

**HARVARD PLANNING BOARD
MEETING MINUTES
OCTOBER 19, 2015
APPROVED: NOVEMBER 2, 2015**

Chairperson Kara McGuire Minar called the meeting at 7:07pm in the Hapgood Room at 7 Fairbank Street under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Kara McGuire Minar, Don Graham, Michelle Catalina and Fran Nickerson

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press)

Board Member Reports

McGuire Minar stated the Master Plan Steering Committee has worked through Chapter 10 Opportunities and Challenges of the draft Master Plan and continue to make forward progress on the final Plan.

Nickerson stated the Housing forum held this past Sunday, which is one in a series of forums being presented by the League of Woman Voters (LWV) and the Council on Aging (COA), had a better turn out than she expected. Nickerson would have liked to hear more of the zoning amendments needed to achieve the housing goals discuss at the forum. McGuire Minar asked if there is an end result that the LWV and the COA hope to achieve through these forums. Scanlan stated he was not sure. The next forum is scheduled for November 21st.

Planner Report

Scanlan reported the Master Plan Steering Committee (MPSC) is working on an open house for the Devens aspect of the Master Plan. This event will take place on November 12th. The MPSC is meeting with the consultant, Burns & McDonnell next week to review the proposed presentation for the open house.

Scanlan stated the Board of Selectmen has accepted the proposal for the traffic study for the section of Ayer Road from the Route 2 interchange to Poor Farm Road. There is a question about the ability to use Chapter 90 funds for this study, which the Department of Public Works Director is looking into. The study will include traffic counts and models with proposed round-about at either the intersection Poor Farm Road and Ayer Road and Gebo Lane and Ayer Road. There has also been discussion about closing off Lancaster County Road at the post office and directing traffic down Gebo Lane.

Approve Minutes

Nickerson made a motion to approve the minutes of October 5, 2015. Graham seconded the motion. The vote was 3-0 in favor of the motion; Catalina abstained from the vote as she had not been in attendance on October 5th.

Approve Invoice

Allard stated the Board has received the following invoice for inclusion on the next bill warrant.

- William Scanlan - \$2400.00

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

Protective Bylaw Amendments

- **Zoning Map**
This item is in a holding pattern until the Planning Board hears from the Historic Commission and their desire to increase the existing historic districts. McGuire Minar asked about the possibility of adding Still River as part of the historic district. A discussion as to the reasoning behind not allowing cell towers in historic districts was had. Scanlan will look into whether or not there is an exemption of cell tower use within historic districts. Scanlan will also determine if there are any available maps for Still River in regards to a historic district.
- **Assisted Living Use**
Scanlan distributed the Town of Hardwick provision on Senior Residential Development for the members to review. Upon a quick review of the provision a number of requirements may not be able to be achieved in Harvard given the nature of the land available for such a development. One of the major questions in allowing assisted living use is the impact to local services. More research into this aspect will need to be completed for the annual town meeting.
- **125-35 Open Space & Conservation – Planned Residential Development (PRD)**
The PRD provision from the Town of Concord was provided to the members. This provision was used to create the development known as River Walk in Concord; which consists of small cottage styled dwellings clustered together. Catalina feels a provision that would allow a similar development would require a lot of vetting before taking it to the annual town meeting.
- **Erosion Control Bylaw**
Allard received Town Counsel's opinion as to whether or not this provision should be part of the Protective Bylaw or the General Bylaws. Counsel has advised it should be a General Bylaw. Allard will continue to work with the Conservation Commission on this bylaw.
- **125-3 Non-conforming Structures and Uses**
Scanlan has revised the figures with Chapter 125-3 to include additional language making it clearer as to when an applicant would be required to obtain a Special Permit for activity involving pre-existing non-conforming structures.
- **125-32 Sewage and Other Potential Sources of Contamination**
Allard explained the Zoning Board of Appeals is requesting the March 31, 1984 date under 125-32C(6) be removed to avoid the requirement of residents, who need to upgrade a failing septic system, to obtain a variance in order to meet the setback stated in 125-32B. Unfortunately, this setback has not been widely enforced since the provision was added to the Bylaw and therefore a large number of septic systems that have been installed after March 31, 1984 do not comply with the provision. The removal of the March 31, 1984 date would still require all new septic systems to meet these setbacks.

Update on Community Preservation Committee Applications

Catalina requested feedback from the Planning Board members on the applications submitted to the Community Preservation Committee for funding in fiscal year 2017. The members supported the applications submitted housing and conservation purposes, with the exception of the request from the

Village Nursery School for \$200 for a nature walk trail. The members questioned the request for the Park and Recreation Committee for the repair to the stone wall along Mass Ave; those present thought the funding approved previously was for the entire wall. The members did not support funding for the establishment of a fund to purchase preservation restrictions for private residences. Members also questioned the request from the Historic Commission for cemetery markers; has the Cemetery Commission weighed in on this request?

Discuss Potential Public Safety Forum

McGuire Minar has received some feedback from residents in regards to traffic concerns, which has prompted her to wonder if a section on traffic and traffic improvements should be included within the Master Plan. Members discussed recent conversations with Town officials who believe there are few issues with the speed limits and accidents in and around town. Members agreed that when it comes to speed limits you need to be careful what you wish for; if you conduct a traffic study and the study shows traffic flows are incident free at a high rate of speed there is a potential for that area to have a higher speed limit designated.

ZBA Request for Comments – Transformations, Inc., Stow Road

Allard explained the application before the ZBA is to extend the dates to begin construction and complete construction, as amended by a previous modification to the Comprehensive Permit. The members had no comments in regards to the request by Transformations, Inc.

Littleton Water Department Request for Water Resource Protection

Scanlan stated he had sent the information he had gathered in regards to creating a water resource protection overlay district for the town-owned drinking water wells to the Water Commission, but has not heard back from them as of yet.

Review Updates to Chapter 133 Planning Board Procedural Rules & Regulations

Members agreed to continue the review of Chapter 133 at the next meeting.

Adjournment

Graham made a motion to adjourn the meeting at 9:15pm. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

DOCUMENTS AND OTHER EXHIBITS

Protective Bylaw Amendments

- Town of Hardwick, 6.2 Senior Residential Development, undated
- Town of Concord, Section 10 Planned Residential Development (PRD), undated