

**HARVARD PLANNING BOARD
MEETING MINUTES
December 4th, 2023
APPROVED JANUARY 22, 2024**

Acting Chair John McCormack called the open meeting to order remotely at 7:03pm, 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: John McCormack, Doug Thornton, Stacia Donahue and Richard Abt

Others Present:

Frank O'Connor (Town Planner), Greg Roy, Greg Bailey

Public Hearings:

Request for approval of Site Plan Review with a Special Permit at 184 Ayer Road by CS Bailey Landscape, Inc. or other relief as appropriate under M.G.L Chapter 40A, and the "Code of the Town of Harvard" as amended, in the Protective Bylaw Chapter 125-38 and 125-13(T)

See full details on Page 4 and Page 5

Old Business:

Ayer Road Vision Plan/ MBTA-3A survey

Frank O'Connor updated the Board of the results of the survey. There were already over 250 responses by noon of December 4th 2023 and was hoping to get closer to 500 responses before officially closing the survey. Frank O'Connor shared his screen to show the current data, but the Board will look into the data at a later time in order to get the full picture of the town's preferences. Stacia Donahue will post about this on NextDoor to try to get more people to complete the survey.

Town Center Overlay District

In regards to the proposed Town Center Overlay drafted by Steve Nizgus, Frank O'Connor received a comment from the Harvard's fire department that there were concerns about the setbacks. John McCormack suggested that the Board revisits this and add it to a future agenda so all parties can be prepared to make any possible edits.

Proposed Protective Bylaw Multi-Family Overlay District

The Planning Board read through the 9-page document after Frank O'Connor shared his screen.

- Under the Definitions section:
 - The definition for "Lot" was struck through due to already existing in the Town's bylaw.
 - It was clarified that Special Permits granted by the Harvard Planning Board were specifically for mixed-use
- Under the Permitted Uses section, stating again that the Planning Board will grant the Special Permit specifically under mixed use.
- Under Stormwater Management, the Board added for clarification that there would need to be compliance with the local Harvard Bylaw.
- The Board flagged the section "Position relative to principal street" in order to revisit after getting some clarification on its intent.
- The Board struck through Building infill lots and will revisit this topic at the next meeting.
- The Board flagged the section "Buildings: Principal Façade and Parking" in order to revisit after learning more on this area and the states expectations.
- Under the Provision of Affordable Housing in Applicant Projects the Board changed "no fewer than 10%" to 15% as per the Town's current bylaws.

Stacia Donahue would like Frank O'Connor to send out the edited version to Ellen Sachs Leicher in order to make sure the new version complies with Harvard's Climate Action Plan

Proposed Changes to Administrative Regulations

Frank O'Connor shared his screen to show the "Director of Planning Update" document for a brief review from the Planning Board.

Motion: Stacia Donahue made the motion to approve the changes as submitted in the document.

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Abt

Passed unanimously

New Business:

Housing Production Plan numbers for Subsidized Housing Inventory and potential MBTA-3A impact

Frank O'Connor updated the Board saying that there are still a couple small changes needed. John McCormack suggested to move it to the next meeting when it is completed.

2016 Master Plan action items to review & discuss

John McCormack noted that Water and Sewer, each of the Select Board sections, and the Historical Commission need to be updated still.

Master Plan 2026

• Possible Members and Scope of Plan

Stacia Donahue suggested trying to get as many people from different Boards as possible so the Master Plan can have knowledgeable people from many different areas. John McCormack agrees that more

variety of members would be best. Stacia Donahue also suggested a document for both members and what the members would like to get done in the future.

Standard Business:

Board Member Reports

Stacia Donahue updated that the new shuttle service has had a total of eight riders now that it is officially running. One current issue comes from potential riders who would like to park their cars in order to use this service. The Climate Initiative Committee has asked Frank O'Connor to reach out to local churches and the Town Center to see if they are willing to let people park in their lots. Stacia Donahue noted that the shuttle holds only 15 riders so parking lot choices do not have to be large.

Minutes:

Motion: Stacia Donahue made the motion to approve the November 6th 2023 minutes as amended.

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Abt

Passed unanimously

Invoice:

The Board requests to have more details involved in future invoices from the UTILE group in order to have a clearer understanding of billing hours listed.

Motion: Stacia Donahue made the motion to approve UTILE Invoice #10178 for \$23,497.50

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Abt

Passed unanimously

Adjournment:

Motion: Stacia Donahue made the motion to adjourn the meeting at 9:40pm.

Seconded by Doug McCormack

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Abt

Passed unanimously

Harvard Planning Board

Special Public Hearing Minutes

December 4th 2023: Meeting called to order at 7:30pm

184 Ayer Road by CS Bailey Landscape, Inc.

Request for approval of Site Plan Review with a Special Permit or other relief as appropriate under M.G.L Chapter 40A, and the “Code of the Town of Harvard” as amended, in the Protective Bylaw Chapter 125-38 and 125-13(T)

Greg Roy, representing the applicants, started the Special Permit Hearing by summarizing the site plan for the property. Greg Roy then shared his screen in order to show that the owners would like to construct an additional area in the back of the site for operation purposes of their construction business. This would be used for storage of materials, construction vehicles, and other equipment. There would be a modification to the current pavement area, turning this back into a grass area while keeping a small paved route along the house. The driveway would be reshaped as well. To conform with the MA Storm Water Management Standards, the plan will include a large detention base in the back of the property by adding natural material to the back in order to collect water runoff.

Questions/Comments/Concerns

- Stacia Donahue questioned if the septic work was ever completed during the previous plans. Greg Roy assured that the building has passed inspection recently so any new changes are not in the current plans.
- Stacia Donahue asked if there would be a path across to Route 2 for safety reasons. Greg Bailey clarified that there were no plans to have any actual customers on site so a pathway was not included.
- Stacia Donahue asked if the Conservation Commission had done their review yet. Greg Roy confirmed that there was a review and a memo was written. Comments focused on erosion control. Frank O'Connor clarifies that the Conservation Agent and he would like a peer review of the storm water management proposal.
- Stacia Donahue asked if the applicant needed state approval due to the proximity of the off-ramp. Greg Roy answered saying that this was not needed due to the location of the plans being outside of the Mass. DOT jurisdiction.
- Doug Thornton asked if the letter from the police chief was received. Greg Roy confirmed that he received the letter and there are no objections from the letter.
- Stacia Donahue asked if there would be a change making this a housing unit. Greg Roy clarified that there will be no changes to this.
- Stacia Donahue asked if there will continue to be a residence on the second floor of the building. Greg Roy confirmed that the property will have mixed use, including both a commercial establishment, and a residence on the second floor.
- Stacia Donahue asked if there were any plans for new lighting. Greg Roy assured there were no plans for new lighting at this time.

Greg Roy hoped that the Board would waive the peer review for the storm water management due to time constraints. Frank O'Connor believes that the peer review can be done before the next special hearing. The Board took this into consideration but decided to keep the peer review as a requirement.

Motion: Stacia Donahue made the motion to send the project for a peer review of storm water management as requested by Frank O'Connor.

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Abt

Passed unanimously

Motion: Stacia Donahue made the motion to continue the Special Permit Hearing on December 18th 2023 at 7:10pm.

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Abt

Passed unanimously