in accordance with the label.

Laura McGovern, of 62 Old Mill Road, asked how the boundaries for the overlay district were created. Rietman explained the Interim Wellhead Protection Area designations. Ryan was asked to further investigate the science behind the delineation of the district.

125-57 Erosion Control

Brown suggested adding language to the Frequently Asked Questions (FAQ) as to why the bylaw failed in 2016, including those who thought it should have not been brought forth by Conservation Commission. In FAQ#3 include why and define Municipal Separate Storm Sewer System (MS4).

Rushmore made a motion to continue the hearing to March 4, 2019 at 7:30pm in the Town Hall meeting Room. Brown seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____ Liz Allard, Clerk

DOCUMENTS & OTHER EXHIBITS

Planning Board Agenda, dated Monday February 25, 2019

Report of the Director of Community and Economic Development, February 4, 2019

Protective Bylaw, Chapter 125 of the Code of the Town of Harvard, Amendments Hearing

- §125-56 Groundwater Protection Overlay District [Added 05.05.2018 ATM by Art. 34], Version 2, January 31, 2019
- §125-57 Erosion Control, Version 5, 2/5/19
- Erosion Control Chapter (§125-57) Frequently Asked Questions, undated

Re-Endorse Approval Not Require Plan – 281 Still River Trust, 281 Still River Road

- Plan of Land in Harvard, Mass., owned by Two Eighty One Still River Trust at 281 Still River Road, Job 181019, prepared by GPR, Inc., dated May 2, 2018

MassDevelopment Vicksburg Square Rezoning Discussion

- Proposed Changes to the Devens By-law to Facilitate the Redevelopment of Historic Vicksburg Square, February 20, 2019