



**Select Board  
Minutes  
Tuesday, September 18, 2018 at 7:00pm  
Town Hall Meeting Room, Harvard, MA**

The meeting was called to order at 7:00pm by Chair Lucy Wallace in the Town Hall Meeting room. Select Board members Kara Minar, Alice von Loesecke and Stu Sklar were in attendance as well as Town Administrator Tim Bragan, Assistant Town Administrator/HR Director Marie Sobalvarro and Executive Assistant Julie Doucet.

### **Minutes**

On a von Loesecke/Sklar motion, the board voted unanimously to approve the 9/5/18 minutes, as presented.

### **Bylaw Review Committee update**

Chair Paul Cohen and member Corey Dufresne reported the committee completed their work of reviewing the bylaws to be in conformance with the newly adopted charter. They described their process and recommend action at the fall Special Town Meeting. Board members asked a few questions about the appointment process and the need to adjust the budget timelines.

### **Appointment**

#### *Permanent Building Committee*

Wallace invited Corey Dufresne to formally introduce himself for appointment to the Permanent Building Committee. Dufresne served on the Bylaw Review Committee after appointment by the Moderator and is interested in continuing to volunteer. He is a corporate attorney and believes his skill set will work well on this committee. On a Minar/von Loesecke motion, the board voted unanimously to appoint Corey Dufresne to the Permanent Building Committee.

### **Harvard – Devens Jurisdiction Committee**

Chair Victor Normand reported the committee is attempting to reach out to departments and committee/board chairs seeking input on possible concerns and data that will be needed in order to weigh the impact of resuming jurisdiction. This input will be helpful in framing the request for consultant services and determining the scope of the consultant report. The committee also will be meeting and reaching out to stakeholders, including the Shirley and Ayer Boards of Selectmen, Senator Jamie Eldridge, and Reps. Benson and Harrington. The committee will give an overview of what their mission with these stakeholders. They will use the section on Devens in the 2016 Master Plan as a starting point in identifying areas and topics of interest. They also intend on opening lines of communication with MassDevelopment, particularly by having a point of contact on Devens. Normand commented if the opportunity arises for the Governor to fill a vacancy on the MassDevelopment Board of Directors, appointing someone local may help to advance what the town is trying to accomplish. On a Minar/Sklar motion, the board voted unanimously to approve sending a letter to MassDevelopment requesting a point of contact.

### **Public communication**

Jim Lee, East Bare Hill Road, said the land swap proposed at the last Select Board meeting was hastily conceived and short sighted, with potentially high costs. Of the four proposed components of the plan he is only supportive of the improvement to the ballfield on Ann Lee Rd. Lee attended the Park & Recreation Commission meeting and read comments on Next Door Harvard that all indicate the need for fields; however,

the locations proposed are troublesome. He requested a comprehensive plan determining needs and future maintenance. He feels anything less is a waste of time. Lee urged the Select Board to create a study committee directed by Park & Rec to assess the components and develop a plan for presentation at the spring annual town meeting.

Eric, Skulte, 7 East Bare Hill Road, echoed Lee's comments. He thought it was reckless to move forward without allowing residents answers to their questions. He was surprised at the suggestion to utilize conservation land and the enthusiasm of the Select Board to the proposal. He asked the board to table this issue for now and seek more input.

Wallace pointed out this was merely the beginning of a conversation. Any action will require vote of the Conservation Commission, action at the Annual Town Meeting and then approval by the legislature.

Sydney Blackwell, 15 Willow Road, agrees this is a hasty decision and was also shocked when she watched the Select Board meeting. As a citizen, she was surprised residents and more committees/boards were not consulted. She observes Harvard as a community strong in volunteerism and would dislike residents having less of a voice.

Another East Bare Hill Road resident who abuts the Abbot-Reed-Powell land, was concerned how parcels were chosen. She envisioned this causing issues between residents and those using the playing field. With East Bare Hill being a scenic roadway residents already encounter increased traffic and recreational cyclists which can be dangerous. She is seeking a better process that is not hurtful to those in neighborhoods that may be affected.

Carlene Philips, 7 Oak Hill Road, is concerned about Harvard having a retail marijuana shop. She refereed to herself as an "old fuddy duddy" but finds the possibility of a marijuana facility interesting, considering Harvard does not even have a grocery store or pharmacy. She does not want the image of Harvard she loves to change.

Philips also asked for an explanation as to why the fire horn blows so loudly and why so often.

Lou Russo, Lancaster County Road, is opposed to the retail marijuana shop proposed at 184 Ayer Road. As a local developer, he believes the proposed establishment is inconsistent with the Ayer Road Village District and will set a bad example for the town being the first property you see when exiting the highway. Russo added Maguel Architects, another local business, does not support the proposal either.

Minar responded to concerns related to the land swap as an opportunity to do the due diligence necessary to determine how best to proceed.

### **Marijuana Establishment introduction and proposals**

#### *Coil Brothers Inc. – manufacturing facility*

Founder and Harvard resident physician Matthew Zipoli introduced himself and fellow team members Rory Fazendeiro (Founder/General Counsel), John Goll (Founder/CFO), Matthew Brace (Chief Operations Officer) and Stephen Mandile. Zipoli explained they are interested in opening a cannabis oil manufacturing facility at 325 Ayer Road. They intend to work with local growers and extract products to be sold wholesale to retailers across the state. Zipoli and his team are interested in helping people in life-saving ways. They described their process and are committed to being a beacon for purity and compliance in the concentrate industry. Harvard is the sole community they have approached with their business plan. The board members asked a few questions and thanked Coil Brothers Inc. for attending the meeting.

### *Trichome Health – Adult Use Retail facility*

Director, President and CEO Alex Mazin and Head of Community Relations Greg Czarnowski introduced themselves and provided a hard copy presentation. Mazin said the company was founded in 2016 as a non-profit and is now a for profit organization. They are committed to providing consistent, high-quality cannabis products to consumers and qualifying medical patients in a secure and welcoming environment. They have a cultivation site in Lakeville and may possibly open one in Westminster. They are interested in the property at 184 Ayer Road. The board members expressed their concerns about traffic in the location they have chosen. Mazin and Czarnowski understand the apprehension and are committed to finding a solution. The board members asked a few additional questions and thanked Trichome for attending the meeting. Czarnowski reminded the board members and the public that their Community Outreach meeting will be held on Wednesday, September 26<sup>th</sup>.

### **Old Library Accessibly project (OLAC)**

OLAC members Wendy Magan, Mark Mikitarian, Pete Jackson and Chris Cutler were in attendance. They reported that the sub-bids and, therefore, General Contractor bids, had come in higher than estimated. This was, in part, due to this being a small project, uncertainty with fluctuating material costs, and a tight construction market. The committee voted to recommend to the Select Board continuing with the project and to include alternate one. They do not want to miss the opportunity to complete this project this fall and risk costs increasing should it be delayed to next spring. Everyone agreed it is unfortunate the estimates were so far off. Wallace asked if the Board would support OLAC going to the Capital Planning and Investment Committee to discuss how to fund the project and, if funding could be agreed upon, going forward with the project this fall. The Board concurred, noting CPIC needed to be part of the decision.

### **Town administrator report**

Bragan reported on the following items:

- Process to hire an Economic Development Director position has been completed. We will be hiring Christopher Ryan of Westborough Massachusetts. On a Minar/von Loesekce motion, the board voted unanimously to appoint Christopher Ryan as the new Community & Economic Development Director.
- Two residents were nominated at the Town Caucus for the vacant Select Board seat: Noyan Kinayman and Richard D. Maiore.
- MPO sub-region representative list is now official and attached for your records.
- Town's notification and filing with Department of Public Utilities for Approval of Aggregation Plan has occurred and a copy of the filing is on our website.
- On Thursday, September 20, 2018 Congresswoman Niki Tsongas will be holding a press conference at 11:00 a.m. at the Nashua River Watershed Association's River Resource Center at 592 Main Street in Groton to announce filing legislation to designate sections of the Nashua River and the entirety of its two main tributaries as Wild and Scenic Rivers. If you plan on attending please RSVP to the email on the attached document.
- Open meeting law training in town is being held on November 15<sup>th</sup> at Cronin Auditorium from 5:30-7:30PM.
- Trichome's community outreach session is being held next week. The Select Board can wait until after the meeting to decide if they will or will not enter into a community host agreement with Trichome.
- Bragan recommended the Select Board develop a policy for memorial requests on public lands and that it be either a collective (across Town Boards and Committees) agreement or perhaps in the form of a by-law in order that it be effectively and evenly administered whenever a request is made.

- Sobalvarro has developed a film permit application based on research of other communities. The Board needs to approve the form and set the application fee at \$500. Minar made a few suggested changes to the form.
- Both Columbia Pictures and Netflix, have started their respective projects and we have already received complaints that include parking issues, traffic issues and other concerns. Both companies have been responsive. We are awaiting a final letter from Columbia Pictures that will be used to inform the residents in the affected area as well as residents outside this area about anticipated disruptions in traffic flow on filming days. We will be planning a meeting with those directly impacted so that they can hear what is happening, when and for how long. We will also be using other avenues to communicate with the general public.
- Bragan attended the Conservation Commission meeting to discuss the potential land swap of portions or all of three conservation parcels for one municipal parcel so we can get more useable land for playing fields. The Commission was not in favor of the transfer of two parcels in particular (Ruben Reed land and Powell land); the Stone land was considered the least objectionable. Since that meeting he has met with individuals, talked with various residents and has heard various objections from people. The people who know we need fields are excited but no one wants new ballfields in their back yards or neighborhood. He understands that but the need for fields still exists. Personally, he would like to move forward with two items, one being an article for funds to convert Ann Lee field to a softball field and second to modify the land swap to be 12 acres of the Warila land for the 6+/- acres of Stone Land. In addition, Bragan was seeking permission to park cars on the roadway next to the Ruben Reed land when events happen in the town center and to place portable bathrooms on the paved road instead of on the Common. If the Select Board is so agreeable, he offered to pursue such a course of action and work with the necessary entities. This will include using professional services funds to have surveys done of both the Warila land and the Stone land: Warila to carve out 12 acres and Stone to survey the bounds of the useable area so that further discussion can take place as to how best to use that property for field use. The board members were sensitive to comments made earlier in the evening during public comment. Von Loesekce volunteered to work with Sklar and Park & Recreation Commission. Their first action will be to attain a copy of the schedule of all fields so they can better understand what is needed.

The board voted unanimously to meet past 10:00pm to complete action items A & B.

### **License for use of Park & Recreation land for movie production**

Bragan has a draft license he worked on with town counsel. He explained the dates will be finalized when the fee to be charged has been determined. Von Loesekce and Minar will review current fee schedules. On a von Loesekce/Sklar motion, the board voted unanimously to allow the chair to sign the license.

### **Appointments**

On a Minar/Sklar motion, the board voted unanimously to re-appoint Anne Hentz and Shannon Boeckelman to the 4<sup>th</sup> of July Committee. Minar will serve as the Select Board representative on the Municipal Vulnerability Plan

The meeting was adjourned at 10:22pm.

Documents referenced:

Report from Bylaw Review Committee – dated 9.5.2018  
 MassDevelopment draft letter – dated 9.10.2018  
 Letter from Lou Russo – dated 9.17.2018

Dufresne volunteer form – dated 9/2018  
 Trichome Health presentation – dated 9.18.2018  
 Letter from Maguel Architects – dated 9.18.2018