

Director of Community and Economic Development

UPDATE

September 20, 2021

■ Approval Not Required (ANR) Plan Review – Massachusetts Avenue and Fairbank Street(Saleh and Shabra)

Name of Applicant: Sarah Saleh and Aiman Shabra

Location of Property: Mass Avenue and Fairbank Street, Harvard, MA **Assessors Map/Parcel:** 17D/51 (28 Fairbank) and 22B/41 (21 Mass Ave)

Zoning District: Agricultural-Residential (AR)

Parcel Size: Lot 1 = 1.65 Acres; Lot 2A = 2.04 Acres

Current Land Use: Residential

Property Owner: Same as applicant and Sara S. Den Besten (Lot 1)

Consulting Engineer: David E. Ross Associates, Inc.

Application For: ANR



Request: The Applicant is seeking endorsement of an Approval Not Required or ANR plan which is proposed as follows:

Current Lot 1, owned by an abutter to the Applicant, consists of 1.65 acres and Lot 2A, owned by the Applicant, consists of 2.04 acres.

The Applicant is seeking an endorsement as an Approval Not Required Reason #2a and proposes to cede Parcel "A" which is a 4,041 square foot parcel to be merged with Lot 1, each with the following characteristics:

- Access: The lots have reasonable access as per the vital access criteria as has evolved from court decisions. This includes accessibility from the public way to a buildable portion of the lot, that emergency vehicles may access a residence, and other elements.
- Frontage: The lots in question require frontage of 180' (Basic Lot) and the plan shows Lot 1 with 328.91' and Lot 2A with 291.14' which are both in compliance.

The proposed Lot 1 will then contain 1.74 acres and Lot 2A will contain 1.95 acres, both of which comply with the minimum lot size criteria, although this is not relevant to endorsement.

Summary: The subject lots as proposed meets the requirements for ANR endorsement.

■ Approval Not Required (ANR) Plan Review – Prospect Hill Road (Françoise Crook)

Name of Applicant:

Location of Property: Prospect Hill Road, Harvard, MA

Assessors Map/Parcel: 11/22.1 and 22.3

Zoning District: Agricultural-Residential (AR)

Parcel Size: 17.53 Acres Combined Current Land Use: Residential Property Owner: Same as applicant

Consulting Engineer: David E. Ross Associates, Inc.

Application For: ANR

Request: The Applicant is seeking endorsement of an Approval Not Required or ANR plan which is proposed as follows. Current Parcel 22.1 consists of 15.17 acres and Parcel 22.3 is 1.5 acres. The applicant proposed to create three lots designated as Lots 3-A, 4, and 5 which will have the following dimensions:

Proposed Lot	Acres	Frontage	Type	Conforms
Lot 3-A	3.21	180'	Basic	Yes
Lot 4	3.33	360.15	Basic	Yes
Lot 5	10.99	56.78'	Type 2 (eligible)	Yes



- Access: Each proposed lot will have reasonable access as per the vital access criteria
 as has evolved from court decisions. This includes accessibility from the public way
 to a buildable portion of the lot, that emergency vehicles may access a residence,
 and other elements.
- Frontage: Lots 3-A and 4 have frontage of at least 180' (Basic Lot) and Lot 5 will have over 50' of frontage which complies with the Type 2 (Hammerhead) lot requirement.

Summary: Lot 5 is Type 2 eligible and compliant but has not yet received the required Special Permit for that type of lot. Therefore, the plan has a note which states "Lot 5 is an eligible Type 2 Lot (Hammerhead), building is permitted only in accordance with Special Permit Type 2 provisions of the Protective Bylaw. The plan and application are in order and endorsement is recommended.

■ Capital Planning and Investment Application

Due to the long budget cycle, now is the time to ask for Capital funding for Phases 2 and 3 of the Ayer Road Vision Plan project, even though Phase 1 has not even been bid out yet. To

not do so, regardless of the outcome of Phase 1, we would not be able to receive these funds, if approved, until July 2023. I will send a revised draft prior to Monday for review and am seeking authorization to proceed by the Board.

■ Community Compact Cabinet Application

After checking in with Marie Sobalvarro, one of the CCC best practices is no longer available, but we do have one remaining that we could use, as long as the following could be achieved:

- 1. Clearly articulate the specific purpose of the funds, if economic development is the selection. We need to note that the funds sought would not be all of the funds needed, even for Phase 2, and how and where we would seek the remaining funds.
- 2. How will we fund the zoning rewrite? Will we ask for this in the general fund in the current budget cycle? There are no other grant programs where we could ask for the amount needed and only a few that would address zoning.

I am asking for a vote to authorize a CCC application for one of these two projects.

■ Fall 2021 Town Meeting

Please refer to prior two UPDATE editions for summaries of the bylaws and outreach efforts. We will be sending you the latest versions of the Bylaw drafts for your consideration and have previously sent a few opinion emails regarding some of the criteria. We should be seeking to close the Public Hearing and getting final language to the Town Administrator by Tuesday.

■ Re-Introduction of Open Space Residential Development Bylaw

If we get to this (unlikely), I will further add to your sleepiness and once the meeting has concluded, you won't need any sleep aids.

■ Other Issues of Relevance to the Board

Nothing substantial to report this week.