

**HARVARD PLANNING BOARD
MEETING MINUTES
AUGUST 2, 2021
APPROVED: SEPTEMBER 13, 2021**

Chair Justin Brown called the meeting to order at 7:01pm 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, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

Members Present: Justin Brown, Stacia Donahue, Richard Cabelus*, Brian Cook and Doug Thornton and Jefferson Buron (Associate Member)

Others Present: Christopher Ryan (Director of Community & Economic Development), Liz Allard (Land Use Administrator) and Beth Williams

Public Comment

There was no public comment this evening.

Election of Officers

Donahue made a motion to nominate Brown as Chair of the Planning Board for Fiscal Year 2022. Cook seconded the motion. The vote was unanimously in favor of the motion by roll call vote Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Cabelus made a motion to nominate Donahue as Vice Chair of the Planning Board for Fiscal Year 2022. Thornton seconded the motion. The vote was unanimously in favor of the motion by roll call vote Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Donahue made to nominate Liz Allard as the Clerk. Cabelus seconded the motion. The vote was unanimously in favor of the motion by roll call vote Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Form-based Code with Alan Manoian

Due to unforeseen circumstances Mr. Manoian was unable to attend this evening. This item will be re-scheduled for after the Fall Annual Town Meeting in October.

Review Strategic Planning Session Agenda

Brown gave a brief overview of the strategic planning session for new members. Material will be provided by staff at the meeting on Saturday.

Board Member Reports

• **Representatives & Liaisons Update**

- ***Climate Resiliency Working Group*** – The Mass Energize website will launch shortly; there is a need to discuss the amount of time staff is spending on activities for this group.
- ***Parks & Recreation (P&R) Commission*** – Tension was running high at a recent discussion held on the matter of the proposed Pump Track, which was arranged by Select Board Chair Stu Sklar, and included other Boards and Committees. No decision was made at this meeting as the P&R continues to find a suitable location for a pump track as well as a suitable use for the land along Pond Road under their management.
- ***Community Preservation Committee***- applications are due on October 22nd
- ***Montachusett Regional Planning Commission***

- Economic Development Administration, which is a federal program, has an Investing in American Communities Grant Program; Harvard has been encouraged to attend the meeting to determine if there would be any new eligibility.
- District Local Technical Assist Grant - Transportation Plan Project will update the transportation section of the Master Plan and the Climate Resiliency Plan.
- **Historical Commission** – Cabelus stated a Certificate of Appropriateness for the old library roof has been issued and three new applications will be before the Commission for their upcoming meeting

• **Community Matters** – None

Approve Minutes

Donahue made a motion to approve the minutes of July 19, 2021 as amended. Cabelus seconded the motion. The vote was unanimously in favor of the motion by roll call Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Approve Invoice

Donahue made a motion to approve the Harvard Press invoice in the amount of \$432.00. Cabelus seconded the motion. The vote was unanimously in favor of the motion by roll call Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Fall Town Meeting, October 16, 2021, Bylaw Amendments

• **Erosion Control – Add new section 125-58**

- Removed any references to the filing process and relocated to the Planning Board regulations, Chapter 133;
- Any definition where the word being define was only found in the definition section was removed and moved definitions to §125-58C;
- Expanded the Purpose section to include objectives;
- Applicability no longer includes consultation;
- Removed Determination of Applicability section;
- Using both Weston & Groton bylaw reworked the Applicability section to explain when a permit is required and when it is not, as well as better defining minor and major projects;
- Removed the slope requirement altogether;
- Section E, F & G remain the same;
- Donahue and Allard are working together to bring this bylaw to as many Boards and Committees as possible; and
- Donahue is working on a “Consider This” article for the Harvard Press.

• **§125-57 Senior Residential Development – Add “Assisted Living” and “Continuing Care Retirement Community” (CCRC) as allowed development types**

- Moving “Assisted Living”, as is, from §125-52I Ayer Road Village- Special Permit to §125-57 and remove existing language from §125-57I
- Adding CCRC as suggested from the surveys conducted by the Planning Board last year
 - defining the types and adding an additional section to better define CCRC;
 - Concerns with being able to locate anywhere in Town as you could end up with an accessory use that is not necessarily cohesive to the location;
 - move “incidental to the operation of a CCRC” in G(3)(c)[2] up to [2];
 - Reviewed Table 1; remove height; needs to be clear that it is within commercial (C) district;
 - do not address fire code as there are already national codes that will be required;
 - affordability, suggested increasing;
 - setbacks, what is the Planning Board willing to negotiated at Town Meeting?; and

- discussed allowing in other areas beside C-district; remove major or minor arterial roadway as it only allowed in the C-District
- Survey of developers, operators and others has been conducted on the scale of such a development
- Need to review 125-57E Age-appropriate design
- **Scenic Roads – Amend Chapter 90 – Finalize language**
 - Revisions from previous meeting:
 - A definition for “Enforcing Official”;
 - Exchanged “Planning Board” with “Enforcing Official” under the enforcement section, §90-6;
 - Deleted §90-6D & E and replaced with new language in §90-6D in regards to noncriminal disposition; and
 - Made §90-6E the former §90-6F and added 90-6F
 - Donahue will reach out to Harvard Conservation Trust and Allard will reach out to the Tree Warden, Director of Department of Public Works, Gwen Leonard and Jen Sundeen for feedback
- **§125-10 Multiple Residence Use – Revise the provisions and criteria to make it simpler and clearer to do a conversion** – after briefly discussing the States pending requirements for MBTA Communities in regard to providing multi-family housing the Board agreed to table this amendment until the Spring Annual Town Meeting
- **§125-2 Definitions – Addition of definitions relating to §125-57 Senior Residential Development**
 - Words or phrases to be define are:
 - Associated Services;
 - Congregate Care;
 - Continuing Care Retirement Community;
 - Home Health Care;
 - Hospice Care;
 - Independent Living Units;
 - Senior (person);
 - Senior Household; and
 - Skilled Nursing Care

Spring Town Meeting, 2022

- **Open Space Residential Development (OSRD) – Amend Chapter 125-35 – Density of Development** – Due to lateness of the meeting this item was passed over

Adjournment

Donahue made a motion to adjourn the meeting at 9:38pm. Cabelus seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.

Signed: _____ Liz Allard, Clerk

* Cabelus’ connection was unstable causing him to be disconnected several times during the meeting

EXHIBITS & OTHER DOCUMENTS

- Planning Board Agenda August 2, 2021
- Article XX: Amend Protective Bylaw Chapter 125 - §125-58 Erosion Control, 08/02/2021
- Article XX: Amend Scenic Roads Bylaw Chapter 90, 08/02/2021
- Town of Harvard Draft Open Space Residential Design (OSRD) Development Bylaw Session 4 – Development Density, February 6, 2020