

Posted September 8, 2021-11:45AM-MK

**TOWN OF HARVARD
PLANNING BOARD AGENDA
MONDAY SEPTEMBER 13, 2021 @ 7:00PM**

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

Topic: UpperTH ProWebinar's Planning Board Zoom Meeting
Time: Sep 13, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/85479183445?pwd=ekl0cnh2ZmFQa0JDNnAvYlpFaGJldz09>

Meeting ID: 854 7918 3445
Passcode: 519295
One tap mobile
+19294362866,,85479183445# US (New York)
+13017158592,,85479183445# US (Washington DC)

Dial by your location
+1 929 436 2866 US (New York)
+1 301 715 8592 US (Washington DC)
Meeting ID: 854 7918 3445
Find your local number: <https://us02web.zoom.us/j/85479183445>

Public Comment

New Business: a) Climate Resiliency Working Group Appointments
b) Select Board Request for Top Three Action Items

Standard Business: a) Board Member Reports

- Representatives & Liaisons Update
- Community Matters

b) Approve Minutes

Public Hearings:

7:15pm Scenic Road Consent – Laura Clarage, 129 Poor Farm Road, for the construction of a second access to an existing driveway

7:30pm Continuation of the Protective Bylaw Amendments for the Fall Annual Town Meeting

- Amend Section 125-10 Conversion for Multiple Residence;
- Amend Section 125-21B(1) Permitted Uses in AR Districts by Special Permit;
- Delete Section 125-18.2 Affordable Accessory Apartment;
- Amend 125-57 Senior Residential Development by adding Assisted Living and Continuing Care Residential Community;
- Delete Section 125-52I Ayer Road Village – Special Permit - Assisted Living Facility;
- Amend Section 125-2 Definitions; and
- Add new Section 125-58 Erosion Control.

Planning Board Three Priorities – September 2021

1. Support all Planning Board related initiatives by enhancing staff support and organizational structure, including:
 - a. Consider a restructuring of the Land Use Board to provide more support for both Conservation Commission and Board of Health.
 - b. Support continued development of CRWG with clearly identified staff assistance and budget.
2. Support Ayer Road Vision Planning Phase I: Market Study and Fiscal Impact.
3. Continue housing diversification through open space residential design and senior friendly housing development.

**HARVARD PLANNING BOARD
MEETING MINUTES
AUGUST 16, 2021**

1
2
3
4
5 Chair Justin Brown called the meeting to order at 7:05pm virtually pursuant to Chapter 20 of the Acts of
6 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency
7 and signed into law on June 16, 2021, under M.G.L. Chapter 40A and Code of the Town of Harvard
8 Chapter 125
9

10 **Members Present:** Justin Brown, Stacia Donahue, Richard Cabelus, Brian Cook and Doug Thornton and
11 Jefferson Buron (Associate Member)
12

13 **Others Present:** Christopher Ryan (Director of Community & Economic Development), Liz Allard (Land Use
14 Administrator), Beth Williams, Deborah O'Rourke, Ron Ostberg, Jon Osborne (Harvard Press), Ellen
15 Leicher (Climate Resiliency Working Group)
16

17 **Public Comment**

18 There was no public comment this evening.
19

20 **Review Draft Request for Proposals for District Scale Real Estate Market Analysis and Fiscal Impact**
21 **Analysis**

22 Brown explained the Request for Proposal (RFP) is to assist in the reconfiguring the commercial district to
23 create a better balance of services for Harvard. This RFP has been reviewed by several people including
24 Brown, Chris Tracey, chair of the Zoning Board of Appeals, and Rich Maiore, of the Select Board. Donahue
25 and Cabelus had no additional feedback. Cook suggested a preference be made to a timeframe for
26 examples of work. Burson asked if there should be any comparison to other communities; Ryan will think
27 about how to include that within the RFP. The Board discussed the fact the RFP may be leading toward
28 respondent; Ryan will review to determine if there any available adjustments that can be made to the
29 RFP.
30

31 Cabelus made a motion to provisionally endorse the RFP as drafted. Thornton seconded the motion. The
32 vote was unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton,
33 aye; and Brown, aye.
34

35 **Protective Bylaw Amendments for the Fall Annual Town Meeting Hearing.** Opened at 7:30pm (see page
36 3 for complete details)
37

38 **Director's Report**

39 Community Compact Cabinet – champions municipal interests across all executive secretariats and
40 agencies, and develops, in consultation with cities and towns, mutual standards and best practices for
41 both the state and municipalities. The creation of Community Compacts creates clear standards,
42 expectations and accountability for both partners. The Select Board is opening up to the idea of best
43 practices for zoning and economic development, specifically a full zoning rewrite and the Ayer Road Vision
44 Plan - Phase 2. Other areas of best practices to consider are updates to the Housing Production Plan
45 and/or Open Space Plan. Ryan will request the appropriate placeholder with the Procurement Officer.
46

47 **Amend Chapter 90 Scenic Roads of the Code of the Town of Harvard Hearing.** Opened at 8:30pm (see
48 page 5 for complete details)
49

50 **Board Member Reports**

- 51
 - **Representatives & Liaisons Update**

52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103

- o **Climate Resiliency Working Group** – Waiting on any suggested language changes from Select Board in regards to the proposed Town Resolution on climate change; Mass Energize site to go live in September; September 23rd public meeting in regard to the Climate Action Plan.
- o **Historical Commission** – Recent meeting consisted of a discussion in regards to the withdrawal of an application for the solar panels at Hildreth Elementary School; Commission is trying to determine the exemption.
- **Community Matters** – None

Spring Town Meeting, 2022 - Open Space Residential Development (OSRD) – Amend Chapter 125-35: Density of Development (as time permits) – this item was passed over this evening

Adjournment

Donahue made a motion to adjourn the meeting at 8:57pm. Cook seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.

Signed: _____ Liz Allard, Clerk

EXHIBITS & OTHER DOCUMENTS

- Planning Board Agenda August 16, 2021
- Director of Community and Economic Development Update August 16, 2021
- ARTICLE XX: AMEND CHAPTER 125-2, DEFINITIONS, OF THE PROTECTIVE BYLAW
- ARTICLE XX: AMEND CHAPTER 125, THE PROTECTIVE BYLAW
- ARTICLE XX: AMEND CHAPTER 125-21, PERMITTED USES IN AR DISTRICTS, OF THE PROTECTIVE BYLAW
- ARTICLE XX: AMEND CHAPTER 125-52, AYER ROAD VILLAGE SPECIAL PERMIT, OF THE PROTECTIVE BYLAW
- ARTICLE XX: AMEND CHAPTER 125-57, SENIOR RESIDENTIAL DEVELOPMENT, OF THE PROTECTIVE BYLAW
- ARTICLE XX: AMEND PROTECTIVE BYLAW CHAPTER 125 Chapter 125-58 Erosion Control, 08/02/2021
- ARTICLE XX: AMEND SCENIC ROADS BYLAW CHAPTER 90, 08/02/2021

104 **Harvard Planning Board**

105
106 **Chapter 125 Protective Bylaw Amendments Hearing Minutes**

107
108 **August 16, 2021**

109
110 The public hearing was opened at 7:30pm by Chair Justin Brown under MGL Chapter 40A the Zoning Act
111 and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually pursuant to Chapter 20 of
112 the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of
113 Emergency and signed into law on June 16, 2021

114
115 **Members Present:** Justin Brown, Stacia Donahue, Richard Cabelus, Brian Cook, Doug Thornton and
116 Jefferson Burson (Associate Member)

117
118 **Others Present:** Christopher Ryan (Director of Community and Economic Development), Liz Allard (Land
119 Use Administrator) Deborah O'Rourke, Jon Osborne (Harvard Press) and Ellen Leicher

120
121 **Amend §125-10 Conversion for Multiple Residence** – Due to the forthcoming requirements from the
122 State pertaining to MBTA communities providing for multi-family districts, this amendment will not be
123 brought forward at the Fall Annual Town Meeting.

124
125 **Amend §125-21B(1) Permitted Uses in AR Districts by Special Permit** – makes the bylaw consistent with
126 the change made at the Spring Annual Town Meeting by deleting “in-law apartment” and replacing it with
127 “Accessory Dwelling Unit”

128
129 **Delete §125-18.2 Affordable Accessory Apartment** – Deleting this section in its entire due to lack of need
130 and effectiveness.

131
132 **Amend §125-57 Senior Residential Development by adding Assisted Living and Continuing Care**
133 **Residential Community** – As a response to the surveys conducted prior to the annual town meeting in the
134 spring, both assisted living and continuing care residential community are being added to this provision as
135 allowed types of development. The language for assisted living is directly from §125-52I Ayer Road Village
136 – Special Permit of the Protective Bylaw.

137
138 **Delete §125-52I Ayer Road Village – Special Permit - Assisted Living Facility** – as noted above this
139 provision will be moved to §125-57 Senior Residential Development.

140
141 **Amend §125-2 Definitions** – The proposed added definitions are related to §125-57 Senior Residential
142 Development, specifically continuing care residential community.

143
144 **Add new §125-58 Erosion Control** – Provides a gap in the process of developing land in Harvard, which
145 are typically single-family lots. Massachusetts Stormwater Regulations are not triggered with the
146 development of a single-family lot; therefore, development with the potential to cause erosion will be
147 required provide protection against such erosion. In this third version, the term agricultural will be tied to
148 the definition provided by the Wetland Protection Regulations (WPR) 310 CMR 10.04, therefore if the
149 propose activity is considered agricultural use as defined by the WPR an erosion control permit from the
150 Planning Board will be unnecessary.

151
152 **Outreach**

153 Donahue and Allard are scheduled to present §125-58 Erosion Control to Bare Hill Pond Watershed
154 Management Committee on August 23rd. Donahue will reach out to Parks & Recreation Commission to
155 present this provision to them. Allard noted Board of Health has not finalized their agenda for August
156 24th, but is hoping there will be time available to present the Erosion Control bylaw. The pair will visit the

157 Conservation Commission in mid-September and are still waiting to hear from the Agricultural Advisory
158 Commission.

159

160 **Town Meeting Presenters**

161 §125-21B(1) Permitted Uses in AR Districts by Special Permit - Donahue

162 §125-18.2 Affordable Accessory Apartment – Donahue

163 §125-57 Senior Residential Development by adding Assisted Living and Continuing Care Residential –

164 Cabelus

165 §125-52I Ayer Road Village – Special Permit - Assisted Living Facility – Burson

166 §125-2 Definitions – Burson

167 §125-58 Erosion Control – Donahue

168

169 Donahue made a motion to continue to September 13, 2021 at 7:30pm. Cabelus seconded the motion.

170 The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye;

171 Thornton, aye; and Brown; aye.

172

173 Signed: _____ Liz Allard, Clerk

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210 **Harvard Planning Board**

211

212 **Amend Chapter 90 Scenic Roads of the Code of the Town of Harvard Hearing Minutes**

213

214 **August 16, 2021**

215

216 The public hearing was opened at 8:30pm by Chair Justin Brown under MGL Chapter 40A the Zoning Act
217 and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually pursuant to Chapter 20 of
218 the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of
219 Emergency and signed into law on June 16, 2021

220

221 **Members Present:** Justin Brown, Stacia Donahue, Richard Cabelus, Brian Cook, Doug Thornton and
222 Jefferson Burson (Associate Member)

223

224 **Others Present:** Christopher Ryan (Director of Community and Economic Development), Liz Allard (Land
225 Use Administrator) Deborah O'Rourke and Jon Osborne (Harvard Press)

226

227 Brown explained the amendments include improvements to enforcement and codifying design guidelines.
228 Cabelus has volunteered to present this amendment at town meeting.

229

230 With no questions or comments from the Board or those present, Donahue made a motion to continue
231 the hearing to September 13, 2021 at 7:45pm Cabelus seconded the motion. The vote was unanimously in
232 favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.

233

234 Signed: _____ Liz Allard, Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

**TOWN OF HARVARD
PLANNING BOARD
STRATEGIC PLANNING SESSION MINUTES
AUGUST 7, 2021**

Chair Justin Brown called the meeting to order at 12:05pm on the porch of the Hildreth House at 15 Elm Street, Harvard.

Members Present: Justin Brown, Stacia Donahue, Richard Cabelus, Brian Cook and Doug Thornton (via Zoom) and Jefferson Buron (Associate Member) -

Others Present: Christopher Ryan (Director of Community & Economic Development) and Liz Allard (Land Use Administrator)

Review Policy & Procedure

- Planning Board Handbook – Provided to all new Board members
- Attending Citizen Planner Training Collaborative Training Sessions – Funding available to pay for attendance by Board members
- 1-on-1 Training with new members/Role of the Staff – New members can be in touch with Ryan for training
- Continuation of Board Training – Ryan will continue to provide training at regular meetings as time allows
- Social Media – Harvard NextDoor is not the platform to engage in discussion and/or debate; only use it to direct residents to the Town website

Master Plan

- Review Progress of Implementation under the Planning Board purview
 - Form a Master Plan Implementation & Evaluation Committee. Update the Master Plan in ten years - Still seeking Planning Board formal endorsement before submitting to Select Board.
 - Re-codify the Zoning Bylaw – Recodification is only one of several updates needed for Bylaw; barriers are funding and availability of staff to complete.
 - Provide for mixed-use buildings as of right in the C District, e.g., retail on the first floor and housing above - Part of Ayer Road Development Plan but could also as interim modify C zoning or merge ARV-SP with C.
 - Replace or modify the existing OSC-PRD bylaw with the state's new Natural Resource Protection model to remove barriers that restrict its utility - Draft completed with help of MRPC. Seeking funding for financial analysis. MRPC draft revised by staff and consultant and ready to begin public outreach for Spring 2022 STM.
 - Amend the Zoning Bylaw to allow housing alternatives for seniors. (In 2016, Town Meeting approved an amendment to allow assisted living facilities as part of an ARV-SP.) - Draft for Senior Housing Development bylaw has been passed along with changes to Accessory Apartments.
 - Create a vision for the C District that encourages village or Main Street style development and establish Design Guidelines to achieve it - A three-phase planning process for the corridor including a market analysis, fiscal impact analysis, vision plan, and zoning tools. Plan formally endorsed by Planning Board and Select Board. Seeking funding for all phases as of June 2021.
 - Amend the Zoning Bylaw to provide for agriculture-related businesses - This and following action item were addressed in the Rural Life bylaw draft in 2019. This was withdrawn from the Warrant and not reintroduced again since that time.
 - Amend the Zoning Bylaw to allow tourist-oriented business in the AR district, such as antique shops, B&B's, recreation businesses, tea rooms, etc. – See above
 - Create a comprehensive Economic Development Plan for the Town that includes viable strategies for facilitating acceptable growth - An outline for an Economic Development plan and process has

53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102

been developed and endorsed by the Planning Board.

- Adopt a Watershed Protection Overlay District for Bare Hill Pond – status unknown
- Adopt a zoning district for the Town Center which reflects the historic lot pattern and allows small businesses, second floor apartments, and moderate-density housing - Frequent item of discussion at the Planning Board and several stakeholders. Need to determine if the Town Center Action Plan (2005) needs to be updated as a prerequisite. Have held several discussions about using FBC as the tool for the district.
- Amend the Zoning Bylaw to provide authority for the Planning Board to adopt Town Center Design Guidelines - Discussed with Board but not structurally or how afforded.
- Modify the Scenic Road bylaw to include an enforcement mechanism to ensure compliance with the regulations - Multiple cases highlight the need to address. Staff undertaking bylaw amendments for Fall 2021 Town Meeting.
- Develop documentation for administering and enforcing the Scenic Road Bylaw - Some preliminary steps have been taken but no formal initiation.
- Establish a multifamily district on the Zoning Map and add district regulations to the ZBL - Has been a subject of discussion at Planning Board. 2020 Economic Development Bond Bill will require all MBTA communities to establish multifamily zoning of at least 15 units per acre. Final guidelines from state pending.
- Reduce the size of the Commercial District - Not recommended by Director; counter to economic development efforts.

- Review Select Board FY2022 Goals

- Key goals for the Planning Board are:
 - Senior by-law
 - OSPRD (continue plan for preserving open space)
 - Creating a strategic vision for the Commercial District.

- Set Priorities for FY2022

- Ayer Road, Commercial District, economic development
- Open Space residential Development & Senior Housing - Spring 2022;
- Town Center Zoning
- Multifamily re-writing zoning and mapping
- Rural Life/Ag Tourism
- Re-codify Zoning Bylaw

- Future Direction and Vision

Transportation Advisory Committee Update

- Transportation Improvement Project for the repaving and improvements to Ayer Road from the Ayer town-line to Route 2 is at the 25% review phase; scheduled to commence in 2026
- Priority Plan for Complete Streets
 - Town Center – additional improvements to expand sidewalk work completed in 2020
- Safe Routes to School – have been denied grants as Harvard is too rural and does not have not enough walkers; working with School Committee to provide more information
- Park & Ride Lot – working with Montachusett Area Regional Transportation
- Commuter Rail Shuttle - Harvard is allocated funds from the MBTA to partially fund such a service but we will still need additional funding plus the location for pick up and drop off.
- MRPC DLTA grant update - This project is to update the transportation chapter of the Master Plan. It is getting a late start due to it being a 3rd round funded project, but also a backlog of MRPC projects; optimistic that it can get this done this year, but if not, will apply for a second-round next year.

- 103 • Nashoba Regional Greenways – working on additional shared land marking (a.k.a. sharrows),
- 104 signage, and connection points; connection to Devens reestablished on Depot & Old Mill Road to
- 105 get bike travel between Harvard and Devens
- 106

107 **Ayer Road Corridor**

- 108 • Mass DOT Transportation Improvement Project - See Transportation Advisory Committee Update
- 109 above
- 110 • Vision Plan
- 111 ○ Phase 1: Market Study Status; funded by the Select Board; Request for Proposal in process; goal is
- 112 for release at the end of August.
- 113 ○ Phase 2 will include public hearings for feedback from the community.
- 114 • Review Comments from Spring Annual Town Meeting
- 115 ○ Don't over-develop like big cities
- 116 ○ Water & Sewer area not viable without it
- 117 ▪ Urge Select Board to begin discussion with MassDevelopment
- 118

119 **Housing**

- 120 • Housing Production Plan – By meeting the goals (10%) incrementally you can hold off Chapter 40B
- 121 developments; large developments assist with crediting Subsidized Housing Inventory; inclusionary
- 122 bylaw would also assist in achieving this goal.
- 123 ○ Implementation Tasks and Review of Goals
- 124 ○ Certifying the Plan
- 125 • Senior Housing – Primary focus over the past year through bylaw amendments, which will continue
- 126 over at least the next two town meetings
- 127 • Housing Choice Initiative Program – State program to assist in jump-starting affordable housing in the
- 128 Commonwealth. There are currently 14 criteria that a community needs at least seven to be
- 129 considered for grant funding; Harvard meets two of the 14 criteria.
- 130 • Inclusionary Bylaw – Allows a community to protect itself from unfriendly Chapter 40B development;
- 131 Harvard would benefit from adopting one soon before any new housing development occurs
- 132

133 **Protective & General Bylaw Amendments**

- 134 • Fall Annual Town Meeting 2021
- 135 ○ Senior Residential Development
- 136 ○ Erosion Control
- 137 ○ Scenic Roads
- 138 • Spring Annual Town Meeting 2022
- 139 ○ Senior Residential Development
- 140 ○ Open Space Design Bylaw
- 141 ○ Town Center Zoning District
- 142 • Future Annual Town Meetings
- 143 ○ Mapping the Multi-Family District
- 144 ○ Re-codify Zoning Bylaw
- 145 ○ Rural Life
- 146

147 **Appoint Liaisons & Representatives**

- 148 • Montachusett Regional Planning Commission – Donahue
- 149 • Montachusett Joint Transportation Committee – Donahue
- 150 • Community Preservation Committee – Thurston
- 151 • Historic Commission Nominee – Cabelus
- 152 • Design Review Board – Brown
- 153 • Community Resiliency Working Group – Burson
- 154 • Harvard/Devens Jurisdiction Committee – Cabelus

- 155 • Open Space Committee – Cook
- 156 • Transportation Advisory Committee – Donahue
- 157 ○ Nashoba Regional Greenways – Bruce Leicher
- 158 • Master Plan Implementation:
- 159 ○ Water & Sewer Commission - Cabelus
- 160 ○ Conservation Commission – Cook
- 161 ○ Community Preservation Commission – Thornton
- 162 ○ Municipal Affordable Housing Trust - Thornton
- 163 ○ Energy Advisory Committee - Burson
- 164 ○ Select Board - Brown
- 165 ○ Bare Hill Pond Watershed Management Committee – Cook
- 166 ○ Board of Health - Thornton
- 167 ○ Park & Recreation Committee – Donahue
- 168 ○ Department of Public Works - Cabelus
- 169 ○ Historic Commission – Cabelus

170
171 **Miscellaneous Items**

- 172 • Proposed FY2023 Staffing Organizational Chart - In order to provide better coverage of specific
- 173 boards and also provide a more balanced structure, it is proposed to break the Land Use Boards
- 174 into two departments—one for Planning and Economic Development, the other for Conservation
- 175 and Board of Health.
- 176 • Montachusett Regional Planning Commission - Provides a range of services to their member local
- 177 communities such as transportation planning, land use and environmental planning, economic
- 178 development, and more. They are funded by an annual assessment of member communities
- 179 based on population. They also receive grant funding from the state and also perform contract
- 180 work for cities and towns.
- 181 • Electronic Application Filing Process for Planning Board Review – Funding currently not available at
- 182 this time
- 183 • Grants:
- 184 ○ *DLTA Grants* – As noted above, these are from RPAs to towns and cities and are typically
- 185 small, typically \$15,000 equivalent or less for planning and economic development projects.
- 186 The cycle is calendar year and applications typically are due in January.
- 187 ○ *MVP Grants* – Once communities become MVP designated, they are eligible for MVP Action
- 188 Grants which can be for planning, study, and construction projects (e.g., culvert
- 189 replacement). Harvard has received one such grant for the KLA project in 2020 and a second
- 190 in partnership with Devens and Bolton in 2021.
- 191 ○ *EOEEA Planning Technical Assistance Grants* – These grants are up to \$50,000 and are for
- 192 planning projects that result in some legislative change or a development. We applied for
- 193 one in March for Ayer Road Vision.
- 194 ○ *Mass Cultural Council Grants* – These are for a variety of cultural-related projects. One
- 195 subcategory from MCC was awarded to Harvard for the Old Library roof in 2021.
- 196 ○ *One Stop for Growth Grants* – This new state grant program combines all of the growth and
- 197 development-related grants into one single application so that multiple element projects can
- 198 be funded by a single grant. We applied for \$200,000 in 2021 for Ayer Road Vision.
- 199 ○ *Mass Trails Grants* – Annual cycle of grants from the state available for trails planning and
- 200 construction.
- 201 ○ *Green Communities Grants* – Funds for Green Communities (incl. Harvard) for energy goals.
- 202 ○ *Housing Choice Grants* – As noted above, there are a range of grants available for
- 203 communities that are Housing Choice designated. Funds could be used for planning, zoning,
- 204 and a range of project applicability.
- 205 ○ *MEMA/FEMA BRIC Grants* – Funds for Hazard Mitigation plan development but they have a
- 206 very long cycle for fund awards.

- 207 ○ *DCR Tree Planting Grants* – Funds for planting trees in communities.
- 208 ○ *AARP Community Challenge Grants* – Grants for projects that meet the criteria established in
- 209 the AARP Age-Friendly Community program such as transportation and land use.
- 210 ● Economic Development (Policy, Survey, Focus, Revenue, Data)
- 211 ● Municipal Vulnerability Preparedness: Hazard Mitigation Plan
- 212 ○ Allows you to be eligible for grants
- 213 ○ Crosses over to Climate Resiliency Working Group to develop plan; working with Fire Chief to gain
- 214 funding
- 215 ● Website Reorganization and Development – Still a work in progress
- 216 ● GIS and Mapping – ERSI program available to the Land Use office, however time to devote to
- 217 maintaining skills by staff is limited

218 **Adjourn**

220 Donahue made motion to adjourn the meeting at 3:28pm. Cabelus seconded the motion. The vote was

221 unanimously in favor of the motion.

222
223 Signed: _____ Liz Allard, Land Use Administrator/Conservation Agent

**HARVARD PLANNING BOARD
MEETING MINUTES
AUGUST 2, 2021**

Chair Justin Brown called the meeting to order at 7:01pm virtually pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 measures adopted during the State of Emergency and signed into law on June 16, 2021, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

Members Present: Justin Brown, Stacia Donahue, Richard Cabelus*, Brian Cook and Doug Thornton and Jefferson Buron (Associate Member)

Others Present: Christopher Ryan (Director of Community & Economic Development), Liz Allard (Land Use Administrator) and Beth Williams

Public Comment

There was no public comment this evening.

Election of Officers

Donahue made a motion to nominate Brown as Chair of the Planning Board for Fiscal Year 2022. Cook seconded the motion. The vote was unanimously in favor of the motion by roll call vote Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Cabelus made a motion to nominate Donahue as Vice Chair of the Planning Board for Fiscal Year 2022. Thornton seconded the motion. The vote was unanimously in favor of the motion by roll call vote Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Donahue made to nominate Liz Allard as the Clerk. Cabelus seconded the motion. The vote was unanimously in favor of the motion by roll call vote Donahue; aye; Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.

Form-based Code with Alan Manoian

Due to unforeseen circumstances Mr. Manoian was unable to attend this evening. This item will be re-scheduled for after the Fall Annual Town Meeting in October.

Review Strategic Planning Session Agenda

Brown gave a brief overview of the strategic planning session for new members. Material will be provided by staff at the meeting on Saturday.

Board Member Reports

• **Representatives & Liaisons Update**

- **Climate Resiliency Working Group** – The Mass Energize website will launch shortly; there is a need to discuss the amount of time staff is spending on activities for this group.
- **Parks & Recreation (P&R) Commission** – Tension was running high at a recent discussion held on the matter of the proposed Pump Track, which was arranged by Select Board Chair Stu Sklar, and included other Boards and Committees. No decision was made at this meeting as the P&R continues to find a suitable location for a pump track as well as a suitable use for the land along Pond Road under their management.
- **Community Preservation Committee**- applications are due on October 22nd
- **Montachusett Regional Planning Commission**
 - Economic Development Administration, which is a federal program, has an Investing in American Communities Grant Program; Harvard has been encouraged to attend the meeting to determine if there would be any new eligibility.

- 54 ▪ District Local Technical Assist Grant – Transportation Plan Project will update the transportation
55 section of the Master Plan and the Climate Resiliency Plan.
56 ○ **Historical Commission** – Cabelus stated a Certificate of Appropriateness for the old library roof
57 has been issued and three new applications will be before the Commission for their up coming
58 meeting
59

60 • **Community Matters** – None

61
62 **Approve Minutes**

63 Donahue made a motion to approve the minutes of July 19, 2021 as amended. Cabelus seconded the
64 motion. The vote was unanimously in favor of the motion by roll call Donahue; aye; Cabelus; aye; Cook,
65 aye; Thornton, aye; and Brown, aye.
66

67 **Approve Invoice**

68 Donahue made a motion to approve the Harvard Press invoice in the amount of \$432.00. Cabelus
69 seconded the motion. The vote was unanimously in favor of the motion by roll call Donahue; aye;
70 Cabelus; aye; Cook, aye; Thornton, aye; and Brown, aye.
71

72 **Fall Town Meeting, October 16, 2021, Bylaw Amendments**

73 • **Erosion Control – Add new section 125-58**

- 74 ▪ Removed any references to the filing process and relocated to the Planning Board regulations,
75 Chapter 133;
76 ▪ Any definition where the word being define was only found in the definition section was removed and
77 moved definitions to §125-58C;
78 ▪ Expanded the Purpose section to include objectives;
79 ▪ Applicability no longer includes consultation;
80 ▪ Removed Determination of Applicability section;
81 ▪ Using both Weston & Groton bylaw reworked the Applicability section to explain when a permit is
82 required and when it is not, as well as better defining minor and major projects;
83 ▪ Removed the slope requirement altogether;
84 ▪ Section E, F & G remain the same;
85 ▪ Donahue and Allard are working together to bring this bylaw to as many Boards and Committees as
86 possible; and
87 ▪ Donahue is working on a “Consider This” article for the Harvard Press.
88

89 • **§125-57 Senior Residential Development – Add “Assisted Living” and “Continuing Care Retirement
90 Community” (CCRC) as allowed development types**

- 91 ▪ Moving “Assisted Living”, as is, from §125-52I Ayer Road Village- Special Permit to §125-57 and
92 remove existing language from §125-57I
93 ▪ Adding CCRC as suggested from the surveys conducted by the Planning Board last year
94 ➢ defining the types and adding an additional section to better define CCRC;
95 ➢ Concerns with being able to locate anywhere in Town as you could end up with an accessory use
96 that is not necessarily cohesive to the location;
97 ➢ move “incidental to the operation of a CCRC” in G(3)(c)[2] up to [2];
98 ➢ Reviewed Table 1; remove height; needs to be clear that it is within commercial (C) district;
99 ➢ do not address fire code as there are already national codes that will be required;
100 ➢ affordability, suggested increasing;
101 ➢ setbacks, what is the Planning Board willing to negotiated at Town Meeting?; and
102 ➢ discussed allowing in other areas beside C-district; remove major or minor arterial roadway as it
103 only allowed in the C-District
104 ▪ Survey of developers, operators and others has been conducted on the scale of such a development
105 ▪ Need to review 125-57E Age-appropriate design

- 106 • **Scenic Roads – Amend Chapter 90 – Finalize language**
107 ▪ Revisions from previous meeting:
108 ➤ A definition for “Enforcing Official”;
109 ➤ Exchanged “Planning Board” with “Enforcing Official” under the enforcement section, §90-6;
110 ➤ Deleted §90-6D & E and replaced with new language in §90-6D in regards to noncriminal disposition;
111 and
112 ➤ Made §90-6E the former §90-6F and added 90-6F
113 ▪ Donahue will reach out to Harvard Conservation Trust and Allard will reach out to the Tree Warden,
114 Director of Department of Public Works, Gwen Leonard and Jen Sundeen for feedback
115

- 116 • **§125-10 Multiple Residence Use – Revise the provisions and criteria to make it simpler and clearer to**
117 **do a conversion** – after briefly discussing the States pending requirements for MBTA Communities in
118 regard to providing multi-family housing the Board agreed to table this amendment until the Spring
119 Annual Town Meeting.
120

- 121 • **§125-2 Definitions – Addition of definitions relating to §125-57 Senior Residential Development**
122 ▪ Words or phrases to be define are:
123 ➤ Associated Services;
124 ➤ Congregate Care;
125 ➤ Continuing Care Retirement Community;
126 ➤ Home Health Care;
127 ➤ Hospice Care;
128 ➤ Independent Living Units;
129 ➤ Senior (person);
130 ➤ Senior Household; and
131 ➤ Skilled Nursing Care
132

133 **Spring Town Meeting, 2022**

- 134 ○ **Open Space Residential Development (OSRD) – Amend Chapter 125-35 – Density of Development –**
135 Due to lateness of the meeting this item was passed over
136

137 **Adjournment**

138 Donahue made a motion to adjourn the meeting at 9:38pm. Cabelus seconded the motion. The vote was
139 unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and
140 Brown; aye.
141

142 Signed: _____ Liz Allard, Clerk
143

144 * Cabelus’ connection was unstable causing him to be disconnected several times during the meeting
145

146 **EXHIBITS & OTHER DOCUMENTS**
147

- 148 • Planning Board Agenda August 2, 2021
149 • Article XX: Amend Protective Bylaw Chapter 125 - §125-58 Erosion Control, 08/02/2021
150 • Article XX: Amend Scenic Roads Bylaw Chapter 90, 08/02/2021
151 • Town of Harvard Draft Open Space Residential Design (OSRD) Development Bylaw Session 4 –
152 Development Density, February 6, 2020

