

**HARVARD PLANNING BOARD  
MEETING MINUTES  
FEBRUARY 23, 2015  
APPROVED: MARCH 2, 2015**

Chairwoman Kara McGuire Minar opened the meeting at 7:06pm in the library at The Bromfield School under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Erin McBee, Joe Hutchinson, Don Graham and Michelle Catalina

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press), Jack Guswa, Lou Russo, Ethan and Mark Shipman (Boy Scouts), Ethan Graham (Boy Scouts), Evan and Vicki Bilafer (Boy Scouts) and Phil Cunningham

**Informal Discussion with Town Building Commission**

Jack Guswa, of the Town Hall Construction Committee, was present to discuss the plans for the Town Hall. Guswa explained there will be no real exterior changes to the building. The changes that will occur are the removal of the fire escape, the addition of a portico over the rear door, extension of the existing access ramp to the main entrance, the chimneys and the flag pole will be removed. Guswa stated there will be some slight grading on the north side of building, in order to have stormwater directed away from the building to catch basins, which will have oil and gas separators. Parking at Town Hall will remain the same. McGuire Minar asked if there will be improvements made to deal with stormwater from the Hildreth House. Guswa stated there will not. Guswa stated minor landscaping will be done on the Ayer Road side of the building to hide new furnace outputs. McGuire Minar asked about mechanical equipment on the exterior of the building. Guswa explained with the elimination of the reconstruction of the rear of the building, the need for those units has been removed; therefore there will be no external units. The Committee will be submitting recommendations to the Board of Selectmen for sub-contractors by March 24<sup>th</sup>, with work to begin mid-April. McGuire Minar explained to Guswa the Unified Planning Work Program grant to study Town Center traffic, which may be of assistance to circulation and parking concerns at this site.

**Protective Bylaw Amendments Hearing.** Opened at 7:18pm

**Board Member Reports**

Graham stated the Economic Development Committee meet last week, but he was unable to attend. Graham had sent them the proposed amendments to the definitions, which he will further discuss during the public hearing this evening.

Hutchinson stated the Master Plan Steering Committee (MPSC) met last Thursday and reviewed the chapters of the master plan received from the consultant. There are still pieces missing from the consultant and the MPSC would like the entire document to review rather than in pieces. Hutchinson stated the contract has expired and the MPSC will be re-visiting the whole process in regards to the time frames and funds available; he and Lucy Wallace have met with the Town Administrator to try and resolve the issues with the consultant. The Planning Board will need to sign another extension; the MPSC would like there to be penalties within this extension.

Catalina stated she can not report on the Municipal Affordable Housing Trust (MAHT) as they have been meeting in executive session. Catalina stated there are only two sets of minutes on the website between 2012 and 2014. As Catalina understands it, the MAHT is going ahead with the sale of the Poor Farm at 166 Littleton Road.

McBee stated the Council on Aging met today and discussed using the Community Development Block Grant funds. The funds could be left where they are and be used to help individuals who apply with necessary home improvements (like replacing failed septic systems) or for the elderly community at large to help with the Hildreth house improvements. Scanlan stated it is the Town's money and it would be up to the Board of Selectmen on how the funds are appropriated.

McBee stated the Hildreth House Improvement Committee will have a warrant article for annual town meeting for further improvements.

McBee stated the Commercial Design Standards Task Force has not met since the last Planning Board meeting; there is a meeting tomorrow.

### **Planner Report**

Scanlan stated Montachusett Regional Planning Commission (MRPC) would like to meet with representatives from Harvard to assess the needs of the Town and how MRPC could assist with those needs. The request was initially sent to Tim Bragan and Bill Scanlan; members discussed who should attend. Scanlan stated there is no urgency to this request. The invitation to attend is open to anyone from Planning Board. McGuire Minar will follow up with the Board of Selectmen on this request. It was suggested this meeting take place prior to the Planning Board retreat to be discussed later this evening.

As a follow-up from last meeting, Scanlan asked about having Arthur Frost, from the Mass Department of Transportation, attend a meeting to discuss how to be considered by DOT for a project. It was agreed upon to discuss this at the Planning Board retreat.

### **Approve Minutes**

McBee made a motion to accept the minutes of January 5, 2015 as written. Graham seconded the motion. The vote was unanimously in favor of the motion.

Graham made a motion to accept the minutes of February 11, 2015 as amended. McBee seconded the motion. The vote was unanimously in favor of the motion.

### **Approve Invoices**

The following invoice has been received for payment on the next bill warrant:

- William Scanlan -\$2400.00 (Town Planner)

McGuire Minar made a motion to approve the above mentioned invoice. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

### **Discuss Town Caucus February 28<sup>th</sup>**

McGuire Minar noted that Town Caucus is this coming Saturday. Both Hutchinson and Catalina terms are up for re-election. Hutchinson stated he does not know at this time if he will be running for another three year term. Catalina thinks she may run for another term.

### **Discuss Town Center Traffic Committee**

McGuire Minar stated under the Unified Planning Work Program grant there will be the need to create a smaller committee to work with Scanlan and Montachusett Regional Planning Commission. Catalina asked if the town center sewer committee still had a list of those who live in and round or have a business in the center. Scanlan anticipates there being one or two community meetings. A representative from the Department of Public Works and the Police Department would be appropriate. Scanlan was also anticipating this to be a day time committee, with a start time of mid-March. It was suggested a member of the School Committee be included in regards to safe routes to school. McGuire Minar asked members to send her any recommendations for committee members, with a follow-up at the March 2<sup>nd</sup> meeting.

**Discuss Spring Retreat Dates & Topics**

McGuire Minar stated as previously suggested the Planning Board will hold a retreat after the Town election on April 7, 2015. Members agreed to a date of April 11<sup>th</sup> at 9:00am, with a location to be determined. Members were asked to send any suggested topics for the retreat to Allard.

**Adjournment**

McBee made a motion to adjourn the meeting at 9:19pm. Graham seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk

## **Harvard Planning Board**

### **Protective Bylaw Amendments Hearing**

**February 23, 2015**

Chairwoman Kara McGuire Minar opened the hearing at 7:18pm in the library of The Bromfield School under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Erin McBee, Joe Hutchinson, Don Graham and Michelle Catalina

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press), Lou Russo, Ethan and Mark Shipman (Boy Scouts), Ethan Graham (Boy Scouts), Evan and Vicki Bilafer (Boy Scouts) and Phil Cunningham

This hearing is for the amendments to the Protective Bylaw, Chapter 125 of the Code of the Town of Harvard.

#### **Amend the Zoning Map**

Scanlan stated the current zoning map has historic districts as a zoning district. Montachusett Regional Planning Commission (MRPC) has made the appropriate change, which still includes the local historic districts as overlay districts, rather than zoning districts. In addition, when the Large-Scale Ground-Mounted Photovoltaic overlay district was created it was only one location (the town dump), but an additional area along Ayer Road was added a few years later. Neither of these locations were ever added to the zoning map. MRPC has corrected this on the zoning map as well.

McGuire Minar asked about the Historic Commission's warrant article for acceptance of the historic district maps. Scanlan stated the Historic Commission will be having a public hearing on the matter on March 4<sup>th</sup>, but this is not a zoning map. Scanlan suggested the historic district map, if approved at town meeting, could be linked to the zoning map for planning purposes.

With no further questions or comments, Graham made a motion to accept the proposed amendment to the Zoning map as detailed above for approval at the annual town meeting. McGuire Minar seconded the motion. The vote was unanimously in favor of the motion.

#### **Adult Entertainment District**

Scanlan explained what happened with the Adult Entertainment provision of the Protective Bylaw from the 2014 annual Town meeting. The revisions made strengthen the ability for an applicant to receive a special permit. The Board is awaiting comments back from the Attorney General's office on the revised provision. McGuire Minar asked Scanlan to follow-up with Town Counsel on the matter. Graham made a motion to continue the discussion to March 2, 2015 at 7:15pm in the Town Hall meeting room. McBee seconded the motion. The vote was unanimously in favor of the motion.

#### **Amend 125-2 Definitions**

It was explained that the International Building Code (IBC) has a definition for "building", therefore the Planning Board has decided to focus on a definition for "building area". After a brief discussion, Graham

made a motion to change the word “courts” to “court yard”. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Lou Russo, a developer and resident of Town, stated he used a fire wall to create two separate buildings when he developed Bowers Brook on Ayer Road. Russo explained that places such as Bower’s Brook have common spaces that need to be accessed for one build to another without having to go out into the elements, such as laundry facilities and mailboxes. He mentioned there are other types of establishments in which the use of a fire wall would work, such as assisted living. Russo cautioned the Planning Board that when you restrict something in a zoning ordinance, you may take away your ability to regulate something else. Russo stated he had attended all of the public hearings in regards to the Ayer Road Village Special Permit provision of the zoning bylaw; this issue was discussed in detail at those hearings. In addition, one of the goals of the provision was to promote connectivity of buildings. Russo feels there could be some good planning for the commercial district, but thinks this matter has not been vetted enough.

Phil Cunningham, a resident of Harvard Green, wonders if this is a standard definition that should use, or was this definition built by a committee. It was explained that this is to define “building area” and not a “building”.

Members discussed the type of businesses that would use firewalls, such as assisted living facilities. It was noted that there has been no negative feedback on the size of the Bower’s Brook building.

There was a question about what the legal notice stated and what was now being discussed that will need clarification from Town Counsel. McBee made a motion to continue the discussion of this provision to March 2<sup>nd</sup> at 7:15pm in the Town Hall meeting room. Graham seconded the motion. The vote was unanimously in favor of the motion.

Members discussed the proposed definition for a “grocery store”. As proposed the gross floor area includes the storage areas within a building. Catalina stated she has attempted to contact the Andover planning board to discuss how they determine the gross floor area, but has no luck. Scanlan stated the 70% is measurable, but may difficult to do in actuality. Catalina stated the only reason to have this definition is if there is interest in a building that would be larger than what is already allowed with the Protective Bylaw.

Russo would suggest the 70% be applied to the sale floor; if we are trying to encourage retail we don’t want to limit the ability to do so.

Members further discussed whether or not the definition would be necessary considering there is the ability to have a grocery store at 15,000 and 30,000 square feet. McGuire Minar made a motion to change the word “floor” to “sales”. McBee seconded the motion. The vote was unanimously in favor of the motion.

Members agreed to further discuss this definition at the next meeting. McGuire Minar made a motion to continue this discussion to March 2<sup>nd</sup> at 7:15pm in the Town Hall meeting room.

Signed: \_\_\_\_\_  
Liz Allard, Clerk

## **EXHIBITS & OTHER DOCUMENTS**

### **Informal Discussion with Town Building Commission**

- Interior and Exterior Renovations to Harvard Town Hall, Issued for Bid Const. Documents, February 11, 2015, prepared by LLB Architects

### **Protective Bylaw Amendments Hearing**

- Proposed Definitions “Building Area” and “Grocery Store”, undated