

**TOWN OF HARVARD  
PLANNING BOARD AGENDA  
MONDAY OCTOBER 4, 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: Hildreth Pro's Planning Board Zoom Meeting  
Time: Oct 4, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting  
<https://us02web.zoom.us/j/82346641012?pwd=cDVTLzdKSXNnckh3MzNjYUY2cjV2dz09>

**Meeting ID: 823 4664 1012**  
**Passcode: 665285**  
One tap mobile  
+19294362866,,82346641012# US (New York)  
+13017158592,,82346641012# US (Washington DC)

Dial by your location  
+1 929 436 2866 US (New York)  
+1 301 715 8592 US (Washington DC)  
Meeting ID: 823 4664 1012  
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**Public Comment**

**Standard Business:** a) Board Member Reports  
    • Representatives & Liaisons Update  
    • Community Matters  
b) Director's Report  
c) Approve Minutes

**New Business:** None

**Public Hearings:**

**7:15pm Continuation of the Protective Bylaw Amendments for the Fall Annual Town Meeting**

- 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.

**7:20pm Continuation of the Amendment to Chapter 90 Scenic Roads of the Code of the Town of Harvard**

**Old Business:** a) Review Scenic Road Consent Decision – 129 Poor Farm Road  
b) Spring Town Meeting, 2022  
    • Open Space Residential Development (OSRD) – Amend Chapter 125-35:  
    Density of Development

**NEXT SCHEDULED MEETING:  
OCTOBER 18, 2021**

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- Representatives & Liaisons Update
- Community Matters

b) Director's Report

c) Approve Minutes

**New Business:** None

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**7:20pm Continuation of the Amendment to Chapter 90 Scenic Roads of the Code of the Town of Harvard**

**Old Business:** a) Review Scenic Road Consent Decision – 129 Poor Farm Road

b) Spring Town Meeting, 2022

- Open Space Residential Development (OSRD) – Amend Chapter 125-35: Density of Development

**NEXT SCHEDULED MEETING:  
OCTOBER 18, 2021**

**HARVARD PLANNING BOARD  
MEETING MINUTES  
September 13, 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), Beth Williams, Laura Clarage and Aaron Castor-Katz

**Public Comment** – There was no comments from the public this evening.

**Climate Resiliency Working Group Appointments**

Donahue made a motion to appoint the following members to a three-year term to the Climate Resiliency Working Group: Adam Meier, representing Harvard Conservation Trust; and Catherine Warner, Robert Benson and Deborah O'Rourke, as Citizens-at-Large. Cabelus 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.

**Select Board Request for Top Three Action Items**

Donahue made a motion to approve the following as the top three action items, to be submitted to the Select Board for the upcoming all-boards meeting on September 21, 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 all phases of the Ayer Road Vision Planning Project with an emphasis on Phase I: Market Study and Fiscal Impact to refine the path forward on Phases 2 and 3.
3. Continue housing diversification through open space residential design and senior friendly housing development.

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.

**Scenic Road Consent – Laura Clarage, 129 Poor Farm Road.** Opened at 7:21pm (see page 4 for complete details)

**Continuation of the Protective Bylaw Amendments for the Fall Annual Town Meeting Hearing.** Opened at 7:42pm (see page 5 for complete details)

**Board Member Reports**

• **Representatives & Liaisons Update**

- **Montachusett Regional Planning Commission (MRPC)** – Donahue stated Economic Development Administration grant has 400-million dollars to spend across the nation – Harvard will not see any of it as MRPC will be seeking improvements in regards to industrial zones
- **Parks & Recreation Commission** – Donahue stated she has explained to Commission that if they support Ayer Road development there may more funding available for playing field maintenance.

105 Ryan strongly urged the Board to vote authorization to submit this request for a sum approximating  
106 \$260,000.

107  
108 As for the Community Compact Cabinet, Ryan prefers focusing on the zoning bylaw; this area is one in  
109 which finding funding may be difficult. Brown asked members if they had an opinion on either zoning or  
110 Phase 2 of the Ayer Road Visioning Plan. Donahue suggesting asking for two as we are losing out through  
111 Montachusett Regional Planning Commission decision to use EDA and District Local Technical Assistance  
112 funds for industrial projects, which Harvard does not have an industrial zone.

113  
114 **Approve Minutes**

115 Donahue made a motion to approve the minutes of August 2, 7 and 16, 2021, as amended. Thornton  
116 seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye;  
117 Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.

118  
119 **Spring Town Meeting, 2022 - Open Space Residential Development (OSRD) – Amend Chapter 125-35:**  
120 **Density of Development (as time permits) – this item was passed over this evening**

121  
122 **Adjournment**

123 Donahue made a motion to adjourn the meeting at 9:24pm. Cook seconded the motion. The vote was  
124 unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and  
125 Brown; aye.

126  
127 Signed: \_\_\_\_\_ Liz Allard, Clerk

128  
129 **EXHIBITS & OTHER DOCUMENTS**

- 130  
131
  - Planning Board Agenda September 13, 2021
  - Director of Community and Economic Development Update September 13, 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, 09/13/2021
  - ARTICLE XX: AMEND SCENIC ROADS BYLAW CHAPTER 90, 09/13/2021

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210 **Harvard Planning Board**  
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212 **Continuation of the Chapter 125 Protective Bylaw Amendments Hearing Minutes**  
213  
214 **September 13, 2021**  
215  
216 The public hearing was opened at 7:42pm 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  
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221 **Members Present:** Justin Brown, Stacia Donahue\*, Richard Cabelus, Brian Cook, Doug Thornton and  
222 Jefferson Burson (Associate Member)  
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224 **Others Present:** Christopher Ryan (Director of Community and Economic Development) and Liz Allard  
225 (Land Use Administrator)  
226  
227 **Amend §125-10 Conversion for Multiple Residence** - As previously stated this amendment has been  
228 withdrawn for this town meeting.  
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230 **Amend §125-2 Definitions** – If the amendment for §125-57 passes these definitions will be necessary in  
231 regards to Continuing Care Retirement Communities  
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233 **Delete §125-18.2 Affordable Accessory Apartment** - This is a provision that has never been used and has  
234 not resulted in any affordable units being created. Currently, there is no incentive to use it and there is, in  
235 fact, a disincentive due to the lengthy requirements and paperwork. It is understood that a financial  
236 incentive was intended to accompany this Bylaw that was never included and therefore it does not reflect  
237 the original intend of the drafters. Removal of this Section will not have any impact on the provision of  
238 affordable housing in Harvard and there are several much better ways that Harvard can address this type  
239 of housing.  
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242 to “accessory dwelling unit” based on changes made to §125-18.1 at the Spring Town Meeting.  
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244 **Amend §125-57 Senior Residential Development by adding Assisted Living and Continuing Care**  
245 **Residential Community** - This will enhance the original 125-57 passed in May. It included adding the text  
246 for Assisted Living moved from 125-52 and adding a new section on Continuing Care Retirement  
247 Community; something indicated as a need in the senior housing surveys  
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249 **Delete §125-52I Ayer Road Village – Special Permit - Assisted Living Facility** - Remove and replace in  
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252 **Add new §125-58 Erosion Control** – Minor edits to grammar and format have been made. Comments  
253 received from Bare Hill Pond Watershed Management Committee will be added as well.  
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255 **Outreach**  
256 Donahue updated the Board on the outreach conducted so far for the erosion control bylaw, which  
257 includes Bare Hill Pond Watershed Management Committee and Board of Health. Both have provided  
258 comment, but have not given support as of yet.  
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260 The Board blessed the press release prepared by Ryan.  
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331 (Land Use Administrator)  
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333 Allard stated she has incorporated comments made by the Tree Warden, JC Ferguson, in §90-C(1) Tree  
334 Replacement in regard to how a tree is to be measured.  
335

336 With no public present, Donahue made a motion to continue the hearing to September 20, 2021 at  
337 7:45pm. Cook seconded the motion. The vote was unanimously in favor of the motion by roll call,  
338 Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.  
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340 Signed: \_\_\_\_\_ Liz Allard, Clerk

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MEETING MINUTES  
September 13, 2021**

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

332

333 Allard stated she worked with Cabelus to incorporate recommended changes in regard to enforcement.

334

335 With no public present, Donahue made a motion to continue the hearing to September 20, 2021 at  
336 7:45pm. Cook seconded the motion. The vote was unanimously in favor of the motion by roll call,  
337 Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.

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