

**HARVARD PLANNING BOARD
MEETING MINUTES
August 7th, 2023
APPROVED AUGUST 21, 2023**

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,

Others Present:

Frank O'Connor (Town Planner), Vittoria Konstantinidis, Dan Wolfe

Public Hearings:

Continuation of Public Hearing: Open Space Residential Development Bylaw Amendment (§125- 35) for adoption.

See page 5 and 6 for detailed information

Old Business:

Prospective MBTA Multi-family zoned overlay district (potential update) & Draft letter review

The letters planned to be sent out have been drafted and the Board took some time to make some revisions. The Board added softer language and added the suggestion for any potential feedback from the property owners. The current plan is to send this letter to the top four properties. Another letter will also be sent out at a later time to the properties no longer under consideration.

Motion: Stacy Donahue made the motion send the letter to all the parcel owners identified through the MRPC guidance calculator.

Seconded by Doug Thornton

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

Comments on potential 40-B development at Old Mill & Ayer roads & dates to convene with Design Review Board

Frank O'Connor updated the Planning Board that the Zoning Board of Appeals had their initial meeting and plan to meet again multiple times in the near future. Frank O'Connor recommends that it is in the best interest if the Board meet in order to create a dialog. Due to wishes by the Zoning Board of Appeals, The Planning Board believes that it would be best for the Design Review Board to meet. Frank O'Connor will send out an email to set up potential dates that will work.

Motion: Stacy Donahue made the motion to request the Design Review Board review the 40-B

Seconded by Arielle Jennings

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

Passed unanimously

Letter sent from Planning Board to Chestnut Tree & Landscape for expired business permit

The letter has been signed by Richard Cabelus and Frank O'Connor will send it out on August 8th 2023 to the property owner.

Updates on Ayer Road visioning phases 2 & 3

Frank O'Connor and Vittoria Konstantinidis met with the company's leadership to talk about both phases. They plan to meet around September and to potentially have a representative meet with the Board during that same month.

New Business:

Erosion Control Major Permit (§125-58) & Site Plan Approval (§125-38C)

Michael Dempsey, at 24 Bolton Road, for single family residence

Dan Wolfe addressed the Board about the basic development plan. The previous owner had cleared the trees on the property and the new owner is ready to move forward with the plans to build on the property. There are intended water swales planned and plans to control any water runoff to remain towards the back of the property and away from the foundation. The property has the potential to be connected to the Town's main water supply. Stacia Donahue asked for clarification on the potential of a drinking well. Dan Wolfe explained that he is preparing plans to create a private geothermal drinking well on the north side of the property. This would be the preferred plan instead of using the Town's water as a source. The Conservation Agent had nine comments for Mr. Wolfe's plans, but he has no disputes or problems with what was listed.

Motion: Stacy Donahue made the motion to approve the Erosion Control Application with the conditions as submitted by the Conservation Agent.

Seconded by Doug Thornton

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

Passed unanimously

Erosion Control Major Permit (§125-58) & Site Plan Approval (§125-38C)

R.D. Kanniard Homes, Inc., at 236 Bolton Road (Lot 1), for single family residence

Dan Wolfe introduced the plans to the Board, starting by stating that these erosion control plans are the final step for the homeowner planning to build on this lot. This property has had fill slowly deposited onto the property over time by the owner. A swale has been formed on the northern side of the property and the downhill slopes are encompassed by the erosion control barrier.

Stacia Donahue questions the purpose of the manhole on the property and if it would have to be maintenance on the manhole. Dan Wolfe clarified that there was once a town drain dumping water on the property. The manhole was placed to capture this water and direct it to the back of the property. Maintenance would be taken care of by the town, but the homeowner would be responsible for keeping the hole clear.

Motion: Stacy Donahue made the motion to approve the Erosion Control Application with the conditions as submitted by the Conservation Agent.

Seconded by Doug Thornton

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

Passed unanimously

Master Planning for 2026

John McCormack created and shared an excel sheet detailing the recommendations for the Master Planning. John McCormack believes that the two most pressing issues are recruiting the staff needed to create the master planning list and figuring out the estimated budget so the budget request can be approved by the Town. John McCormack also believes that finding out the cost in the past (2016 specifically) should be the first step when scaling the budget size appropriately. Richards Cabelus expressed his intention to start a dialog soon with the Select Board.

Town Center Mixed Use District

The Board identified this as one of the priorities in regards to zoning. In order to have a more fully defined approach during future discussions, Richard Cabelus focused on what the overall goal for the Board would be, stating questions like:

- “is the goal to codify the Town Center?”
- “or potentially something more?”
- “Do we want to preserve other non-conforming structures in historic parts of the Town”

Potential updates to (\$133-22)

Frank O’Connor and Vittoria Konstantinidis made the suggestion that applications would be changed from 17 to 10 total physical copies. The dimensions of full sized copies will be added to the language once Frank O’Connor finds the officially set standard size. The Board will vote on the finalized draft at the next meeting.

Standard Business:

Stacia Donahue updated the Board that the Transportation Advisory Committee gave a positive response to add a shuttle from two locations to the Littleton Train station location. The committee formally met and approved the recommendation that the Select Board tries this on a trial basis.

Planning Board Financial Tracking:

John McCormack wants to know what the spending was for 2022 and 2023 so the Board can more appropriately plan for the Board’s metrics package. Frank O’Connor will reach out to find out the final numbers for these areas.

Minutes:

Motion: John McCormack made the motion to approve the minutes for June 26th 2023 and July 17th 2023 as amended.

Seconded by Stacia Donahue

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

Passed unanimously

Invoice:

Motion: Stacia Donahue made the motion to approve the invoice as submitted for the calendar purchase (Amazon \$17.97).

Seconded by Doug Thornton

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

Adjournment:

Motion: John McCormack made the motion to adjourn the meeting at 9:24pm

Seconded by Doug Thornton

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

Passed unanimously

Harvard Planning Board

Special Public Hearing Minutes

August 7th 2023: Meeting called to order at 7:30pm

Continuation of Public Hearing: Open Space Residential Development Bylaw Amendment (§125- 35) for adoption.

Stacia Donahue informed the Board that the Climate Initiative Group reached out to help get the Open Space Residential Bylaw passed. A grant was awarded where the funds are to be matched to the minutes dedicated to the Bylaw. Another committee will use part of this grant to help strengthen the Erosion Control Bylaw and work with professional services. Bill Scanlon, a former Town Planner, helped work on the Bylaw provisions in 2017-2018 and is very familiar with this. John McCormack wanted some more information on subtasks 3 and 4. Stacia Donahue clarified that this will consist of more potential visuals, and Bill Scanlon would be able to help provide these options in a much clearer representation of what the open space could look like. Arielle Jennings asked if this would mean that Bill Scanlon would work together at these board meetings or in another form. Richard Cabelus answered saying that he would expect him to both join the meetings and work closely outside of the board meetings as well.

John McCormack added the concern about how the Board would decide to divide the funds among the tasks in the scenario that the Board does not have enough funds to fully complete each task. Doug Thornton added that prioritizing the amount of time for each sub-task would be an effective way to handle this once the Board knows more about which areas are most in need.

Motion: Stacy Donahue made the motion to endorse the Scope of Work contract for the Open Space Residential Bylaw as submitted.

Seconded by Doug Thornton

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

Language Revisions:

Under Site Improvements, the water supply need wording struck from the language. This language focused on the splitting of water supplies for one property, which is not allowed. Wording that was officially struck: *“unless there are site layout driven mitigating conditions approved by the Planning Board.”*

Conditions:

It was discussed that clarifications may need to be made about the potential incentives that could easily be granted if the individual “double dips” in areas such as the Passive Haus conditions. Arielle Jennings suggested having this brought to a developer to consult whether or not the conditions listed are fair for both parties. Dan Wolfe agrees that getting these numbers from this type of source is a very useful idea for the Board.

John McCormack questioned the current base requirement of 10%, thinking that the Board agreed that it was 15%. The Board will take a look at this and address this at a later time. John McCormack also reminded the Board that a couple questions are up in the air for the Boards decision. These are questions on the possibility to increase the incentive for affordability and the percent of wetlands (decision potentially based on the standards set by neighboring towns).

Motion: Stacy Donahue made the motion to continue the Special Public Hearing on August 21st 2023 at 8:00pm.

Seconded by Arielle Jennings

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

Passed unanimously

The Special Public Hearing was adjourned at 8:23pm.