

**TOWN OF HARVARD
ZONING BOARD OF APPEALS AGENDA
WEDNESDAY AUGUST 2, 2023 @ 7:00pm**

Pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, and signed into law on March 29, 2023, 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.

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/88530761990?pwd=c09QZmFZdUJlPQktiMGd5ZkFCRlBndz09>

Meeting ID: 885 3076 1990

Passcode: 017145

One tap mobile

+16469313860,,88530761990# US

+19294362866,,88530761990# US (New York)

Dial by your location

• +1 646 931 3860 US

• +1 929 436 2866 US (New York)

• +1 301 715 8592 US (Washington DC)

Meeting ID: 885 3076 1990

Find your local number: <https://us02web.zoom.us/u/kb7E8qdG8U>

7:00pm Public Hearing of COMPREHENSIVE Permit Hearing – JUNO Construction LLC at Old Mill Road,

7:05pm Continuation of Special Permit Hearing – Latham at 200 Still River Road,

§125-3B Non-conforming one- and two-family dwellings, and §135-25 Special rule applicable to one- and two-family dwellings.

7:10pm Cellco Verizon permit discussion (not a public hearing)

7:15pm Continuation of Special Permit Hearing – William Ference at 247 Littleton County Road,

§125-3C Non-conforming structures other than one – and two-family dwellings and

§125-3D Non-conforming uses, for Modification of a Special Permit.

New Business: a) Approve Minutes from MAY 10, 2023 & JUNE 14, 2023
b) Approve Invoice (none this month)
c) Request to modify initiating ZBA meeting night starting in October 2023

**NEXT SCHEDULED MEETING:
WEDNESDAY, AUGUST 30, 2023**

RMM

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law, also.



BOARD OF HEALTH

13 Ayer Road
Harvard, MA 01451
Phone: (978) 456-4100, ext. 328
Email: boh@harvard-ma.gov
Website: www.harvard-ma.gov

MEMO

To: Harvard Zoning Board of Appeals; Juno Construction, LLC

From: Harvard Board of Health

Date: July 26, 2023

Re: Comprehensive Permit Application: Old Mill & Ayer Road (Village at Robin Lane)

At the Harvard Board of Health meeting of July 25, 2023, the Health Agent reviewed his initial comments regarding the Comprehensive Permit Application of Juno Construction, LLC, dated July 5, 2023, with the Board of Health Members.

The Board of Health herein offers the following comments to the ZBA and questions for the applicant:

1. The development must have a source of potable water in compliance with 310 CMR 22.00 Drinking Water regulations, MassDEP.
2. The development must have a sewage disposal system in compliance with Title 5 of the State Environmental Code, 310 CMR 15.000.
3. No burying of wood waste from lot clearing operations is allowed without compliance with 310 CMR 16.000, Site Assignment regulations.
4. Any blasting materials used shall not be perchlorate-based.
5. All detention/retention structures shall minimize standing water.

6. All phases of construction shall be done in a manner to minimize noise, odor and dust that would be injurious of public health and/or cause a “condition of air pollution.”
7. Please advise: What was the history of use of the property? Was the property an orchard in the past?
8. Please advise: Will this development affect the public water supply approval of Foxglove Apartments (capacity, IWPA)?

Thank you for the opportunity to offer comments. The Board of Health anticipates additional questions and comments will arise as the project progresses.

THE VILLAGE AT ROBIN LANE

Old Mill Road, Harvard, MA

Comprehensive Permit Application

Pursuant to Chapter 40B of the Mass. General Law



Submitted To:

Zoning Board of Appeals
Town of Harvard

Submitted By:

Juno Construction, LLC
c/o Melissa Robbins, Farrell & Robbins, P.C.
270 Littleton Road, Suite 32
Westford, MA 01886

July 6, 2023

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- C. Project Eligibility Application
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- G. Regulatory Agreement
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- U. Certified Abutters List
- V. Filing Fees

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July 5, 2023

Town of Harvard
Zoning Board of Appeals
13 Ayer Road
Harvard, MA 01451

RE: Old Mill Road (The Village at Robin Lane) - Comprehensive Permit Application

Dear Members of the Board,

This office represents Juno Construction, LLC, Walter Eriksen, Manager, regarding the above referenced. Juno Construction, LLC received a Project Eligibility Letter, pursuant to Massachusetts General Laws Chapter 40B, from MassHousing on January 30, 2023, for a proposed homeownership development located on a 11.47 acre site at the corner of Old Mill Road and Ayer Road.

The proposed development will consist of 24 units which are contained in 12 duplex style two story buildings, 18 of the units will be sold at market rate and six (6) of the units will be sold as affordable units to those who earn 80% or less of the area median family income and will be counted on the Town of Harvard's affordable housing inventory.

Enclosed please find the application, filing fees and required documents as per the Town of Harvard application Requirements. Please let me know if you require any further information. We look forward to formally presenting this application to the Zoning Board of Appeals.

Thank you for your time and attention to this matter.

Very truly yours,



Melissa E. Robbins

Enclosures.

**TOWN OF HARVARD ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: Juno Construction, LLC

Mailing Address: 92 Middlesex Road, Unit, Tyngsborough, MA 01879

Telephone Number: 508-509-5220 Email Address: awc.walter@comcast.net

Applicant is (check one): _____ Owner _____ Tenant _____ Licensee X Prospective Buyer

Location of Property: Old Mill Road and Ayer Road Assessors Map 4 Parcel: 52, 52-1, 52-2, 53

Registry of Deeds: Book Number 56380 Page Number 389 Certificate Number _____

Owner's Name: REM Realty Trust Tel. No.: _____
(If different than Applicant)

Owner's Address: 484 Main Street, Suite 330, Worcester, MA 01608

Representative: Melissa E. Robbins, Farrell & Robbins, P.C. Tel. No.: 978-577-6255

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input checked="" type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

Specific Bylaw section (s) being applied for: Section 135-38

Nature of Application and Justification of Request: This application is for a proposed 40B residential development, "The Village at Robin Lane". The proposed development will consist of 24 homeownership units, including six (6) affordable units in conformance with Massachusetts General Law 40B.

The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

<u>(see Authorization Form)</u> Property Owner's Signature (REQUIRED)	<u>7/5/23</u> Date
<u>(see Authorization Form)</u> Property Owner's Signature (REQUIRED)	<u>7/5/23</u> Date
<u></u> Applicant's Signature (if different from owner)	<u>7/5/23</u> Date

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May 17, 2023

Town of Harvard Zoning Board of Appeals
Town of Harvard Conservation Commission
Town of Harvard Planning Board
13 Ayer Road
Harvard, MA 01451

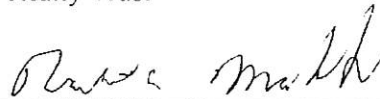
RE: Ayer Road and Old Mill Road

To Whom It May Concern,

Please be advised that the undersigned REM Realty Trust, Robert E. Marhefka and James Mastrogiovanni, Trustees do hereby authorize Walter Eriksen and/or Attorney Melissa E. Robbins and/or related associates of the law firm of Farrell & Robbins, P.C., 270 Littleton Road, Unit 32, Westford, MA 01886 to act (including but not limited to signing, filing and permitting) in regards to any filing, permit application, or other documents relating to proposed reconstruction and/or alteration of my property located at Ayer Road and Old Mill Road.

Thank you for your time and attention to this matter.

Sincerely,
REM Realty Trust

By: 
Robert E. Marhefka, Trustee

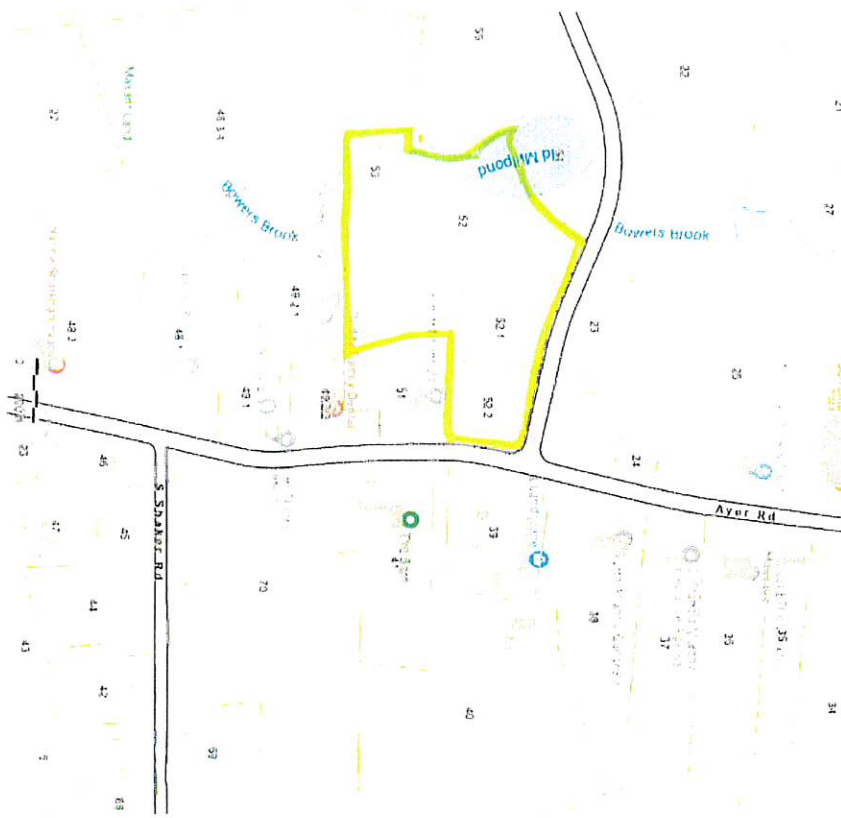
By: 
James Mastrogiovanni, Trustee

1. OVERVIEW

The Village at Robin Lane is a proposed residential development on approximately 11.47 acres of land located off Old Mill Road in Harvard and within 300 feet of Ayer Road. The development will consist of 24 homeownership units consisting of twelve duplex style buildings (The Development). The Development will contain twelve three-bedroom units and twelve two-bedroom units for a total of 60 bedrooms.

Massachusetts General Law Chapter 40B requires that a minimum of 25% of the units be made affordable to families whose income is at or below 80% of the median family income, adjusted for household size for the United States Department of Housing and Urban Development (HUD) Fair Market Rent (FMR) Area, as determined by the Massachusetts Department of Housing and Community Development (DHCD). In conformance with the MGL Chapter 40B The Development, as proposed, will contain three (3) two-bedroom affordable units and three (3) three-bedroom affordable units for a total of six (6) affordable units.

Figure 1 – Locust Map



The location for the proposed development is ideal for an affordable housing proposal. It is located along the Ayer Road corridor, that has been identified by the Town of Harvard as a potential area to develop more multifamily housing. Zoned Commercial, the 11.47 +/- acre site is in a mixed-use area. Residential use on this site is more environmentally and economically feasible and the site's commercial prospects are impractical due to the lack of Town water and Town sewer to the site.

2. MASSHOUSING

A copy of MassHousing's corporate information is provided as Exhibit A. The Program, administered by MassHousing and funded through the New England Fund ("NEF") Program of the Federal Home Loan Bank of Boston, is the lending program for the Development. The Program overview is included as Exhibit B.

MassHousing will serve as the Project Administrator. A copy of the Project Eligibility Application is attached as Exhibit C. MassHousing granted a Project Eligibility (Site Approval) Letter dated January 30, 2023. A copy of the Project Eligibility Letter is attached as Exhibit D.

Application of the Program requirements to the Development is proposed as follows:

- A. The Applicant will offer a minimum of 25% of the units for sale to households earning no more than 80% of the area median income, adjusted for household size, as published by HUD.
- B. An Affordable Housing Restriction ensuring the units remain affordable to future buyers in perpetuity will govern the affordable units. See Exhibit E for the Affordable Housing Restriction.
- C. The Applicant is a limited dividend organization and has agreed to limit the profit on the development in conformance with the regulations. A copy of the projected Proforma is attached hereto as Exhibit F.
- D. The Applicant will comply with the Land Value Policy described in section IV (B) (1) of the Comprehensive Permit Guidelines issued by the DHCD and, if applicable, MassHousing's Acquisition Value Policy. The maximum permissible acquisition value that can be included in the Development Budget approved at Final Approval and at the time of Cost Examination/ Cost Certification, for limited dividend purposes is the "As Is" value (determined by the MassHousing commissioned independent appraisal) of \$840,000.00 plus reasonable and verifiable carrying costs (where permitted by the Guidelines) from the date of the Site Approval application.
- E. The Applicant will enter into a Regulatory Agreement with MassHousing in the form for the applicable program, ensuring compliance with the requirements of the Comprehensive Permit Rules and the Program. The legal description of the Site attached to the Regulatory Agreement will be recordable. See Exhibit G for a draft example of the Regulatory Agreement.

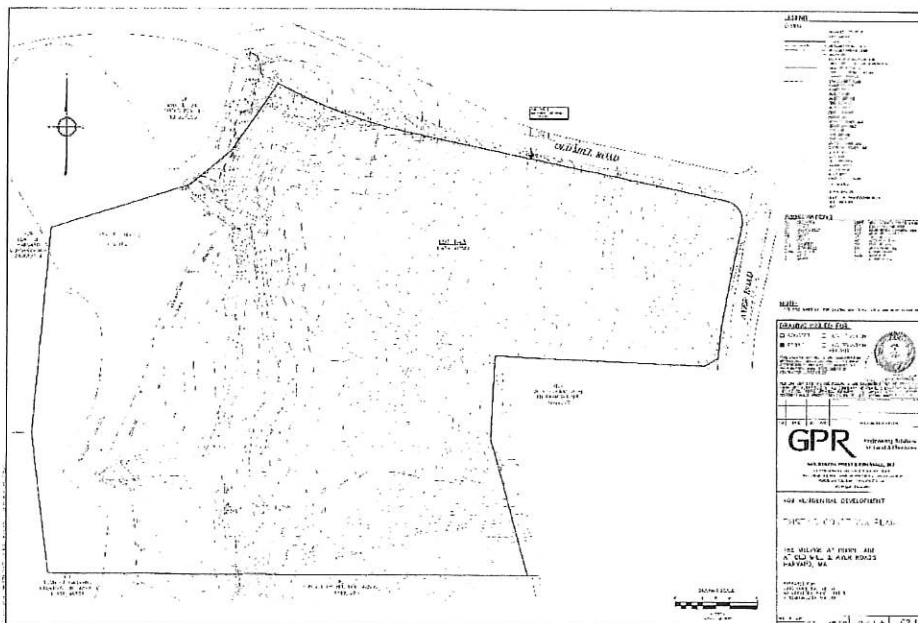
- F. In order to satisfy the Program requirements, financing for the Development will originate from the subsidizing lender currently proposed to be Lowell Five Cent Savings Bank, which is a member of the Federal Home Loan Bank of Boston (FHLBB). A minimum of 25% of the construction costs will be obtained from the NEF Program. Evidence of form commitment for financing for the Development will be provided during the request to MassHousing for Final Approval. The Regulatory Agreement will provide that any transfer of all or a portion of the NEF lender's interest (including participation or sale of servicing rights) during the entire term of the construction financing will be subject to the approval of the Subsidizing Agency.
- G. The Development will comply with the Commonwealth's Sustainable Development Principles used by DHCD.

3. THE PREMISES

Existing Conditions

The subject site is located off the south side of Old Mill Road, approximately 300 feet off of the intersection with Ayer Road. The site includes four parcels that are mapped as Harvard Tax Map 4, Parcel 52; Harvard Tax Map 4, Parcel 52-1; Harvard Tax Map 4, Parcel 52-2; Harvard Tax Map 4, Parcel 53. The site is zoned Commercial and is currently wooded and undeveloped. The site contains 11.47 acres of land and has almost 700 feet of frontage along Old Mill Road and 220 feet of frontage along Ayer Road.

Figure -2 Existing Conditions



The topography of the site consists of mild slopes, generally sloping toward Old Mill Pond and Bowers Brook that encompasses and encroaches upon the westerly portion of the site. Of the 11.47 acres, approximately 3.4 acres are wetlands located on the western portion of the property.

The area is wooded, with a mixture of coniferous and deciduous trees. The highest elevation on the site exists in the east corner of the property is approximately 292 feet (NAD 1988). The lowest elevation on the site exists along the wetland is approximately 230 feet (NAD 1988). A Portion of the site is located in the Floodplain.

The Natural Resources Conservation Service (NRCS) Soil survey of Worcester County, Massachusetts describes the soils in the upland portions of the site as Merrimac Fine sandy Loam and Poquonock Loamy Sand, with an associated hydrologic soil group of 'A', and Walpole Sandy Loam in the wetland area, with an associated hydrologic soils group of 'D'. Exhibit H contains soil maps generated using the NRCS website containing soil definitions for the soils within the analyzed area. Deep hole and percolation tests conducted on the site for the purposes of designing a subsurface sewage disposal system and drainage structures confirm this classification.

Subsurface testing was performed on the site under the supervision of the Harvard Board of Health and or DEP-CRO agents. Testing was conducted and witnessed November 1999, December 1999, September 2001 and October 2008. The tests were performed to determine the suitability of the soil for an onsite sewage disposal system(s) and for use in the drainage design. The tests revealed that the soils consist of coarse to fine sands, with a maximum percolation rate of 6 minutes per inch for the leaching area. Groundwater was observed at 3.5 to 5.4 feet below grade. The leaching area is being designed based on the 3.5-foot depth to groundwater.

A plan showing the existing site conditions and the surrounding areas is included in the Site Plans. See Exhibit I for Site Plans.

Existing Resource Areas

The parcel is extremely buildable (in the upland area), with a small (3.4 acres) unbuildable wetland. The non-usable space consists of wetland resource areas as defined and regulated by the Wetland Protection Act (WPA) 310 CMR 10.00.

A portion of the property is located in Zone A areas determined to be within the 100-year flood plain as shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), Community Panels 25027C0312E, effective date July 4, 2011.

No portion of the site is located in a Natural Heritage Endangered Species Program (NHESP) Estimated Habitat of Rare Wildlife as shown on the Natural Heritage Mapping provided by the MASSMAPPER online mapping system.

4. THE DEVELOPMENT

The proposed Development will be accessed by the construction of a private way, creating a small "community" of homes. A proposed roadway approximately 600 feet long ending in a cul-de-sac will provide access to the homes. The roadway will be lined with sugar and red maple trees and the twelve buildings will be clustered along the remaining roadway.

The proposed Development will be clustered on approximately 3.7 acres, and the remaining acreage will be preserved as open space. In addition, we will be providing easements for access

to the existing trail system currently utilized by Harvard residents. This will also provide valuable street frontage and formal access to this unique and lengthy trail corridor.

The buildings will be 2-story duplex style units with custom built dormers and eaves to provide an upscale look. The exteriors will feature clapboard and shingle accents with shutters and carriage house style garage doors. The proposed exterior materials and architecture are designed to fit into the nature of the surrounding architecture, with individual entrances for each unit. See Exhibit J for Architectural Plans.

The Development will provide parking for 48 cars dedicated to the individual unit owners. Each unit will have a one-car garage with the ability to park one (1) car in the driveway. This will ensure that each unit owner has parking for two vehicles. The project includes 12 guest parking spaces in two designated areas along the project drive (Robin Lane).

The roadway configuration provides an emergency-response vehicle turn area at the end of the road consistent with subdivision regulations. Sheet C5.1 of the submission plan set “Driveway Profile and Emergency Turning Movement” indicates the ability of Harvard’s new Ladder Engine to drive throughout the development. A 30,000-gallon cistern will be provided at the cul-de-sac for emergency use. Said cistern will have a visible depth gauge as requested by the Department.

All units would fully comply with State Building codes, applicable State Environmental Regulations, and with all applicable local codes, ordinances and by-laws (except as waived by the Zoning Board of Appeals).

Figure-3 Site Plan

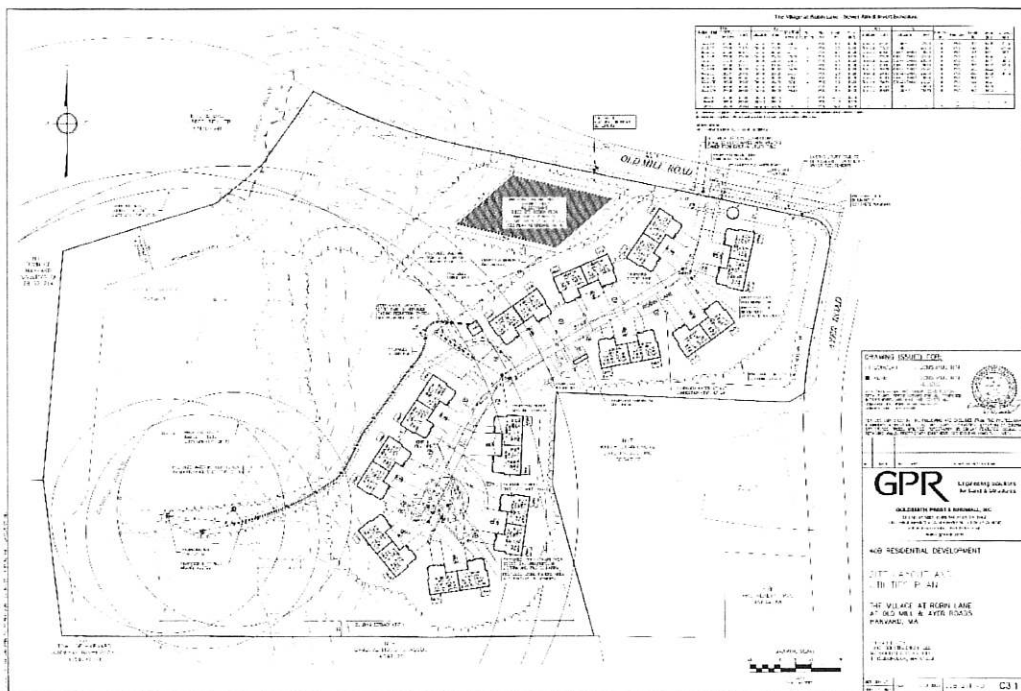


Figure-4 Building Elevation



Figure-5 Lot Coverage

COVERAGE COMPUTATIONS

PARAMETER	AREA (ACRES)	AREA (SQ. FT.)	FRACTION OF TOTAL LOT AREA (%)
EXISTING CONDITION			
LOT AREA	11.47	499,853	100%
TOTAL IMPERVIOUS COVERAGE	0	0	0
DEVELOPED CONDITION			
LOT AREA	11.47	499,853	100%
BUILDING FOOTPRINT	0.68	29,808	6%
OTHER IMPERVIOUS AREA	0.8	34,808	7%
TOTAL IMPERVIOUS COVERAGE	1.48	64,616	13%
OPEN SPACE AREA	9.99	435,237	87%
COMMON OPEN SPACE	7.47±	325,400±	65%

The Development has been designed to encourage the preservation of open land and develop housing for low to median income families. With this development, 65% of the tract would be preserved as usable open space and 25% of the housing would be made available for low to median income families. At the end of the access road, a large cul-de-sac will house a “pocket park” landscaped area with benches. The project proposes trails connecting to the existing as well as leading to the field area for passive recreation over the proposed leaching area. A gazebo is proposed to serve as a shelter bus stop near the intersection of Robins Lane and Old Mill Rd. The Development has also been designed to be set back from Ayer Road providing a natural tree buffer and earthen berm between the units and the road.

Figure-6 Zoning Summary

Zoning Summary

Juno Construction, LLC Map: 4
 92 Middlesex Road, Unit 3 Parcel: 52, 52.1, 52.2, 53
 Tyngsborough, MA 01879

Parameter	Section [1]	Requirement	Remarks
Zoning District	125-23	C	Commercial District
Proposed Use	125-23	Prohibited	Residential Duplex
Lot Area	125-29.B.(1)	1.50 acres	11.47± acres
Frontage	125-29.B.(3)	180 ft	
Lot Width	125-29.B.(2)	200 FT	
Yard [2]			
	Front	20 FT	
	Side	20 FT	
	Rear	20 FT	
Buffer strip	125-39.C(1)	20 FT	10% of standard lot width
Open Area	125.39.C(2)	Not required	87% (435,237± SF)
Floor Area Ratio	125-30.B	10% of land area of lot	49,963± SF maximum allowable
Building Height	125-30.C	<35 FT; <3 stories	above average grade, excepting unoccupied projections
Parking	125-39.A(1)	quantity not regulated	(2) parking spaces per dwelling units, (12) guest parking spaces
Wetlands Setback		50-FT no disturb buffer	75-FT no structure buffer
Zone 1 Protective Radius			On-site public water supplies

NOTES:

- [1] Reference to section of The Protective Bylaw, where applicable.
- [2] Building setback from property line shall be at least 60 feet from abutting property in an AR or MR District.

ABBREVIATIONS:

SF=square feet; CF=cubic feet; FT=feet; GFA=gross floor area; AC=acres; WFH=Watershed Protection and Flood Hazard; IPOD=Interim Planning Overlay District; WCTOD=Wireless Communications Tower Overlay District; ZBA=Zoning Board of Appeals.

A. Utilities

Water

A community water supply will be created in accordance with Mass DEP regulations. Three (3) wells will be drilled, and a pump house installed for maintenance and care.

Electric/Telephone/Cable

Electric, telephone and cable exist on Old Mill Road and will be extended into the Development with no adverse impact on existing service anticipated.

Sanitary Waste

A common sewage disposal system is proposed for the Development, which will be designed in accordance with Massachusetts 310 CMR 15.000 and local board of health requirements including nitrogen reducing treatment as required. There is no public/municipal sewer available in this portion of Harvard.

B. Construction

It is estimated that construction would commence within 60 days of the final approvals and would take 24 months to complete. The Development sequence would include building the infrastructure (pavement, utilities, drainage and grading) first and then constructing the individual units. The market rate units would be sold as they are completed, and the affordable units would be sold in accordance with the DHCD guidelines.

5. NARRATIVE STATEMENT OF DEVELOPMENT IMPACTS

General

A. Traffic/Access

The proposed development will be accessed off a new 20-foot-wide paved driveway off Old Mill Road. The driveway will provide access for all of the units from Old Mill Road and will remain privately owned by the future Homeowner's Association. The access drive will be approximately 600 feet long and will terminate in a large oversize cul-de-sac to allow emergency vehicles and homeowners to turn around safely.

Visibility off the access drive onto Old Mill Road is excellent, with a line of site over 300 feet to the west and clear to the intersection of Ayer Road of roughly 180 feet.

The net increase in traffic on Ayer Road will be generated by the 24 additional homes in the development. Based on the Institute of Transportation Engineers Trip Generation 7th Edition manual, a total of 271 vehicle trips per day are expected as a result of this Development. Given the characteristics of Ayer Road, this increase in traffic is not significant and will not result in any decreased level of service. See Transportation Impact and Access Study Exhibit K.

Figure-7 Southerly Sight Distance at Old Mill Road Entrance towards Ayer Road

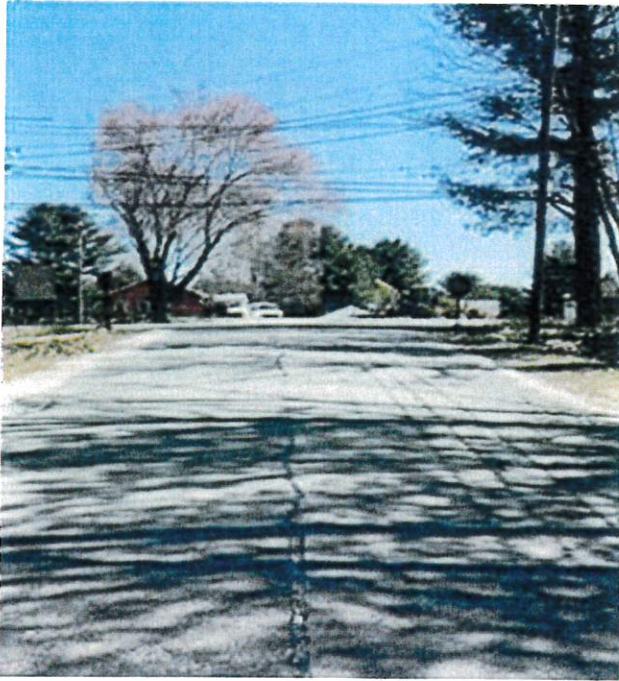
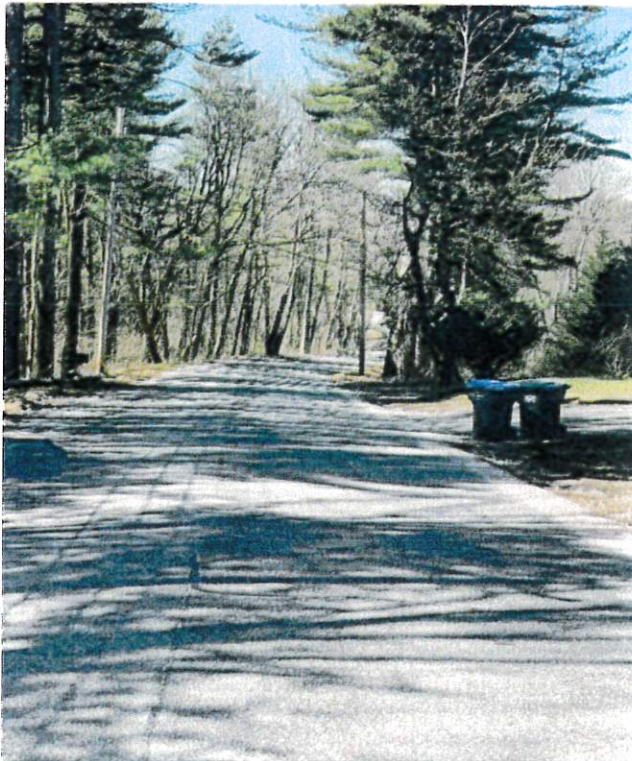


Figure-8 Northerly Sight Distance at Old Mill Road Entrance away from Ayer Road



B. Historical

No historic structures or resources are proposed to be impacted with the proposed Development.

C. Open Space

This Development has been designed to encourage the preservation of open land and develop housing for low to median income families. With this Development, 65% of the tract would be open space. A portion of the open space will provide a natural buffer to Old Mill Pond. The Open Space will be adjacent to existing open spaces areas and make connections to the already important existing trail system and wildlife corridor.

A tabulation of proposed buildings and summary of land use percentages is shown in Figures 5 and 6 above and the Tabular Analysis is attached as Exhibit L.

D. Wetlands

No wetlands would be filled for constructing this project. However, the Development will require the filing of a Notice of Intent with the Harvard Conservation Commission under the Massachusetts Wetland Protection Act and the local Wetlands By-law. We have filed and received approval from the Harvard Conservation Commission a plan showing the wetland boundaries known as an "Order of Resource Delineation". Along the wetland boundary there is no impervious area within 93 feet of the wetlands. Most of the work on the entire Development is located further away than 100 feet from the edge of wetlands. We will be installing three (3) wells for the community water supply system, and also propose enhancing the trail system to provide passive recreation within the resource areas.

Appropriate protections would be provided to prevent any damage to the wetland system. The entire on-site wetland area would be preserved.

Stormwater management for this Development has been designed in compliance with the Stormwater Management Standards as outlined in 310 CMR10.05(6)(k) through (q) and defined in detail in the DEP's Stormwater Management Handbook. The system incorporates Best Management Practices (BMPs). The Development has been designed to minimize impacts on nearby resource areas from both the construction and post-construction of the proposed Development. See Exhibit M for Stormwater Management Narrative, two (2) complete Stormwater Management Reports are included along with this application and more can be submitted upon request.

A closed drainage system would collect stormwater runoff from the site and discharge portions to open detention system. The drainage system will provide water quality treatment, recharge, and detention of runoff generated from the developed site. The drainage system has been designed to treat rainfall events up to and including the 100-year storm event. The runoff from the site development will be collected in a catch basin with silt prison and manhole system, and discharge to a forebay and detention area. The system will provide pretreatment and result in no adverse impact to the resource areas.

Municipal Services

A. Public Safety

The Development will be serviced by the Harvard Police and Fire Departments. The Development team has already met with various departments to address any safety concerns that they may have. As a result of these meetings, we have provided:

1. A larger turn around area to accommodate Harvard's new ladder truck;
2. A 30,000 gallon cistern with gauge for fire protection located under the cul-de-sac.

Construction Impacts

A. Noise

As designed, the proposed Development will not result in or generate any excessive amount of noise during the construction process. The Development will be regulated during construction by final permit conditions that limit hours of construction and noise pollution. A further benefit of the location of the site is much of the development will be screened by existing tree buffers.

B. Dust

As designed, the proposed Development will not result in or generate any excessive amount of dust during the construction process. The Development will be regulated during construction by final permit conditions that limit construction access and dust pollution.

C. Erosion/Siltation

To help control runoff during construction, erosion and sediment control measures have been provided. Additionally, a storm water management system maintenance schedule will be provided for use during and after construction. The proposed Development has been designed in accordance with the DEP Stormwater Management Handbook. All drainage calculations and a more detailed description of the proposed stormwater management system are included in the Stormwater Management Report.

D. Potential Releases

The Developer will be required to adhere to all State and local safety standards during construction.

An Environmental Impact Analysis is included as Exhibit N

6. REQUESTED WAIVERS

As part of this application, the developer is requesting exceptions from the Town of Harvard Zoning and Non-Zoning Bylaws. The requested waivers are attached as Exhibit O.

7. OWNER/APPLICANT

The Owner of the property is REM Realty Trust, 484 Main Street, Suite 330, Worcester, MA 01608. A copy of the deed for the property is attached as Exhibit P.

The Applicant is Juno Construction LLC, Walter Eriksen Manager, of 92 Middlesex Road, Tyngsborough MA 01879. The property is under contract. Information regarding the applicant is attached hereto as Exhibit Q and Exhibit R

The Applicant's development history is attached hereto as Exhibit S and information on the Development team is attached as Exhibit T.

8. DEVELOPMENT FINANCING

As previously discussed, the Development will be funded through the Federal Home Loan Bank of Boston's New England Fund Program with MassHousing as Project Administrator.

9. SUMMARY

The proposed Development, The Village at Robin Lane, will help to increase the Town of Harvard's affordable housing inventory and to help them reach their 10% goal. In addition, it will provide a variety of "homeownership" units that the Town wants to provide under their master plan. As an additional benefit, it will provide 7.47 +/- acres of common open space, and a valuable link to the Town's existing trail system. The Developer is committed to working with the Town to create a development that is consistent with the character of the Town of Harvard.

Please see Exhibit U for Abutter's List and Exhibit V for a breakdown of filing fees.

Exhibit "A"

MassHousing Corporate Information



About MassHousing

MassHousing is an independent, quasi-public agency created in 1966 and charged with providing financing for affordable housing in Massachusetts. The Agency raises capital by selling bonds and lends the proceeds to low- and moderate-income homebuyers and homeowners, and to developers who build or preserve affordable and/or mixed-income rental housing. MassHousing does not use taxpayer dollars to sustain its operations, although it administers some publicly funded programs on behalf of the Commonwealth. Since its inception, MassHousing has provided more than \$27 billion for affordable housing.

Mission & Values

MassHousing will confront the housing challenges facing the Commonwealth to improve the lives of its people.

Leadership

The Members of MassHousing and our executive management team.

Investors

Recent MassHousing financial information.

Careers at MassHousing

We're always looking for talented, committed professionals to join our team.

Requests for Proposals

View open requests for proposals and qualifications from MassHousing.

Information Security

Our commitment to ensuring the security and confidentiality of sensitive personal information we have in our possession.

5-Year Strategic Business Goals

MassHousing's 5-Year Strategic Business Goals set out ambitious benchmarks for all aspects of the Agency's work in Fiscal Years 2022-2026.

[VIEW OUR 5-YEAR GOALS!](#)

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[Mission & Values](#)
[Leadership](#)
[Careers](#)
[Press](#)
[Investors](#)
[Public Records Access](#)
[Site Map](#)



One Beacon St.
Boston, MA 02108
TEL: 617-854-1000
Relay: 711

Mission & Values

MassHousing will confront the housing challenges facing the Commonwealth to improve the lives of its people.

MassHousing will achieve its mission and its business goals through

- Investment in staff development and continuous organizational improvement;
- Innovation and agility in the delivery of responsible lending products, housing opportunities and services; and
- An intense focus on the needs of our customers and the people and communities we serve.

Our Values

The following Values guide the culture of MassHousing into the future:

- Integrity
- Excellence
- Collaboration
- Respect
- Accountability
- Service

Our Leadership Model

MassHousing is committed to fostering an entrepreneurial mindset that focuses on investing in our people, innovation, strategic decision-making and risk management. Our active management model helps us

- Mobilize our teams in Pursuit of the Agency's Vision
- Expect and inspire Excellence throughout our organization
- Create a Learning Culture that is data driven

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[Site Map](#)



Exhibit "B"

MassHousing Program Information



Application for Comprehensive Permit Site Approval for MassHousing and New England Fund Programs

Outline of Steps Involved in the Comprehensive Permit Process

Application and Review Process

1. Developer contacts local officials and Local Housing Partnership, if applicable, to discuss development and seek initial reaction to the plan being proposed. This is often an informal process of review and comment.
2. MassHousing receives a Site Approval Application from the developer of the project identifying the specific MassHousing and/or NEF financing program to be utilized. MassHousing staff then conducts an initial review of the application to determine whether it is complete and generally consistent with guidelines of the specific MassHousing and/or NEF program. If the application is found to be incomplete or inconsistent with the MassHousing and/or NEF program, the application is rejected and returned to the developer with a full explanation.
3. If consistent with the specific MassHousing program, comments are solicited from the local Chief Elected Official or City/Town Manager to gauge the level of support, receive feedback on the proposal, and confirm that the developer has made contact with the community prior to submitting its Site Approval Application. The community has thirty (30) days to respond in writing to MassHousing regarding the proposal. At this stage, the community often solicits comments from its planning board, local housing authority, public safety officials, local housing partnership and other relevant municipal officials. A formal public hearing is not required.
4. During this phase, MassHousing conducts its own evaluation of the development site, project and design. This includes a determination that the applicant has sufficient legal interest in the site and that the project appears financially feasible, based on the housing market in which it is proposed and the estimated financing sources, development costs and rents provided by the applicant. As part of its review, MassHousing will also conduct an on-site inspection of the site to determine whether the proposed housing design is generally appropriate for the site.
5. At the end of this period, an evaluation report is compiled and other comments collected from the various groups identified above. Based on these comments, a Site Approval Determination Letter is issued by MassHousing that approves, conditionally approves, or rejects the application. If the site application is rejected, the developer cannot proceed further with the Comprehensive Permit application with the locality.
6. If approved, or conditionally approved, the developer submits an application for a Comprehensive Permit to the local Zoning Board of Appeals (ZBA) along with other materials required by law.

MassHousing | Application for Comprehensive Permit Site Approval
Outline of Steps Involved in the Comprehensive Permit Process

7. Within the required time frame, the local ZBA schedules a public hearing (giving proper notice to area residents) and comments are solicited as to development concerns relating to the proposed development. Contact either the local ZBA, or the State Housing Appeals Committee (c/o the State's Department of Housing and Community Development) for further details of the process.
8. At the conclusion of this hearing process -- which often lasts for several meetings -- the local ZBA issues its determination as to whether the project will be granted a final Comprehensive Permit. If it is granted, the project can go forward (assuming that the developer secures appropriate financing for the project).
9. Upon receipt of a final Comprehensive Permit, the developer must submit an application for Final Approval from MassHousing (See Site Approval and Final Approval Checklists on MassHousing's website under the Chapter 40B Site Approval Application section). This process is required for developments approved under a MassHousing Program and/or the NEF Program to ensure that the proposal approved under the Comprehensive Permit is consistent with the proposal approved under MassHousing's original Site Approval.

NOTE: In accordance with the Code of Massachusetts Regulations (760 CMR 31.00) governing the Site Approval process, no local permits (including building permits) can be issued for a MassHousing Site Approval development until Final Approval has been obtained from MassHousing.

Appeals Process

(Note: The following summary is provided for general informational purposes only. Applicants should seek the assistance of legal counsel for review of MGL c. 40B §§20-23, 760 CMR 30.00, 760 CMR 31.00, and any determination relating to the ability to appeal a ZBA decision.)

If a Comprehensive Permit application is rejected or conditionally approved by the ZBA, the applicant may appeal to the State's Housing Appeals Committee, in accordance with 760 CMR 30.00 and 31.00, if NONE of the following conditions are currently met within the town or city:

- Subsidized low or moderate income housing ("subsidized housing") exists in the city or town that is in excess of ten percent (10%) of the housing units reported in the latest U.S. decennial census of the town or city. See MGL c. 40B, §20 and 760 CMR 31.04.(1).
- Subsidized housing exists in the city or town that comprises one and one-half percent (1.5%) or more of the total land area zoned for residential, commercial or industrial use in the applicable city or town. See MGL c. 40B, §20 and 760 CMR 31.04.(2).
- In any one calendar year, the Comprehensive Permit application before a city or town's ZBA would result in the commencement of subsidized housing on sites comprising more than three tenths of one percent (0.3%) of the community's land (excluding land owned by the federal or commonwealth governments, or any political subdivision thereof, the metropolitan district commission or any other public authority) zoned for residential commercial or industrial use, or ten (10) acres, whichever is larger. See MGL c. 40B, §20 and 760 CMR 31.04.(3).

MassHousing | Application for Comprehensive Permit Site Approval
Outline of Steps Involved in the Comprehensive Permit Process

- The city or town has made recent progress toward its statutory Housing Unit Minimum, per 760 CMR 31.04.(1), through the creation of subsidized housing during the twelve months prior to the Comprehensive Permit application that is equal to or greater than two percent (2%) of the city or town's total housing units. See 760 CMR 31.07.(1).(d).
- A project under a Comprehensive Permit application is deemed a Large Scale Project, in accordance with 760 CMR 31.07.(g), per one of the following criterion (based on housing unit counts identified in the most recent U.S. Census):
 1. Municipalities of 7,500 or More Housing Units – The application involves construction of more than 300 housing units or a number of housing units equal to two percent (2%) of all housing units in the municipality, whichever number is greater;
 2. Municipalities of 5,001 up to 7,499 Housing Units – The application involves construction of more than 250 housing units in the municipality;
 3. Municipalities of 2,500 up to 5,000 Housing Units – The application involves construction of more than 200 housing units; or
 4. Municipalities of Less than 2,500 Housing Units – The application involves construction of more than 150 housing units.
- A Comprehensive Permit application is deemed a Related Application, in accordance with 760 CMR 31.07.(h), because twelve (12) months has not elapsed between the date of the application and any one of the following:
 1. The date of filing of a prior application for a variance, special permit, subdivision or other approval related to construction on the same land if that application included no low or moderate income housing;
 2. Any date during which such an application was pending before a local permit granting authority;
 3. The disposition date of such an application; or
 4. The withdrawal date of such an application.

For further information, please contact Doug Lloyd at 617.854.1372 or dlloyd@masshousing.com

last updated November 12, 2004



Abutters List Report

Town of Harvard, MA

Date: April 3, 2023
Parcel Number: 021-008-000
Property Address: 200 Still River Rd
Abutters To: 300ft

The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed: Carol Dearborn Date: 4/3/23

Carol Dearborn
Assistant Assessor
(978) 456-4100 x315

FINANCE DEPARTMENT - ACCOUNTANT, ASSESSORS, TREASURER/COLLECTOR
13 Ayer Road, Harvard, Massachusetts 01451-1458
www.harvard-ma.gov



200 STILL RIVER RD

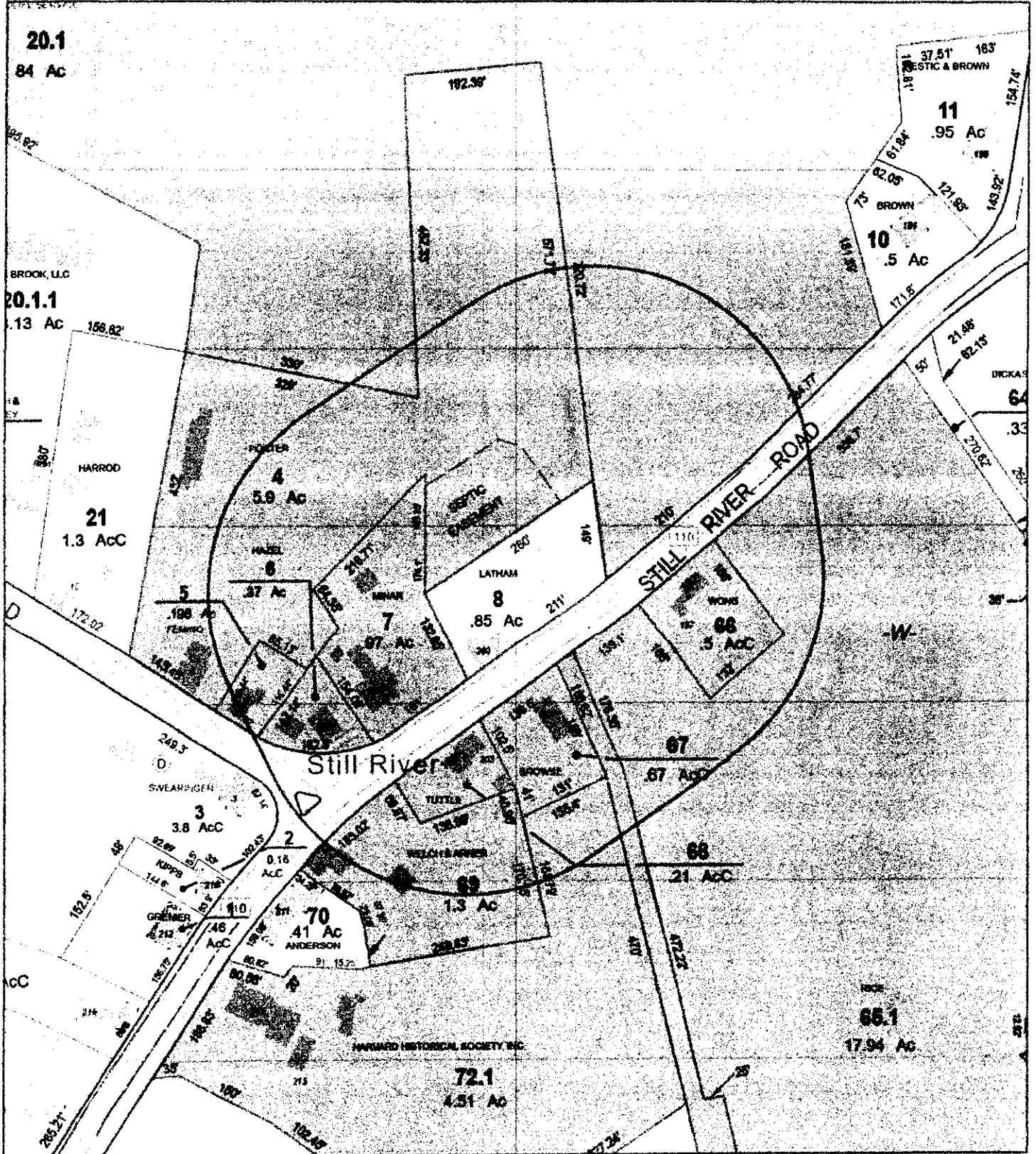
Town of Harvard, MA

1 inch = 188 Feet



www.cai-tech.com

April 3, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



300 feet Abutters List Report

Harvard, MA
April 03, 2023

Subject Property:

Parcel Number: 021-008-000-000
CAMA Number: 021-008-000-000
Property Address: 200 STILL RIVER RD

Mailing Address: LATHAM, ALEXANDER M & LOUISA C
200 STILL RIVER ROAD
HARVARD, MA 01451

Abutters:

Parcel Number: 020-020-001-000
CAMA Number: 020-020-001-000
Property Address: DEPOT RD-STILL RIVER

Mailing Address: US FISH AND WILDLIFE SERVICE
73 WEIR HILL RD
SUDBURY, MA 01776

Parcel Number: 021-004-000-000
CAMA Number: 021-004-000-000
Property Address: 6 DEPOT RD-STILL RIVER

Mailing Address: THE SARAH R PORTER 2006
REVOCABLE TRUST
PO BOX 206
STILL RIVER, MA 01467

Parcel Number: 021-005-000-000
CAMA Number: 021-005-000-000
Property Address: 4 DEPOT RD-STILL RIVER

Mailing Address: FEMINO, SANDRA MARIE
PO BOX 7
STILL RIVER, MA 01467

Parcel Number: 021-006-000-000
CAMA Number: 021-006-000-000
Property Address: 206 STILL RIVER RD

Mailing Address: HAZEL, NANCY J & WILLIAM T
150 AYER RD
HARVARD, MA 01451

Parcel Number: 021-007-000-000
CAMA Number: 021-007-000-000
Property Address: 204 STILL RIVER RD

Mailing Address: MINAR, RUDOLF J & KARA MCGUIRE
MINAR
PO BOX 204
STILL RIVER, MA 01467

Parcel Number: 021-065-001-000
CAMA Number: 021-065-001-000
Property Address: 199 STILL RIVER RD

Mailing Address: METCALF, THOMAS III
PO BOX 796
HARVARD, MA 01451

Parcel Number: 021-065-002-000
CAMA Number: 021-065-002-000
Property Address: 0 STILL RIVER RD

Mailing Address: THEODORE W MAXANT TRUSTEE OF
THE
PO BOX 11 53 WILLARD LANE
STILL RIVER, MA 01467

Parcel Number: 021-066-000-000
CAMA Number: 021-066-000-000
Property Address: 197 STILL RIVER RD

Mailing Address: D'ARCONTE, ADRIENNE A.
202 ARMINGTON ST
CRANSTON, RI 02905

Parcel Number: 021-067-000-000
CAMA Number: 021-067-000-000
Property Address: 201 STILL RIVER RD

Mailing Address: NICHOLAS BROWSE & CARYL GRAHAM
BROWSE
PO BOX 187
STILL RIVER, MA 01467

Parcel Number: 021-068-000-000
CAMA Number: 021-068-000-000
Property Address: 203 STILL RIVER RD

Mailing Address: TUTTLE, LEIGH D & SHARLENE F
PO BOX 156
STILL RIVER, MA 01467



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300 feet Abutters List Report

Harvard, MA
April 03, 2023

Parcel Number: 021-069-000-000
CAMA Number: 021-069-000-000
Property Address: 207 STILL RIVER RD

Mailing Address: WELSH, ERIC S & ARNER, JENNIFER M
P.O. BOX 118 STILL RIVER
HARVARD, MA 01467

Parcel Number: 021-072-001-000
CAMA Number: 021-072-001-000
Property Address: 213 STILL RIVER RD

Mailing Address: HARVARD HISTORICAL SOCIETY INC
PO BOX 542
HARVARD, MA 01451



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4/3/2023

Page 2 of 2

D'ARCONTE, ADRIENNE A.
202 ARMINGTON ST
CRANSTON, RI 02905

US FISH AND WILDLIFE SERV
73 WEIR HILL RD
SUDBURY, MA 01776

FEMINO, SANDRA MARIE
PO BOX 7
STILL RIVER, MA 01467

WELSH, ERIC S & ARNER, JE
P.O. BOX 118 STILL RIVER
HARVARD, MA 01467

HARVARD HISTORICAL SOCIET
PO BOX 542
HARVARD, MA 01451

HAZEL, NANCY J & WILLIAM
150 AYER RD
HARVARD, MA 01451

METCALF, THOMAS III
PO BOX 796
HARVARD, MA 01451

MINAR, RUDOLF J & KARA MC
PO BOX 204
STILL RIVER, MA 01467

NICHOLAS BROWSE & CARYL G
PO BOX 187
STILL RIVER, MA 01467

THE SARAH R PORTER 2006 R
PO BOX 206
STILL RIVER, MA 01467

THEODORE W MAXANT TRUSTEE
PO BOX 11
53 WILLARD LANE
STILL RIVER, MA 01467

TUTTLE, LEIGH D & SHARLEN
PO BOX 156
STILL RIVER, MA 01467

**TOWN OF HARVARD ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: Alexander and Louisa Latham
 Mailing Address: 200 Still River Rd., Harvard, MA 01451
 Telephone Number: 978 994 4914 Email Address: alexander.latham@gmail.com
 Applicant is (check one): Owner Tenant Licensee Prospective Buyer
 Location of Property: 200 Still River Rd. Assessors Map 21 Parcel: 8
 Registry of Deeds: Book Number 50573 Page Number 144 Certificate Number _____
 Owner's Name: Same Tel. No.: Same
 (If different than Applicant)
 Owner's Address: Same
 Representative: Nancy Dickinson Dickinson Architects Tel. No.: 978 341 8267

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input checked="" type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

Specific Bylaw section (s) being applied for: 135-25, 125-3B(2) b

Nature of Application and Justification of Request: Requesting to add onto a pre existing non conforming one family dwelling. we will not be increasing the existing non-conformity and the addition will not be substantially more detrimental to the neighborhood. See attachment for more detail.
 The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

<u>[Signature]</u> Property Owner's Signature (REQUIRED)	<u>4/4/23</u> Date
<u>[Signature]</u> Property Owner's Signature (REQUIRED)	<u>4/4/2023</u> Date
<u>[Signature]</u> Applicant's Signature (if different from owner)	<u>04/03/23</u> Date



P.O. Box 704, 91 Main Street, Concord, MA 01742
978-341-8267, DickinsonArc.Com

April 4, 2023

Zoning Board of Appeals
Town Hall, 13 Ayer Road
Harvard, MA 01451

Special Permit Application For:
Additions to Latham Residence
200 Still River Road, Harvard, MA 01451

135-10: WRITTEN STATEMENT:

Louisa and Alexander Latham reside at 200 Still River Road in Harvard, MA. They are proposing adding a mudroom, front porch, unheated garage and workshop, with storage above on the east side of their house, a bedroom over the existing 3 season sunroom, and extending their existing deck. Their house was built around 1800, before the zoning by-law was enacted. It became non-conforming with the creation of the zoning by-law. This house is pre-existing non-conforming because it sits entirely beyond the current required front setback. An existing 4 bedroom mounded septic system sits behind the house. The garage addition will be located further away from the existing front property line than the existing house. The addition will not be substantially more detrimental than the existing house because we will not be closer to the front property line than the existing house. The gross SF will increase from 3,680 sf to 4,621 sf, resulting in a 25% increase. Of the nearby houses, 2 have more gross square footage (8,835 and 5,546 sf), one has similar gross square footage, and three house have less gross sf (2,585, 2,416 and 2447). Therefore, the proposed amount of square footage will fit in with the scale of the neighborhood. Cedar shingles, instead of clapboards and awning windows will make the garage resemble a barn, which will help it look like it belongs with an historic house.

The new driveway will be safer for traffic because the owners will not have to back up onto Still River road (as they do now). The use of the property will remain as single family. The number of bedrooms will remain as 4. There will be no new vibrations or noises due to change of use or increase in occupancy. If the project is to go forward, construction will only take place during weekdays, between 7:00 am and 4:00 pm, for a finite period. The new asphalt driveway will have a 2' gravel shoulder which will help keep rainwater on site. In conclusion, we do not believe that the proposed addition will be more detrimental to the neighborhood than the existing non-conforming house because we are not getting closer to the existing front property line, and the size, scale, massing and style of the addition will be in harmony nearby properties. Also, no new noises, uses or traffic will interfere with the peace of the neighborhood. This addition does not qualify to be de minimus because we are requesting to add more than 15% to the footprint.

Respectfully,


Nancy Dickinson, AIA

Enclosures

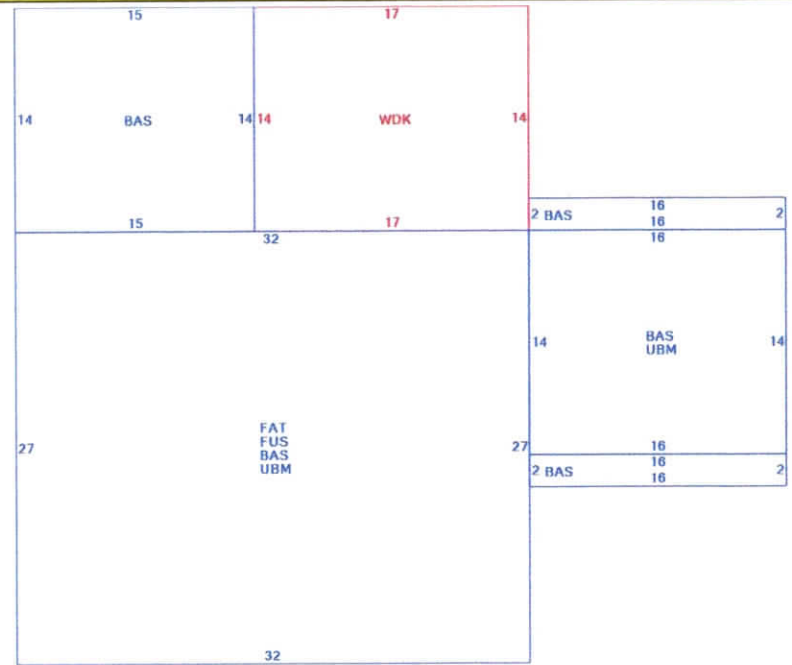
CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				125 HARVARD, MA VISION							
LATHAM, ALEXANDER M & LOUISA C 200 STILL RIVER ROAD HARVARD MA 01451		1 Level	5 Well	3 Med Traffic	3 Rural	Description	Code	Appraised	Assessed								
			6 Septic	6 Paved		RESIDNTL	1010	403,000	403,000								
				T Two Way		RES LAND	1010	217,500	217,500								
SUPPLEMENTAL DATA						RES OB	1010	1,500	1,500	Total	622,000	622,000					
Alt Prcl ID 1250210000800000		House Col YELLOW		Field Chec													
GIS ID M_190445_915814		Assoc Pid#															
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)									
LATHAM, ALEXANDER M & LOUISA C		50573 0144	03-12-2013	Q	I	445,000	00	Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed	
DANGELO, JAMES P & KIMBERLY A		46191 0061	08-20-2010	Q	I	440,000	00	2022	1010	358,800	2021	1010	291,500	2020	1010	247,900	
CORDEIRO, CHARLES B JR & BONNIE		26256 0140	03-28-2002	Q	I	360,000	00		1010	202,500		1010	202,500		1010	202,500	
NOGLER, ESTATE OF, BARD, THOMAS B & NOGLER, ALFRED L, SR		20308 0044	08-17-1998	U	I	100,000	1A		1010	1,200		1010	1,200		1010	1,200	
		16696 0396	11-10-1994	U	I	1	1A	Total		562,500	Total		495,200	Total		451,600	
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor									
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int	APPRAISED VALUE SUMMARY								
									Appraised Bldg. Value (Card) 403,000								
Total			0.00	Appraised Xf (B) Value (Bldg) 0													
ASSESSING NEIGHBORHOOD								Appraised Ob (B) Value (Bldg) 1,500									
Nbhd	Nbhd Name		B	Tracing		Batch		Appraised Land Value (Bldg) 217,500									
1								Special Land Value 0									
NOTES								Total Appraised Parcel Value 622,000									
3/13 PER MLS FSP NOW HEATED RM/CHGD								Valuation Method C									
								Total Appraised Parcel Value 622,000									
BUILDING PERMIT RECORD										VISIT / CHANGE HISTORY							
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments		Date	Id	Type	Is	Cd	Purpost/Result		
08-099	07-07-2008	RS	Residential	800		100	12-08-2008	CONST CHIMNEY ENCLOSU		12-06-2016	DH	X		C	Cyclical Insp		
										05-17-2011	LC	C	O	A	Appeal		
										08-28-2008	AM	C	O	C	Cyclical Insp		
										01-05-1996	CLT	R	M	A	Appeal		
LAND LINE VALUATION SECTION																	
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes		Location Adjustment		Adj Unit P	Land Value
1	1010	Single Fam	AR	Primary	0.850 AC	225,000.00	1.13725	P	1.00	30	1.000			1.0000			217,500
Total Card Land Units					0.85	AC	Parcel Total Land Area			0.85	Total Land Value					217,500	

As of January 1, 2022

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	63	Antique			
Model	01	Residential			
Grade:	05	Good			
Stories:	2.5	2.5 Stories			
Occupancy	1				
Exterior Wall 1	11	Clapboard			
Exterior Wall 2					
Roof Structure:	03	Gable/Hip			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	03	Plastered			
Interior Wall 2					
Interior Flr 1	12	Hardwood			
Interior Flr 2					
Heat Fuel	02	Oil			
Heat Type:	04	Forced Air-Duc			
AC Type:	01	None			
Total Bedrooms	04	4 Bedrooms			
Total Bthrms:	1				
Total Half Baths	1				
Total Xtra Fixtrs	1				
Total Rooms:	7				
Bath Style:	02	Modern			
Kitchen Style:	02	Modern			
# of Kitchens	1				
Fireplaces	0				

CONDO DATA			
Parcel Id		C	Owne
		B	S
Adjust Type	Code	Description	Factor%
Condo Flr			
Condo Unit			

COST / MARKET VALUATION	
Building Value New	575,724
Year Built	1700
Effective Year Built	
Depreciation Code	G
Remodel Rating	
Year Remodeled	
Depreciation %	30
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	70
RCNLD	403,000
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



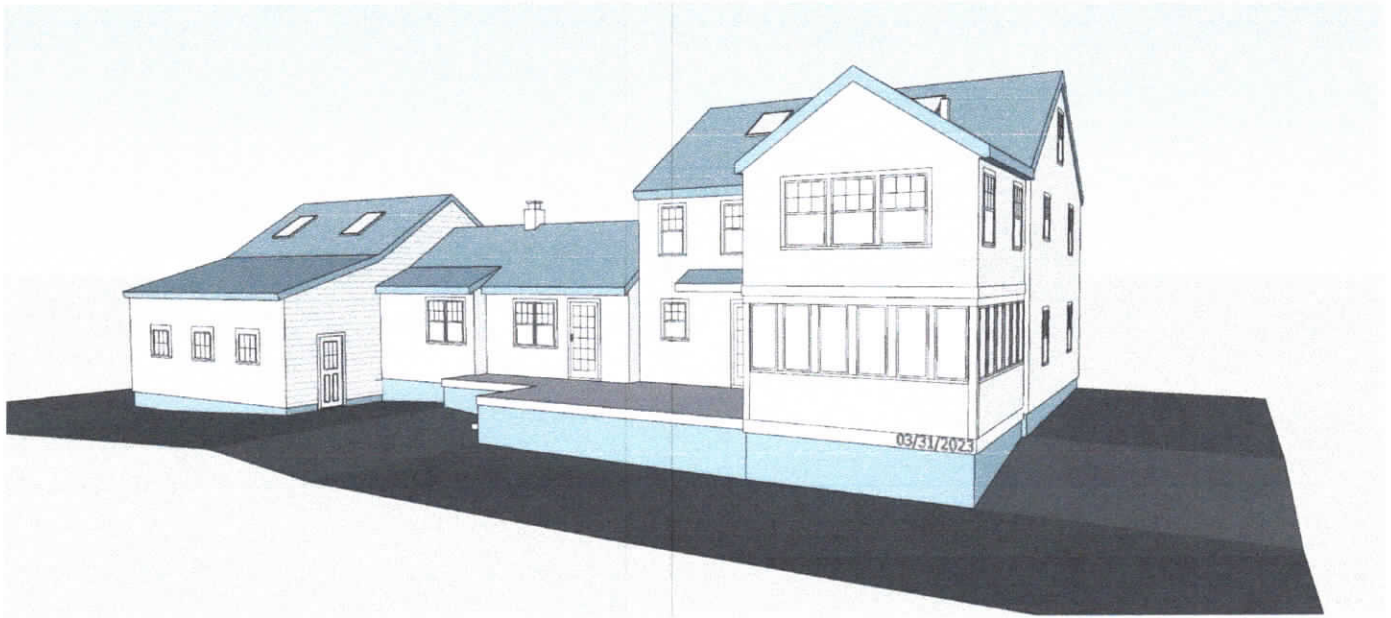
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Bld	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
SHD1	Shed	L	120	15.00	2000		B1		0.00	1,500

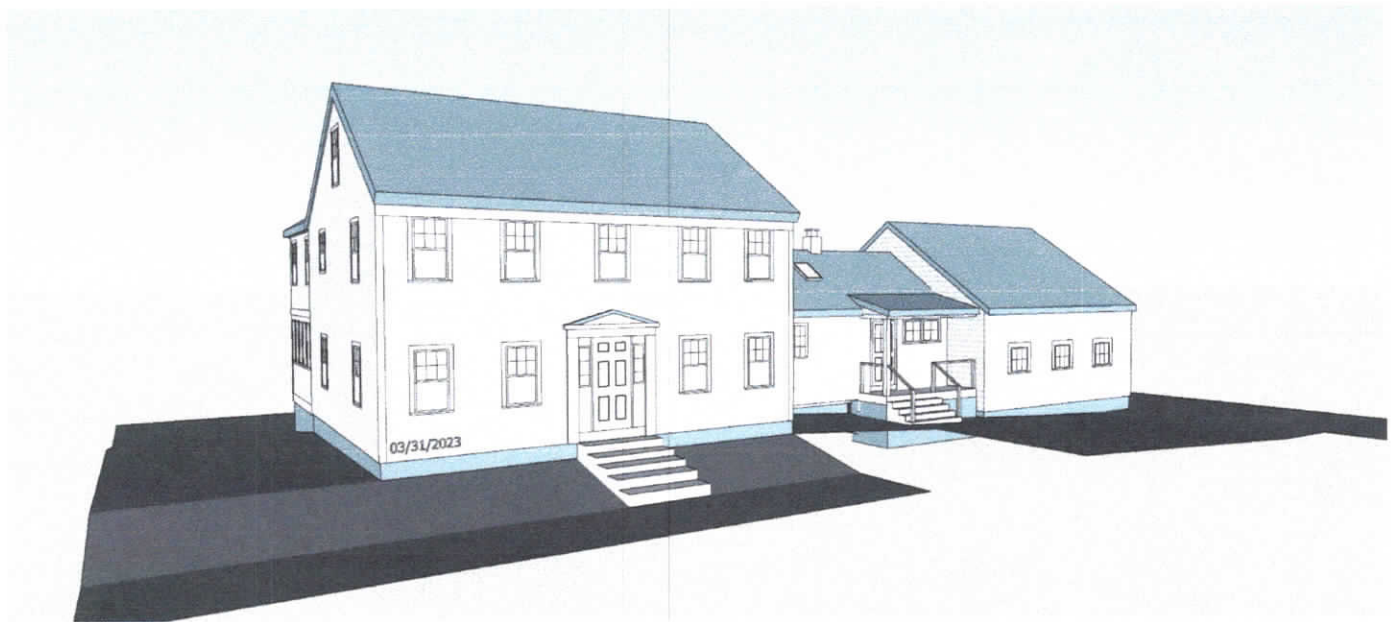
BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,362	1,362	1,362	203.21	276,775
FAT	Attic, Finished	259	864	259	60.92	52,632
FUS	Upper Story, Finished	864	864	864	203.21	175,576
UBM	Basement, Unfinished	0	1,088	218	40.72	44,300
WDK	Deck, Wood	0	238	36	30.74	7,316
Ttl Gross Liv / Lease Area		2,485	4,416	2,739		556,599





BACK

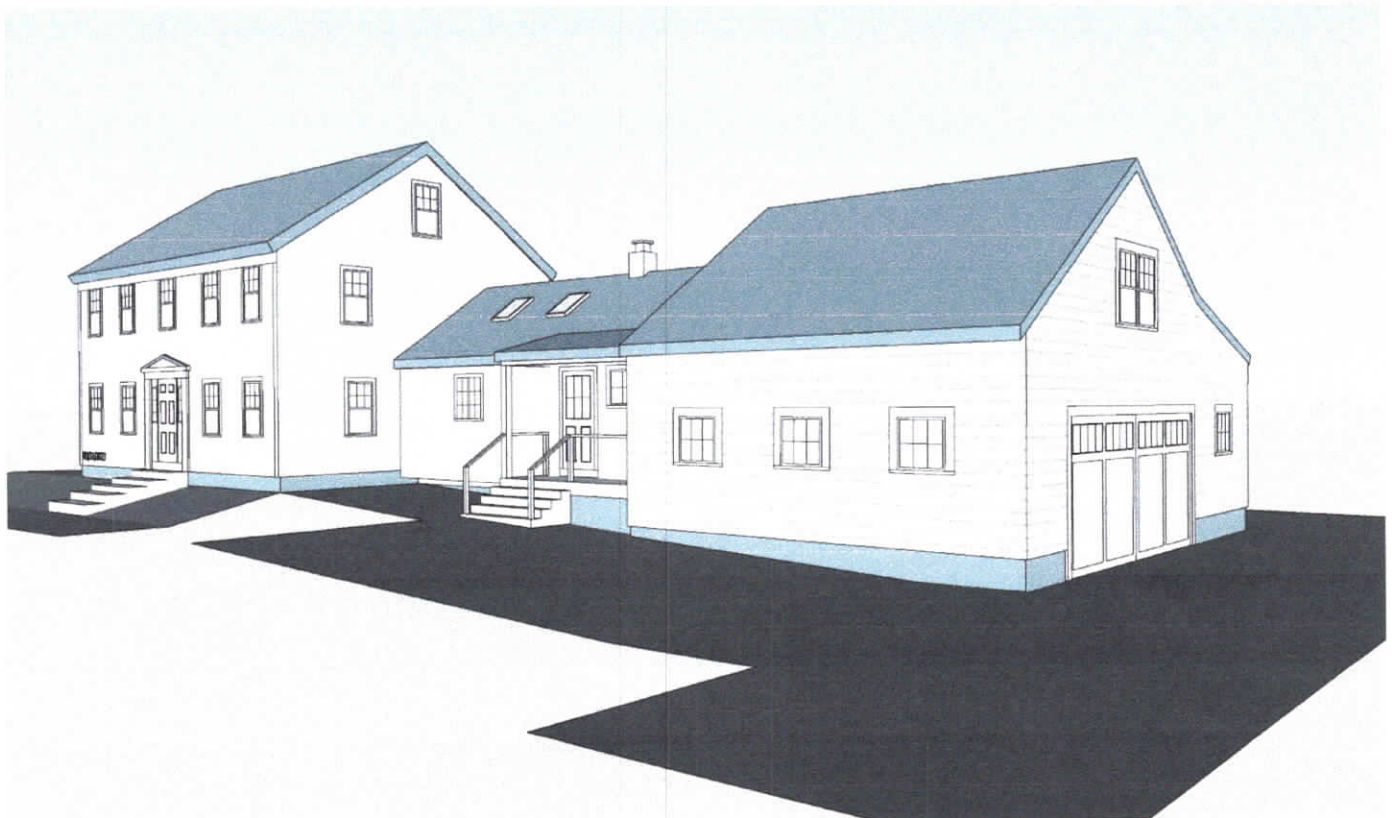


FRONT

200 STILL RIVER RD.



BACK



FRONT

200 STILL RIVER RD



EXISTING BACK



EXISTING FRONT

200 STILL RIVER RD.

Joseph G. Harwood House (1800)

by Dan / February 4, 2014 / Federal, Harvard, Houses



In the late eighteenth-century, a farming community developed along Still River Road in Harvard. The house at 200 Still River Road was built around 1800 by Joseph G. Harwood, who had obtained a license to sell alcohol. Around 1850 the house was acquired by William F. Bateman, who was postmaster of Still River (also a librarian). His widow, Louisa H. Bateman, took over his postmaster duties after his death in 1877. In the 1890s, the house was acquired by Amos H. Keyes and in 1907 by Arthur Hunter, an engineer with the Boston & Albany railroad. It was then owned by F. S. Savage, Sr., author of *Memoirs of Old Harvard Days* (1924). Savage also sold real estate. For many years it was a double house with a long garage addition on the northeast side. It has since been converted to a single-family home, with a new front entry molding and the old addition shortened.

DESIGN DATA

1. Hydraulic Loading

4 Bedrooms at 110 gallons per day per bedroom = 440 G.P.D.

2. Septic Tank Size

Average daily flow = $440 \times 200\% = 880$ gallons (minimum)
 Septic tank provided = 1500 Gallons

3. Design percolation rate = 2.0 M.P.I. (Soil Class)

Effluent Loading Rate = 3.55 gallons/S.F.

4. Leaching Area

Primary Leaching Area

Total area provided = 832 s.f. \times 0.53 gal./S.F. = 452.4 gal.

Minimum size leaching area allowed under the Town of HARVARD

Board of Health requirement is N/A square feet.

Reserve Leaching Area

Design percolation rate = _____ M.P.I. (Soil Class)

Effluent loading rate = _____ gallons / S.F.

Total area provided = _____ S.F. \times _____ gal./S.F. = _____ gal.

Invert at beginning leaching line = _____

Invert at end of leaching line = _____

Elevation of S.A.S. Bottom = _____

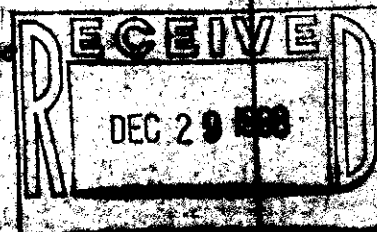
— W — Denotes water service

— P — Denotes approximate property line

— O.W. — Denotes overhead wires

— D — Denotes storm drain pipe

— ■ — Denotes catch basin



AS-BUILT PLAN



NO.	DATE	DESCRIPTION	BY
1	9/5/88	REVISED AS-BUILT DATA	MDM
		EXAMINED TO ACTUAL FIELD DATA	GGB
DESIGN BY: GGB		DRAWN BY: GGB	CHECKED BY: GGB

AS-BUILT SEWAGE DISPOSAL SYSTEM
 200 STILL RIVER ROAD
 HARVARD, MA

PREPARED FOR: **TOM BARD** TEL: (617) 305-7286
 275 NEW HEBBARD ST
 WILMINGTON, MA 02147
 SCALE: 1" = 20' DATE: 6/5/88

DUCHARME & WHEELER, INC.

1092 MAIN STREET, P.O. BOX 427, BOLTON, MA, 01740

THIS PLAN IS NOT TO BE USED FOR THE ESTABLISHMENT OF PROPERTY LINES, ERECTION OF FENCES, LANDSCAPING

N/F
Porter

Certified Plot Plan

200 Still River Road Harvard, Mass.
STREET TOWN

EXISTING SEPTIC SYSTEM AND GRADING EASEMENT
(PL.BK.774-51) 273.71'

SURVEYOR

SHED

FENCE

200 Still River Road
BK.50573-144
35,028± SQ. FT.

NOTE: FOR DIMENSIONS OF THE PROPOSED ADDITIONS SEE PLAN BY DICKINSON ARCHITECTS, LLC DATED MARCH, 2023.

I certify that the existing house and proposed additions are located on the lot as shown.
I further certify that the existing house and proposed additions are located within Flood Zone "X" (unshaded) per Flood Insurance Rate Map (FIRM) for the Town of Harvard, Community Panel No.250308 0476 E dated July 4, 2011.

N/F
Minar

N/F
US Fish & Wildlife Service

Zoning Classification: Agriculture-Residential
Scale: 1"=20'

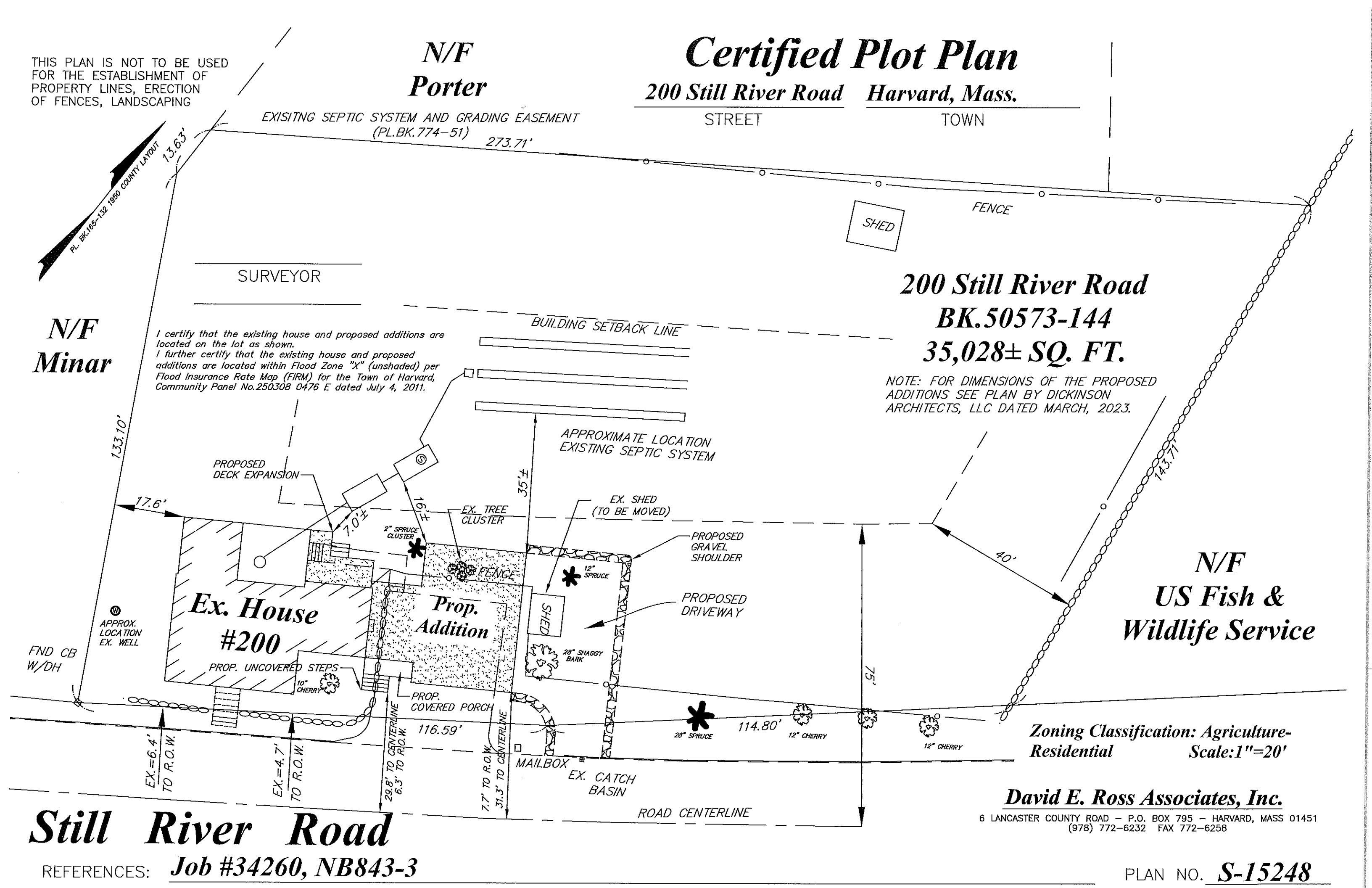
David E. Ross Associates, Inc.

6 LANCASTER COUNTY ROAD - P.O. BOX 795 - HARVARD, MASS 01451
(978) 772-6232 FAX 772-6258

Still River Road

REFERENCES: Job #34260, NB843-3

PLAN NO. S-15248

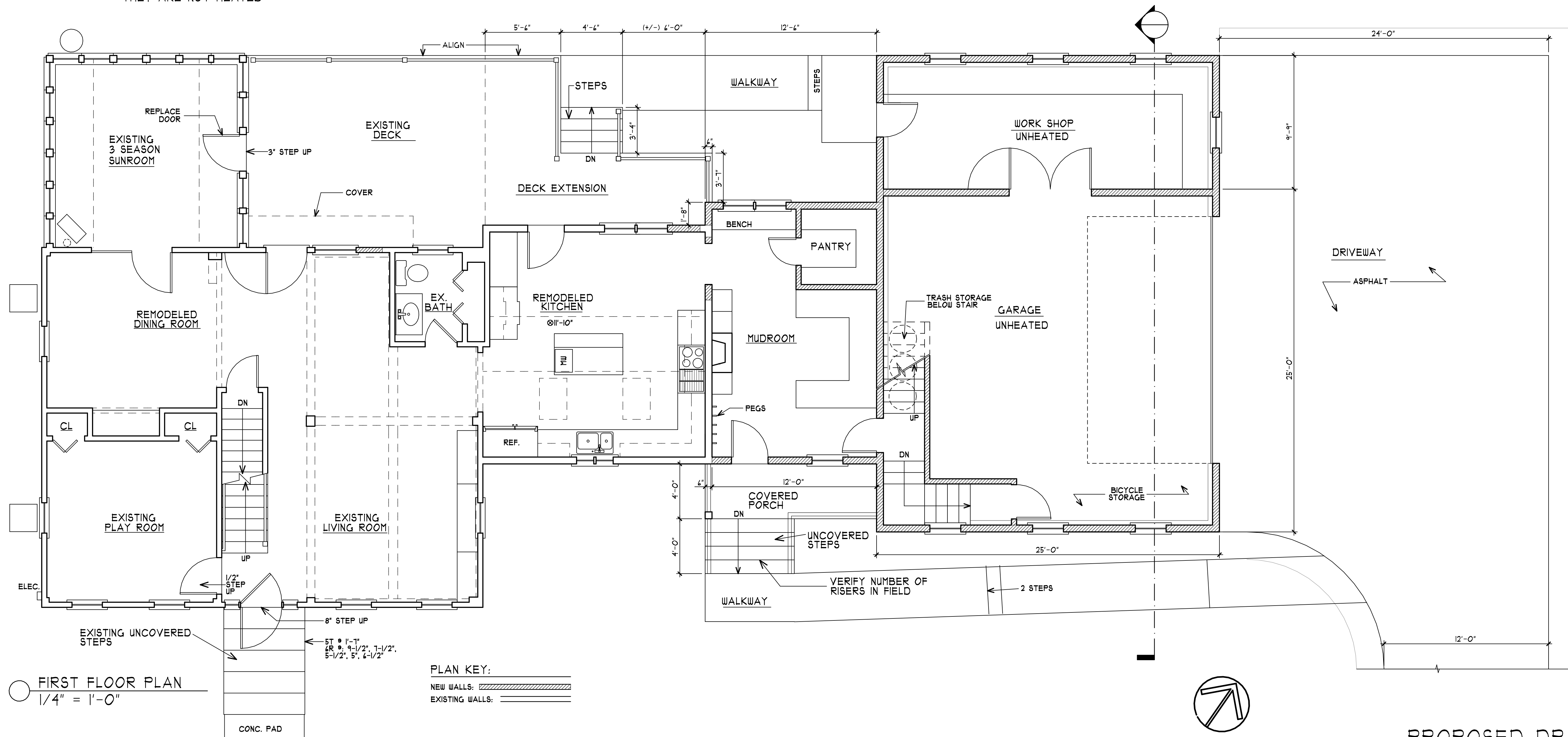


SEPTIC ROOM COUNT		
	EXISTING	PROPOSED
FIRST FLOOR	4 ROOMS: KITCHEN LIVING DINING PLAYROOM	5 ROOMS: KITCHEN LIVING DINING PLAYROOM MUDROOM
SECOND FLOOR	3 BEDROOMS	3 BEDROOMS
ATTIC	1 GUEST RM	1 GUEST RM
TOTAL NUMBER OF ROOMS	8 ROOMS, 4 BEDROOMS	9 ROOMS, 4 BEDROOMS
EXISTING SEPTIC SIZED FOR 4 BEDROOMS, 9 ROOMS	COMPLIANT	COMPLIANT

TABLE OF AREAS			
	EXISTING	PROPOSED	% INCREASE
GROSS SF.	3,680 SF	4,621 SF	25%
BUILDING FOOTPRINT	1,659 SF	2,954 SF	78%
WALKS AND DRIVEWAY	1,206 SF	1,304 SF	8%
IMPERVIOUS: FOOTPRINT WALKS AND DRIVEWAY	2,865 SF	4,258 SF	49%

- NOTES:
- GROSS INCLUDES INTERIOR GARAGE PARKING AND COVERED PORCHES. IT DOES NOT INCLUDE DECKS AND UNCOVERED STEPS.
 - BUILDING FOOTPRINT INCLUDES DECK, DECK EXPANSION AND UNCOVERED STEPS.

NOTE: 3 SEASON SUN ROOM, WORKSHOP, GARAGE, STORAGE ABOVE GARAGE, UNFINISHED BASEMENT AND PROPOSED CRAWL SPACE ARE NOT INCLUDED IN SEPTIC ROOM COUNT BECAUSE THEY ARE NOT HEATED



FIRST FLOOR PLAN
1/4" = 1'-0"

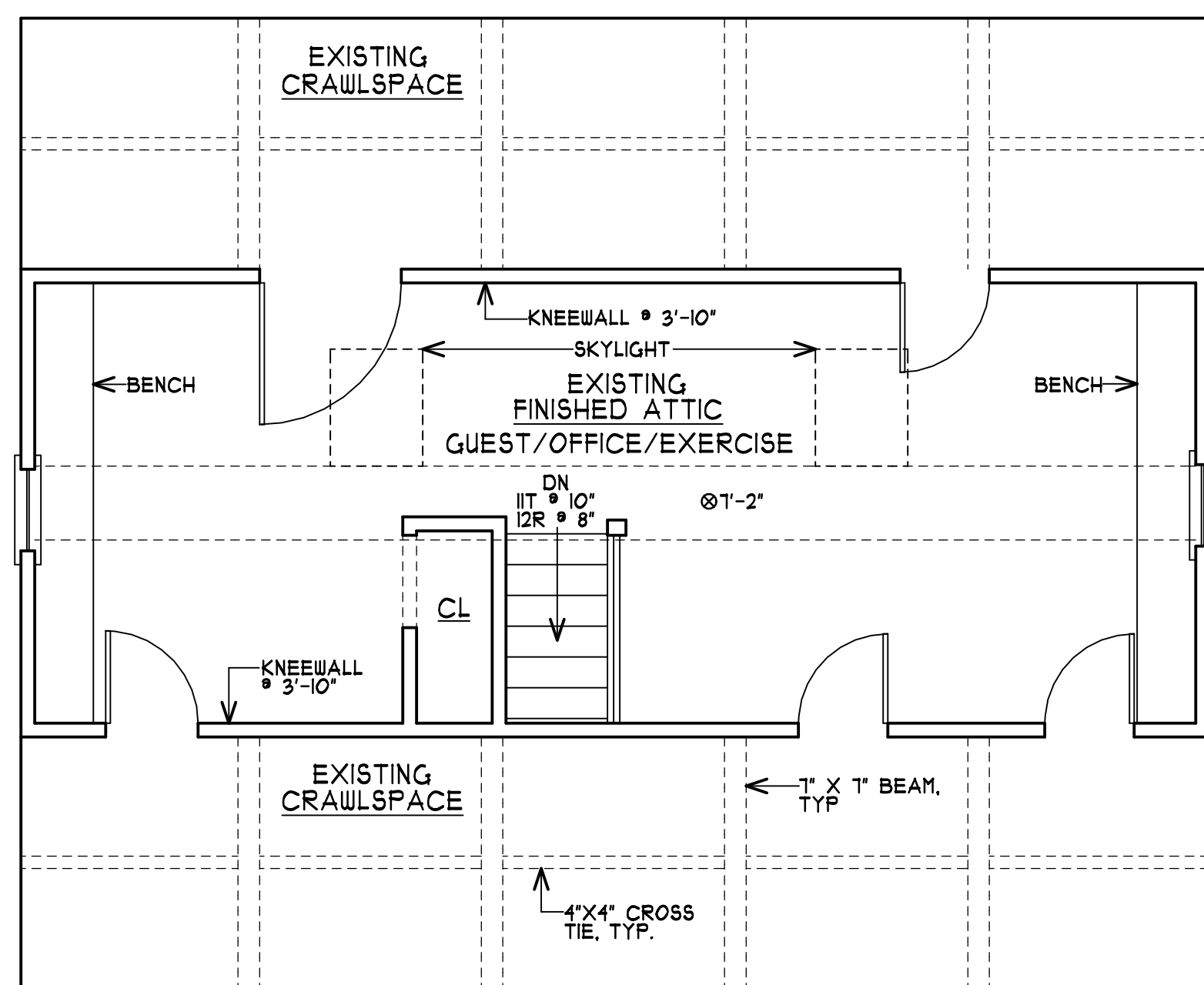
PLAN KEY:
NEW WALLS:
EXISTING WALLS:

PROPOSED DRAWINGS

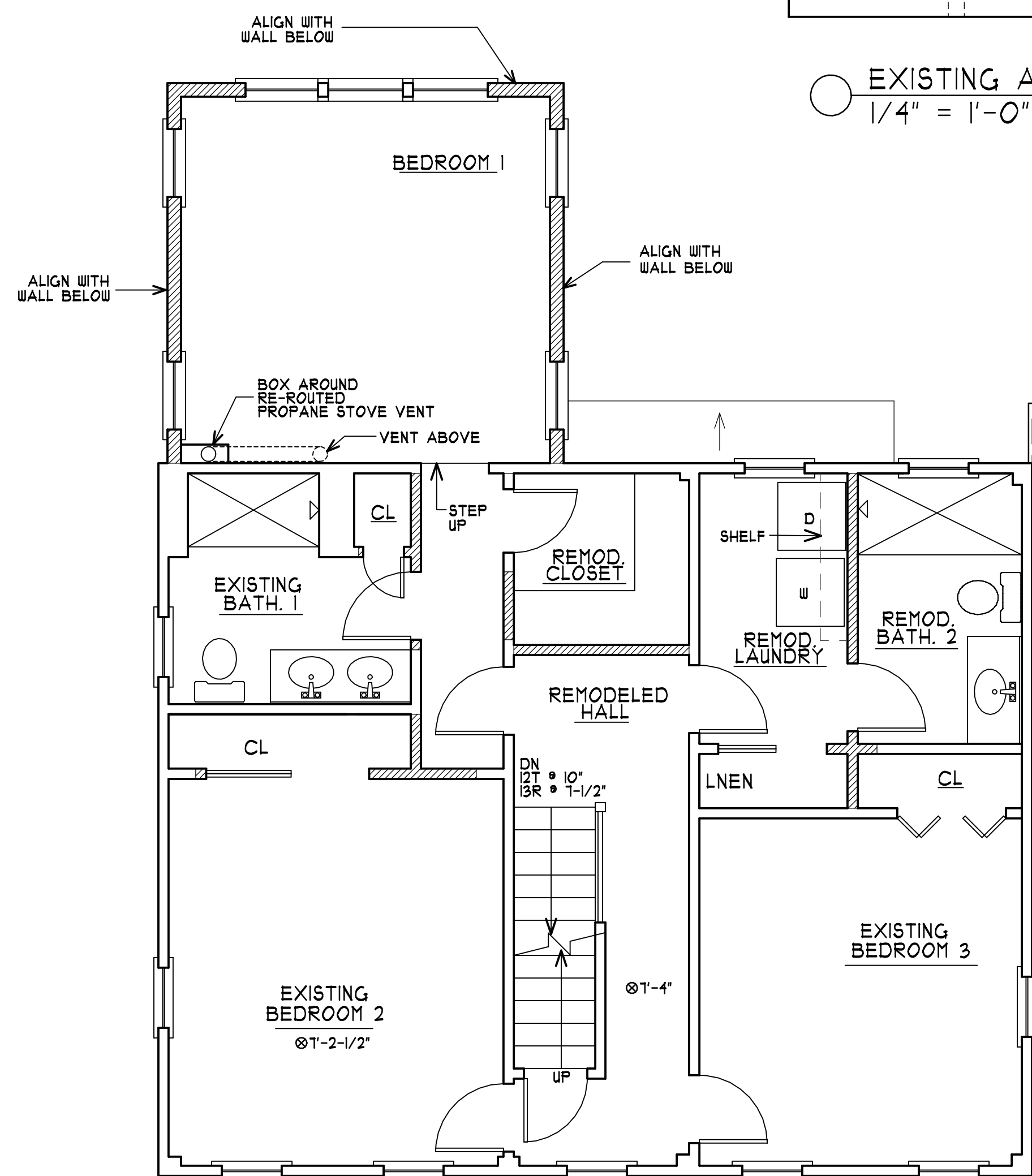
DICKINSON
ARCHITECTS, LLC
P.O. BOX 704
91 MAIN STREET
CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

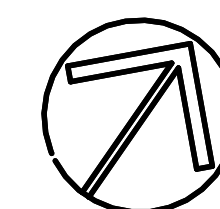
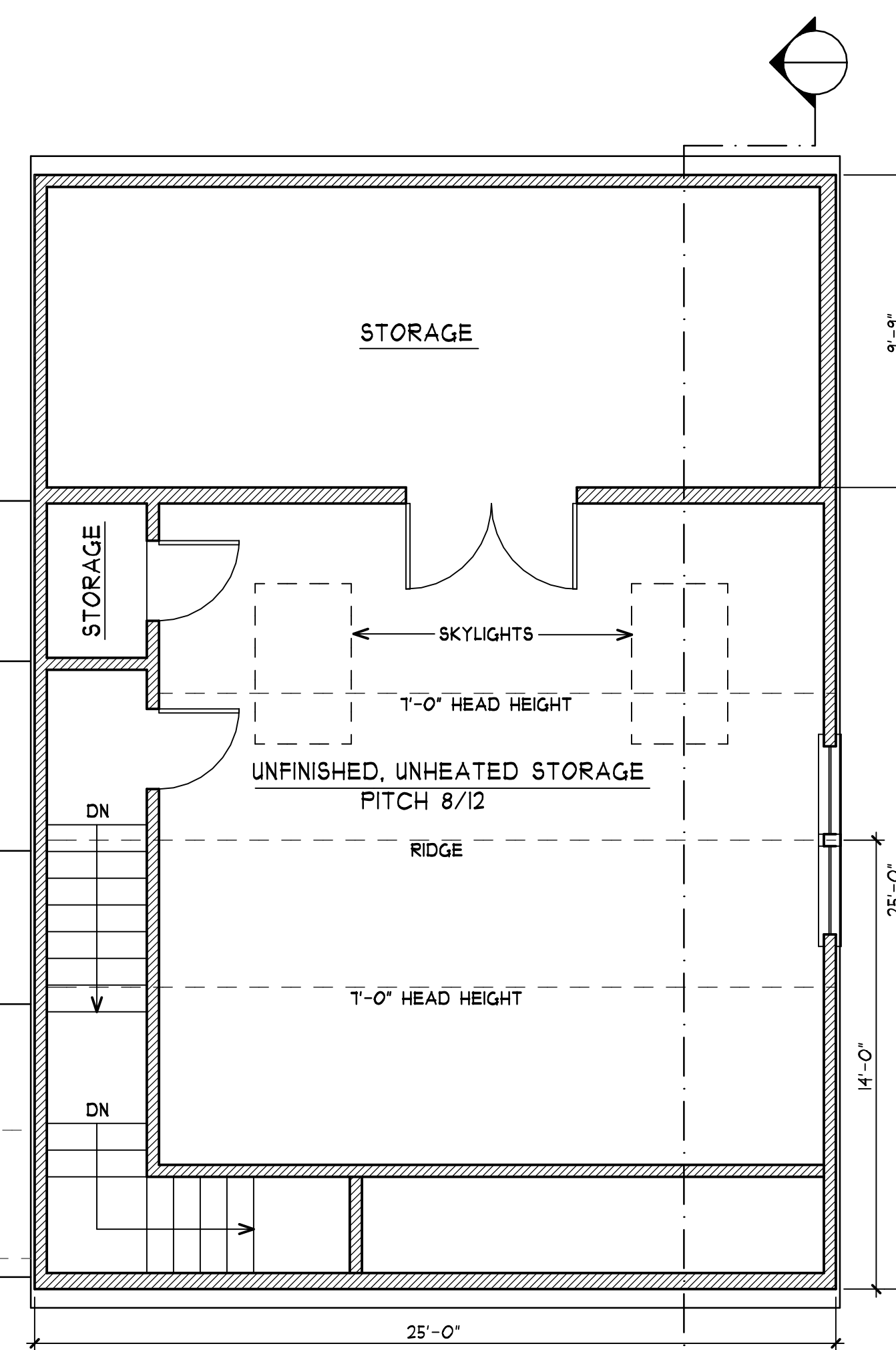
scale: AS NOTED
date: 03/31/2023
drawn by: E.C.
checked by: N.D.



EXISTING ATTIC PLAN
1/4" = 1'-0"



SECOND FLOOR PLAN
1/4" = 1'-0"

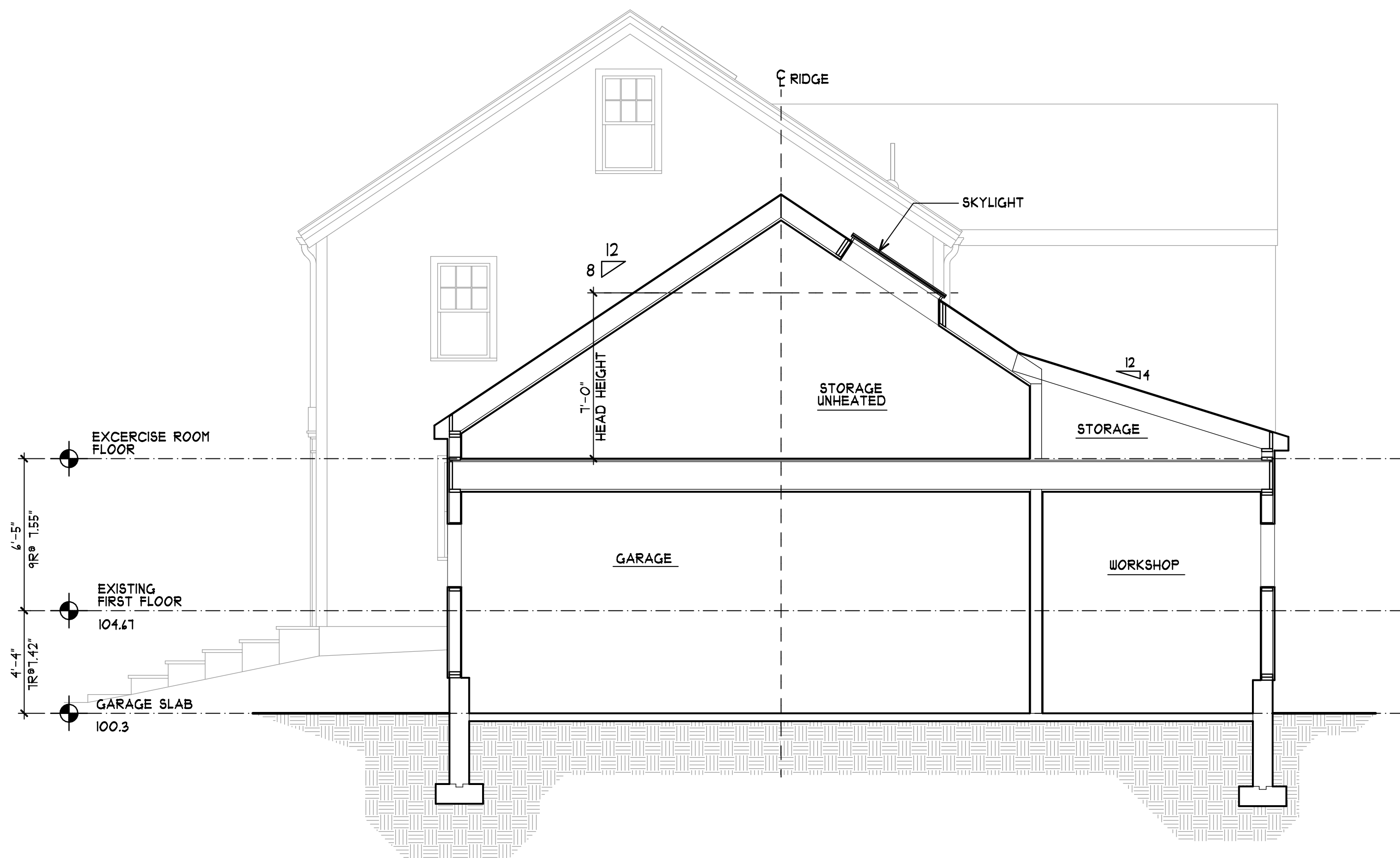


PROPOSED DRAWINGS

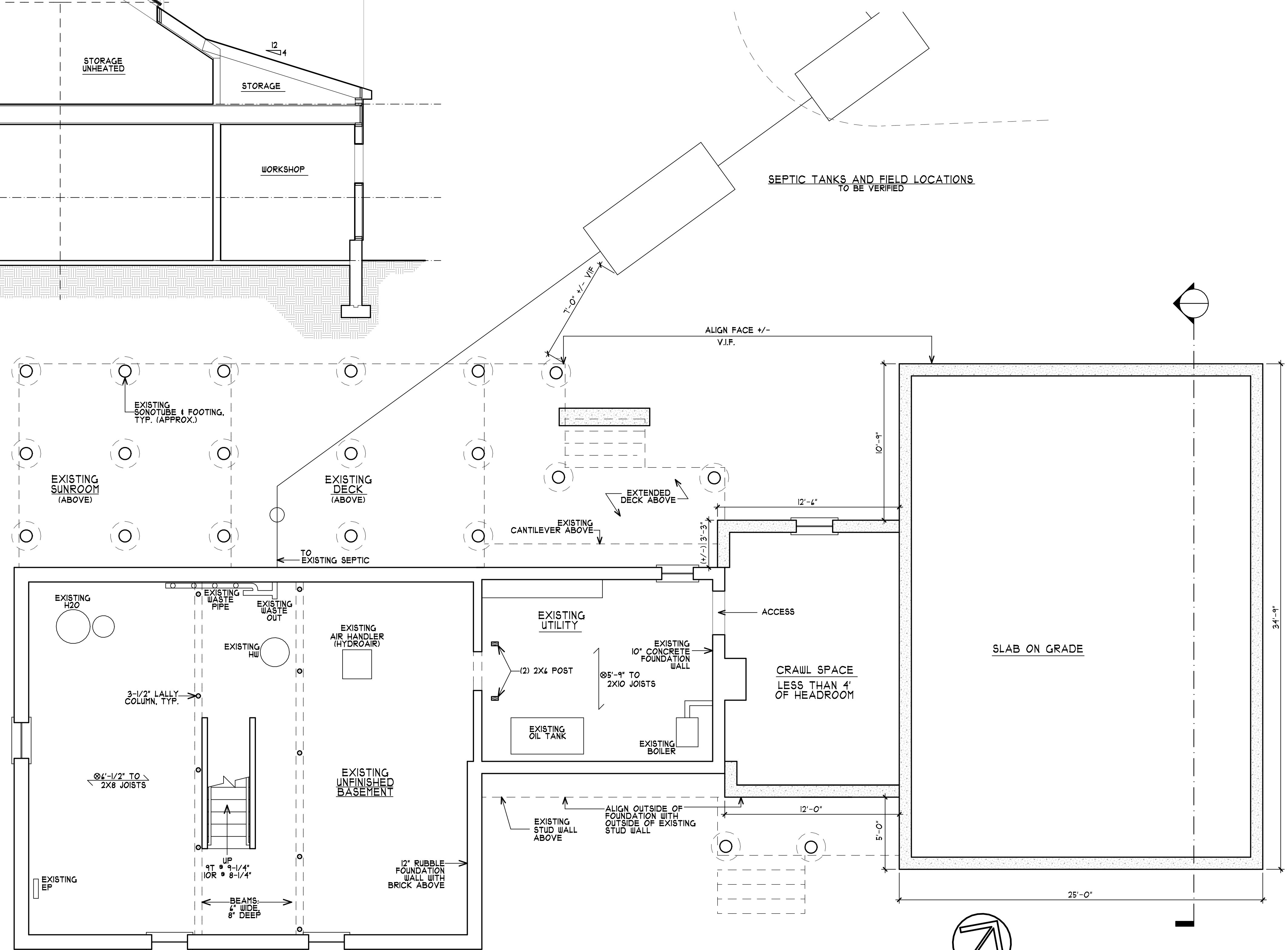
DICKINSON ARCHITECTS, LLC
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CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

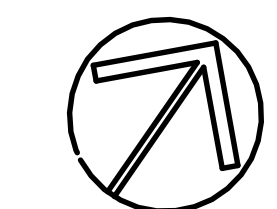
scale:	AS NOTED
date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



SECTION THROUGH GARAGE
1/4" = 1'-0"



BASEMENT PLAN
1/4" = 1'-0"

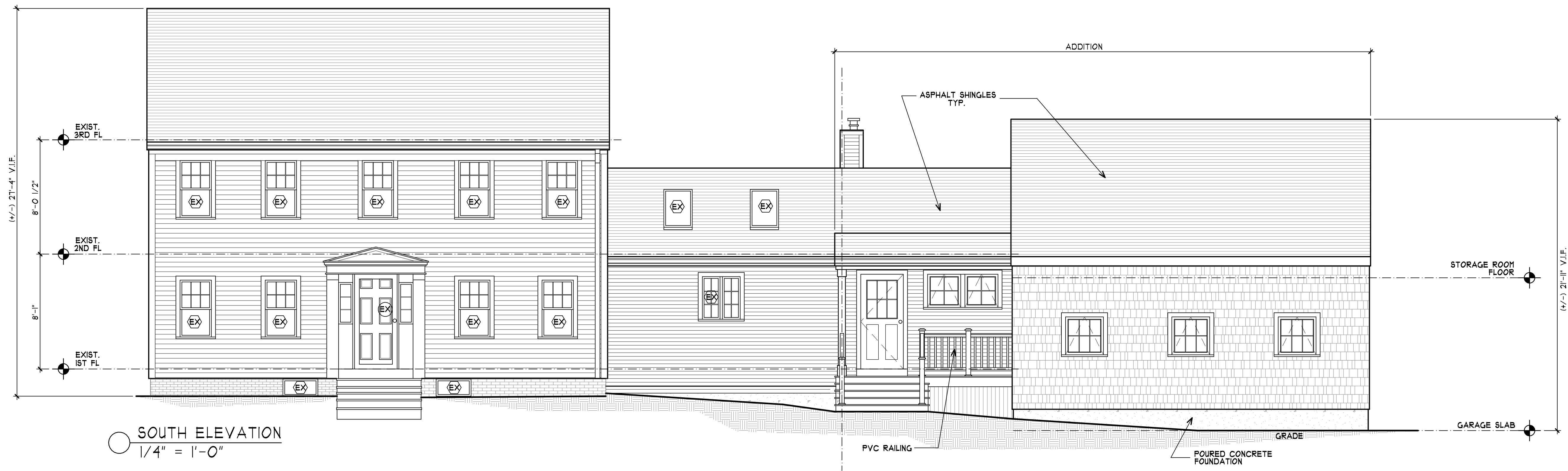


PROPOSED DRAWINGS

DICKINSON ARCHITECTS, LLC
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(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

scale:	AS NOTED
date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



SOUTH ELEVATION
1/4" = 1'-0"



NORTH ELEVATION
1/4" = 1'-0"

PROPOSED DRAWINGS

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ARCHITECTS, LLC
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CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

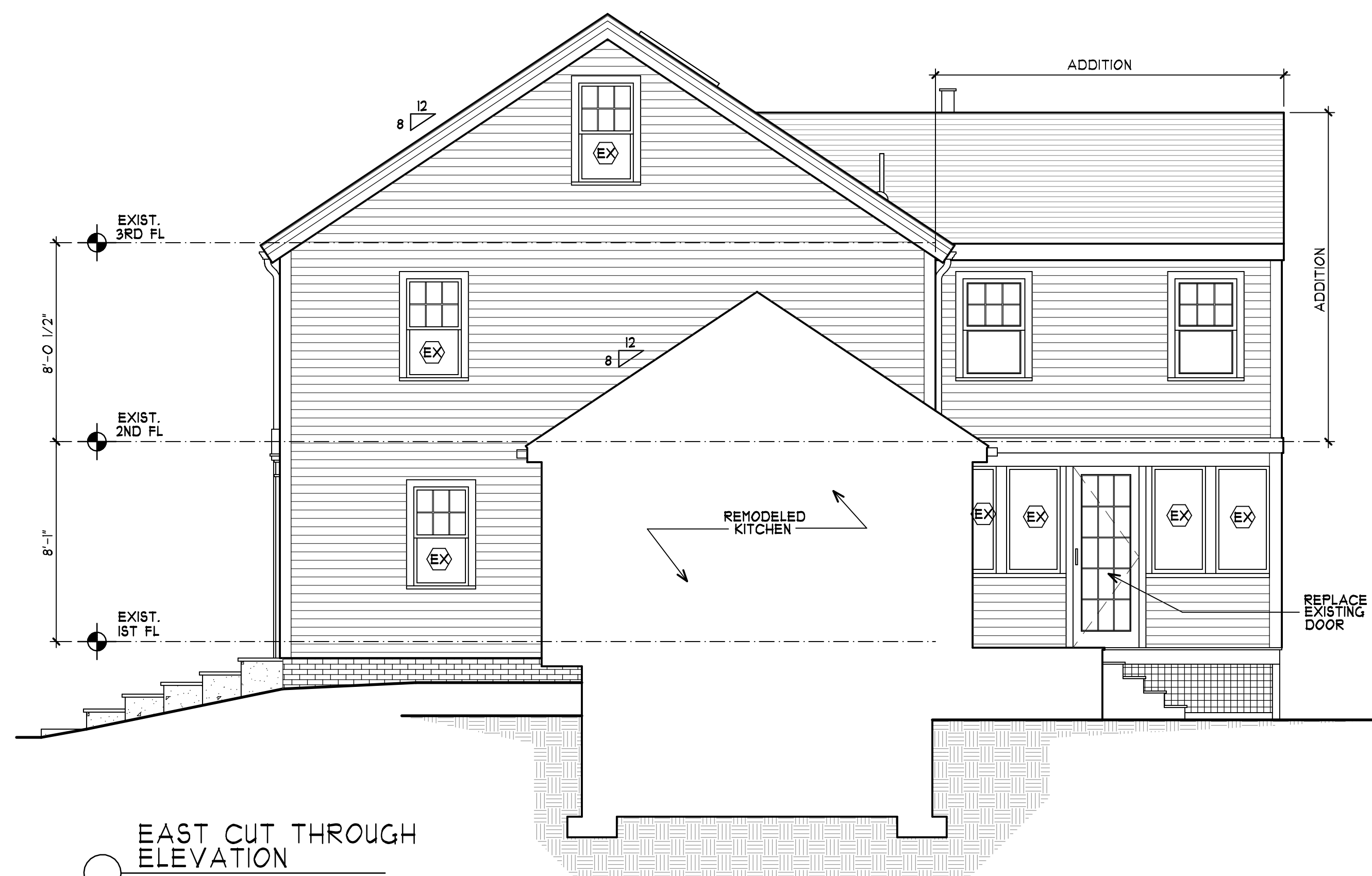
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drawn by:	E.C.
checked by:	N.D.



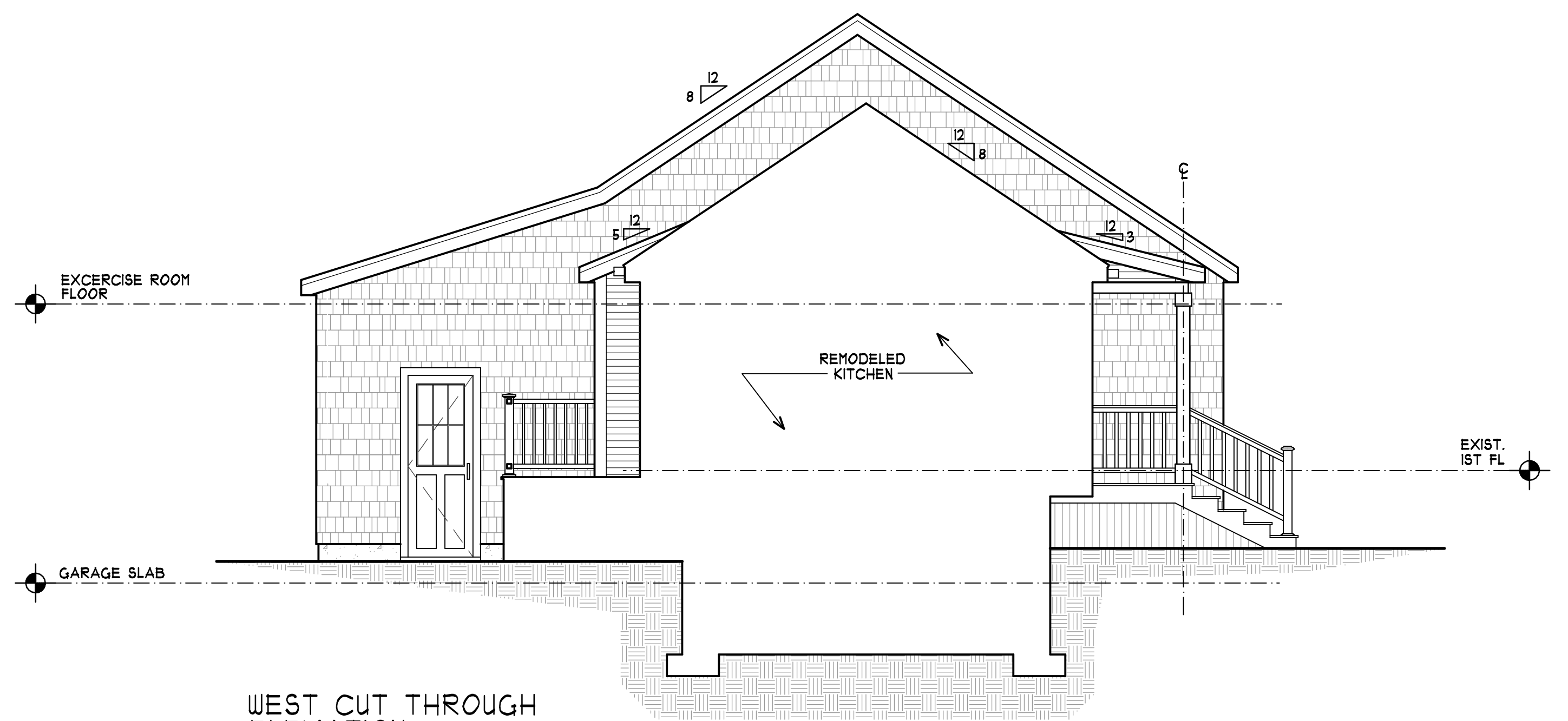
○ EAST ELEVATION
1/4" = 1'-0"



○ WEST ELEVATION
1/4" = 1'-0"



○ EAST CUT THROUGH ELEVATION
1/4" = 1'-0"



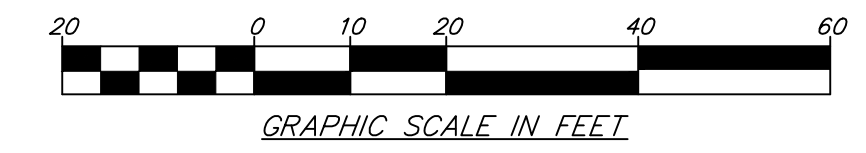
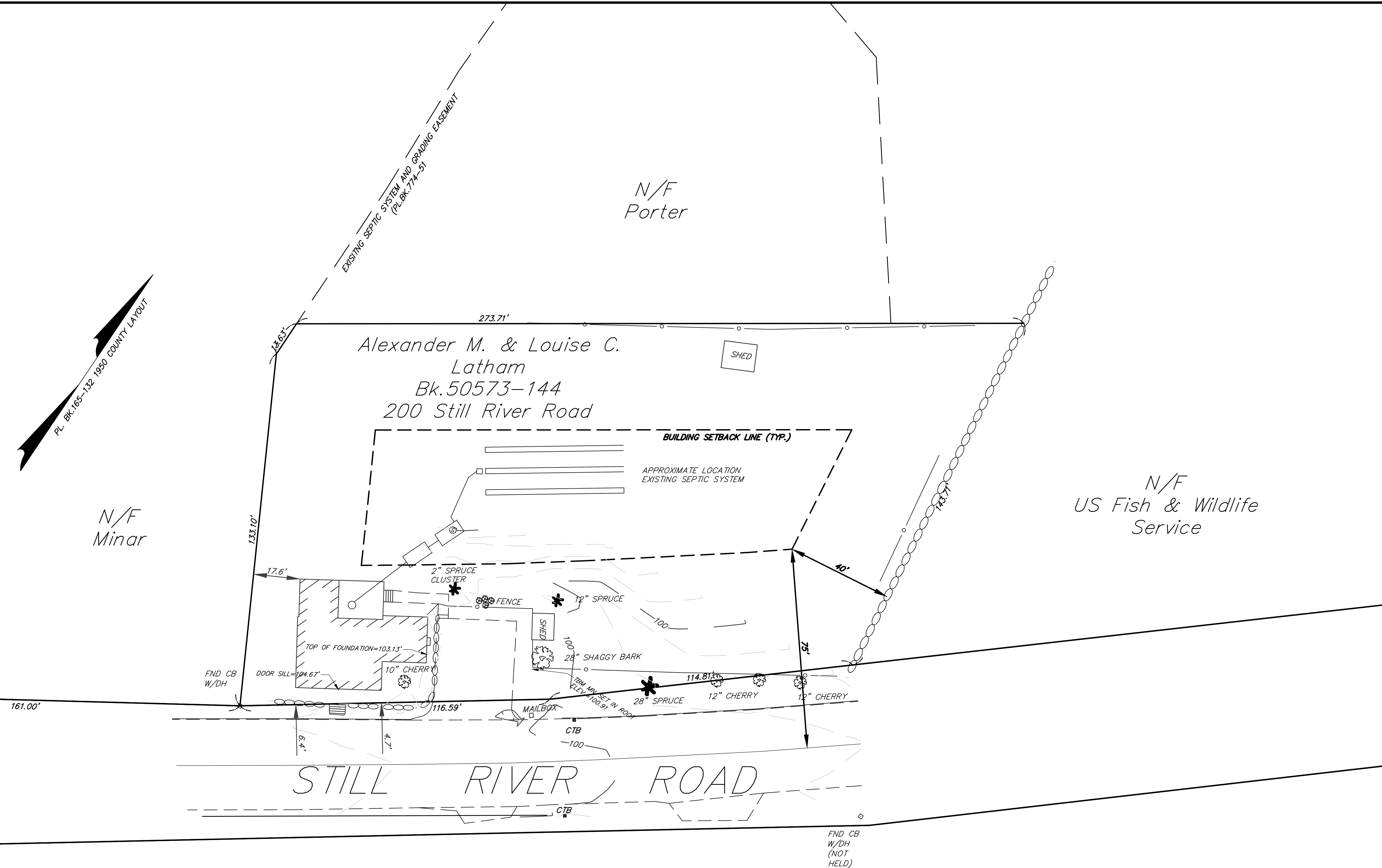
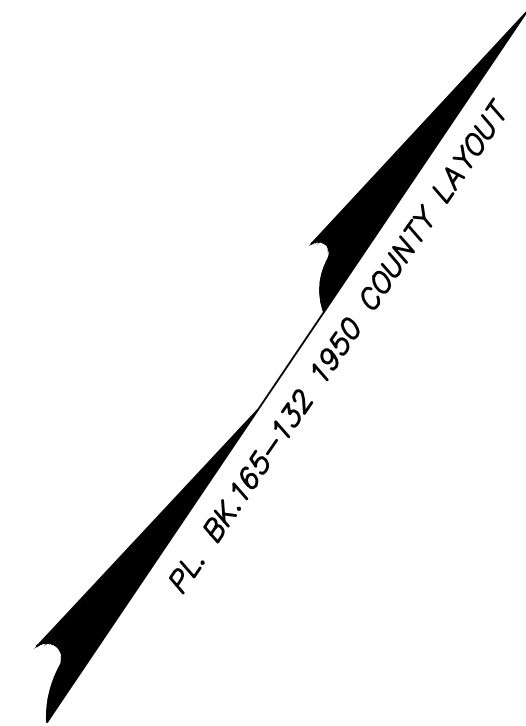
○ WEST CUT THROUGH ELEVATION
1/4" = 1'-0"

PROPOSED DRAWINGS

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ARCHITECTS, LLC
P.O. BOX 704
91 MAIN STREET
CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

scale:	AS NOTED
date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



SURV.: SPM/MSB	CALC.: KRC	DRAFT: KRC
INR: 843-3	DEED: BK. 50573-144	CHECK: KRC

REVISIONS	

SHEET TITLE:
EXISTING CONDITIONS PLAN

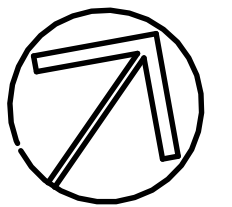
DESIGNED FOR:
ALEXANDER LATHAM

ADDRESS:
**200 STILL RIVER ROAD
HARVARD, MA**

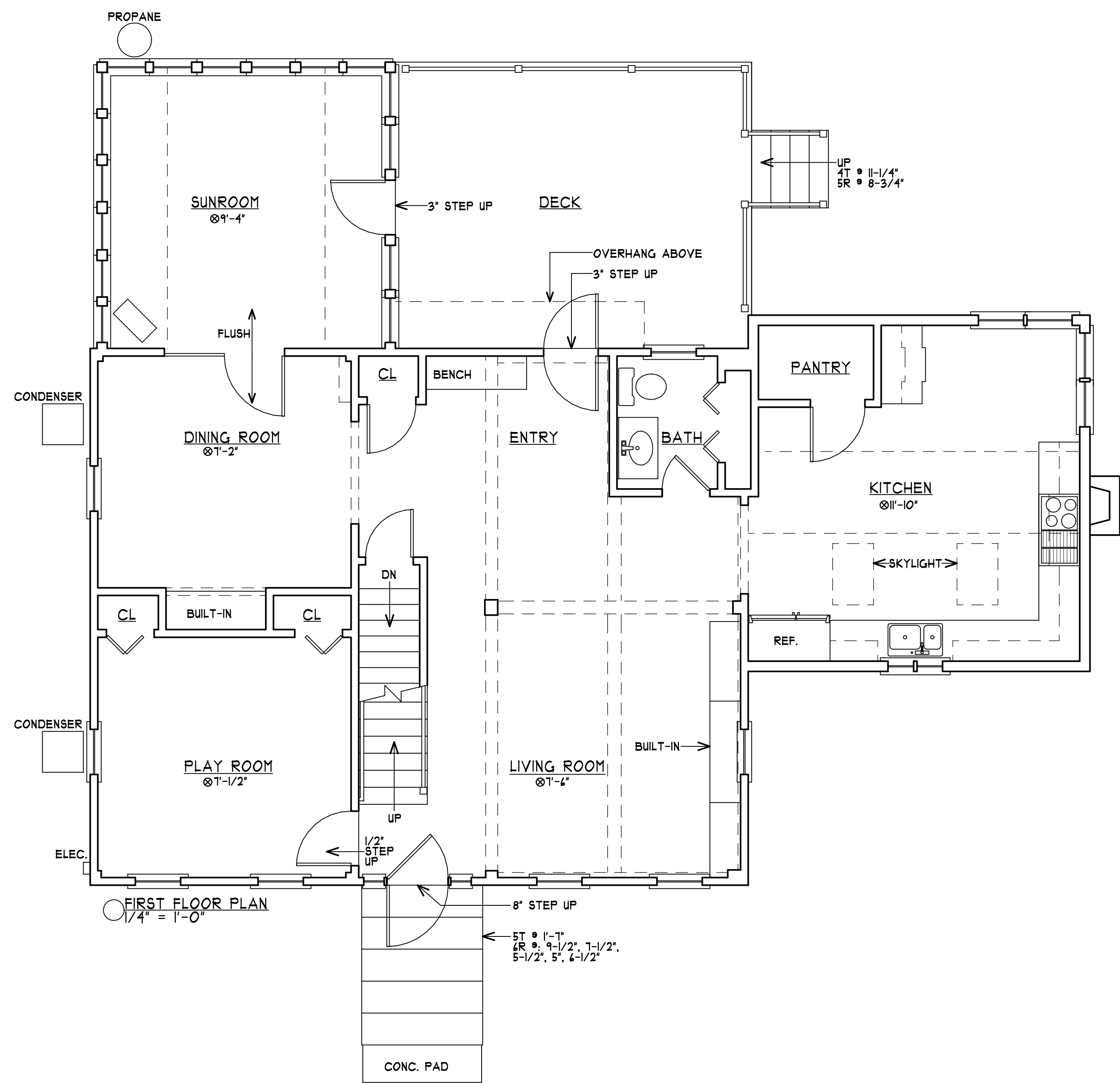
LOT NO.: XXXXX1	ASSESSOR MAP: 21	ASSESSOR PARCEL: 8
--------------------	---------------------	-----------------------

DAVID E. ROSS ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 6 Lancaster County Road
 P.O. Box 795
 Harvard, MA 01451-0795
 978-772-6232
 FAX 978-772-6258
 www.davideross.com

SCALE: 1"=20'	DATE: FEBRUARY, 2023
REF.:	PLAN NO.:
JOB NO.: 34260	SHEET NO.:



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS



FIRST FLOOR PLAN
 1/4" = 1'-0"

revisions:

3	XX/XX/XX
2	XX/XX/XX
1	XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

FIRST FLOOR
 PLAN

scale: 1/4" = 1'-0"

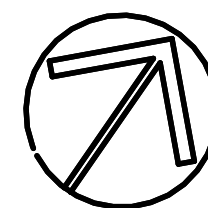
date: 9/22/22

drawn by: KE

checked by: ND

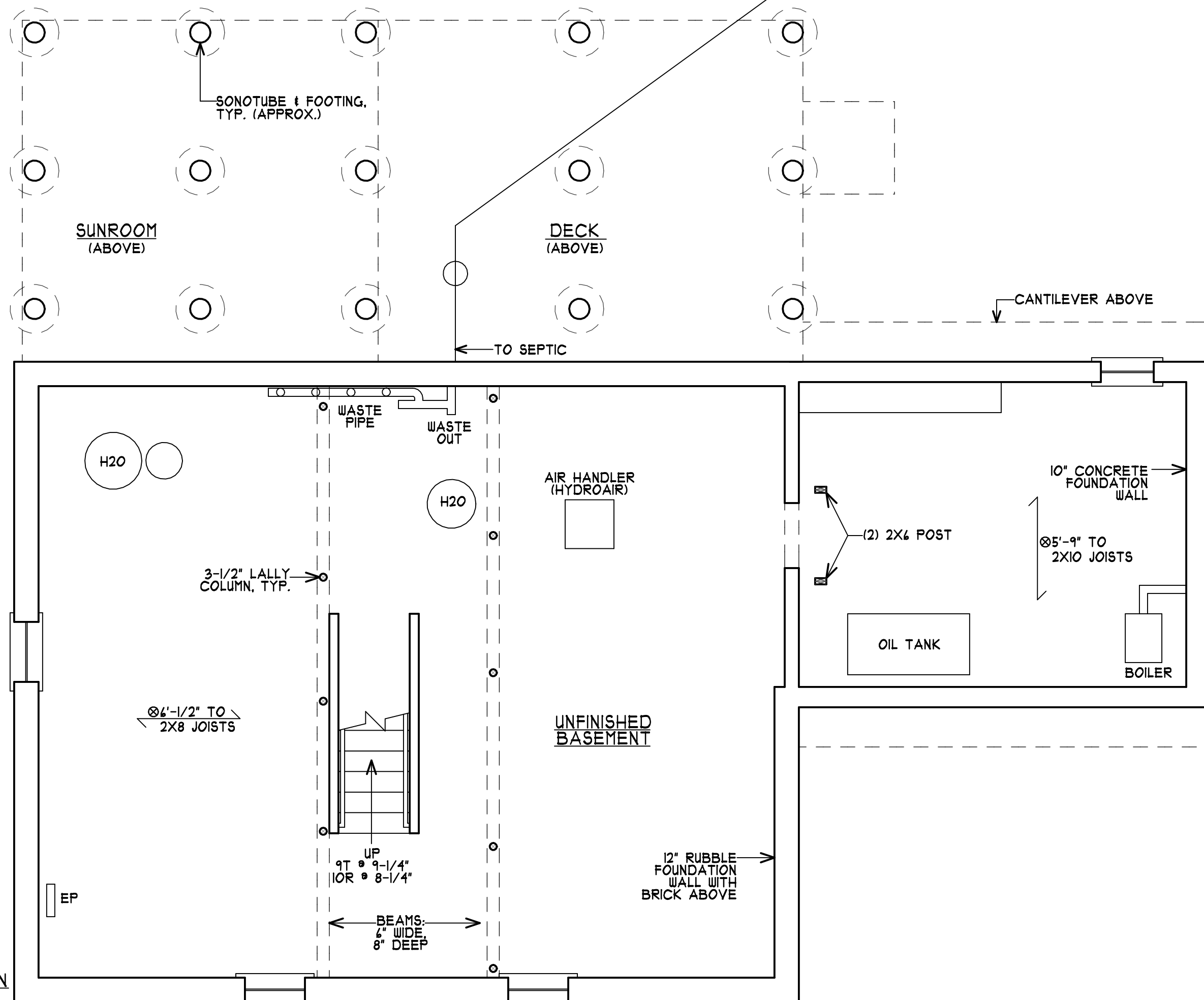
EXISTING

NOT FOR CONSTRUCTION



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS

SEPTIC TANKS AND FIELD LOCATIONS
 TO BE VERIFIED



revisions:

- △ XX/XX/XX
- △ XX/XX/XX
- △ XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

BASEMENT
 FLOOR PLAN

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

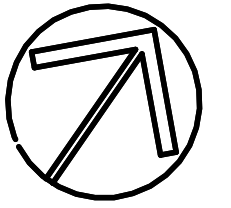
checked by: ND

○ BASEMENT PLAN
 1/4" = 1'-0"

EXISTING

NOT FOR CONSTRUCTION

VA 2



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS

revisions:

ⓐ	XX/XX/XX
ⓑ	XX/XX/XX
ⓒ	XX/XX/XX

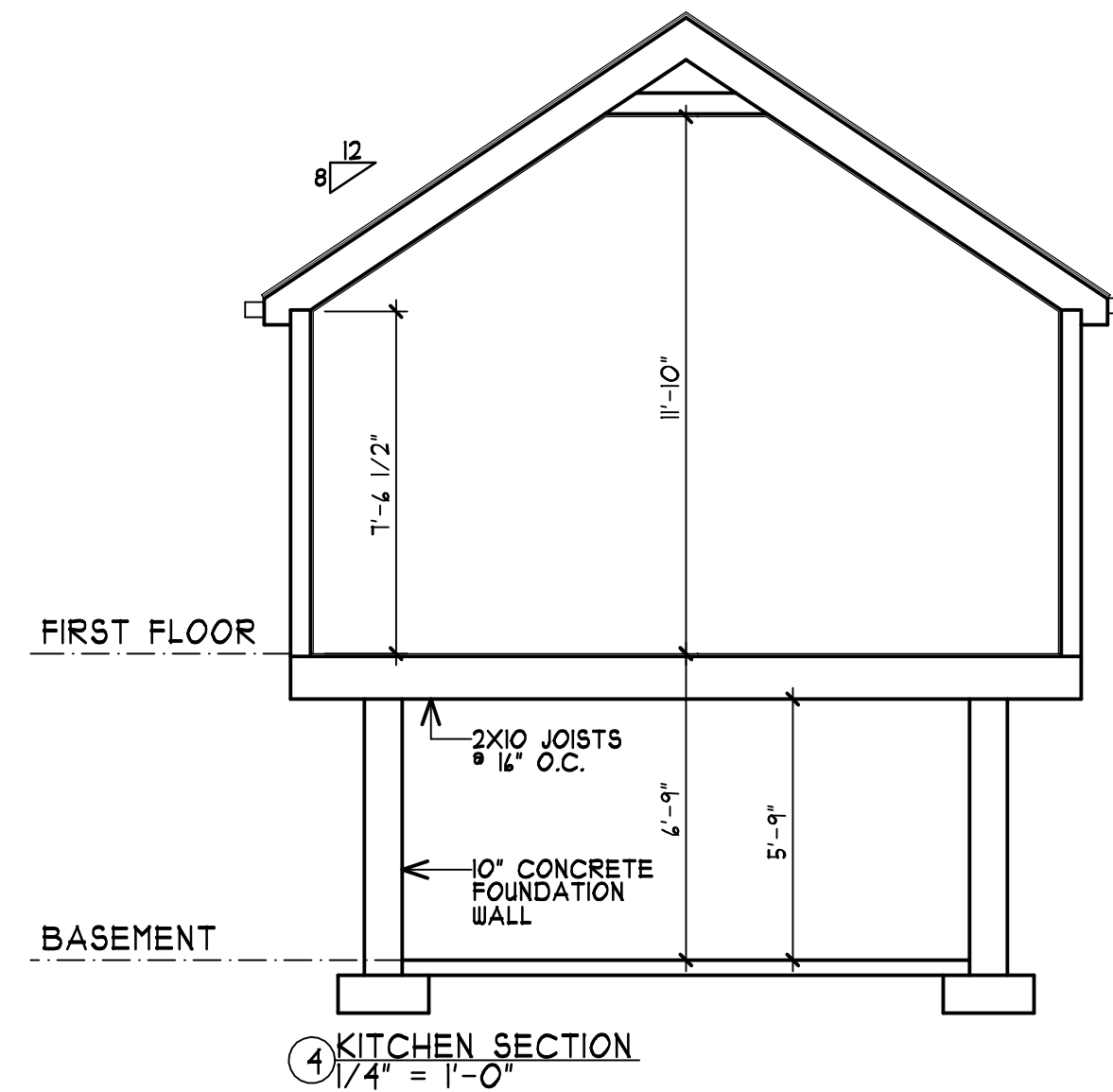
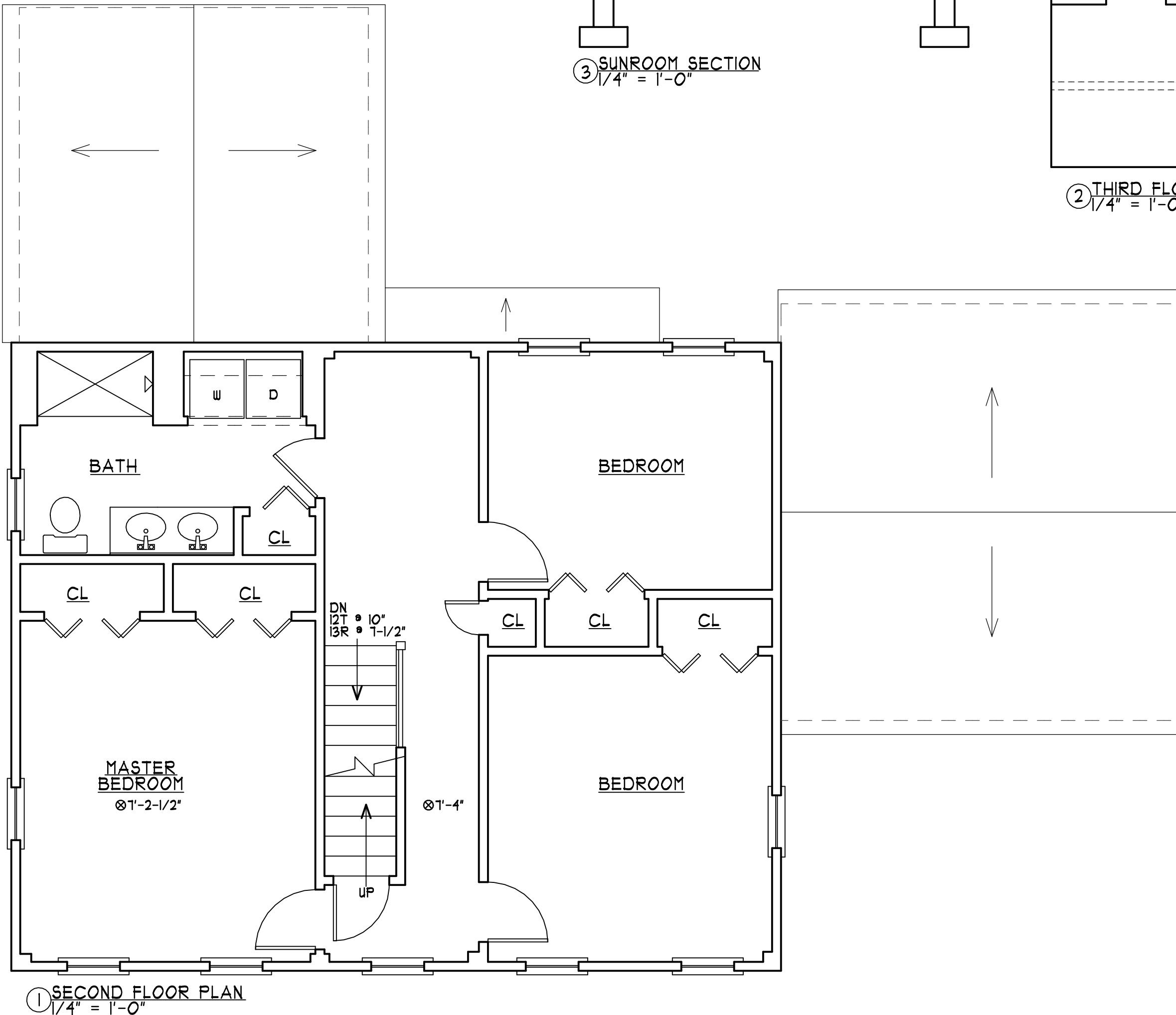
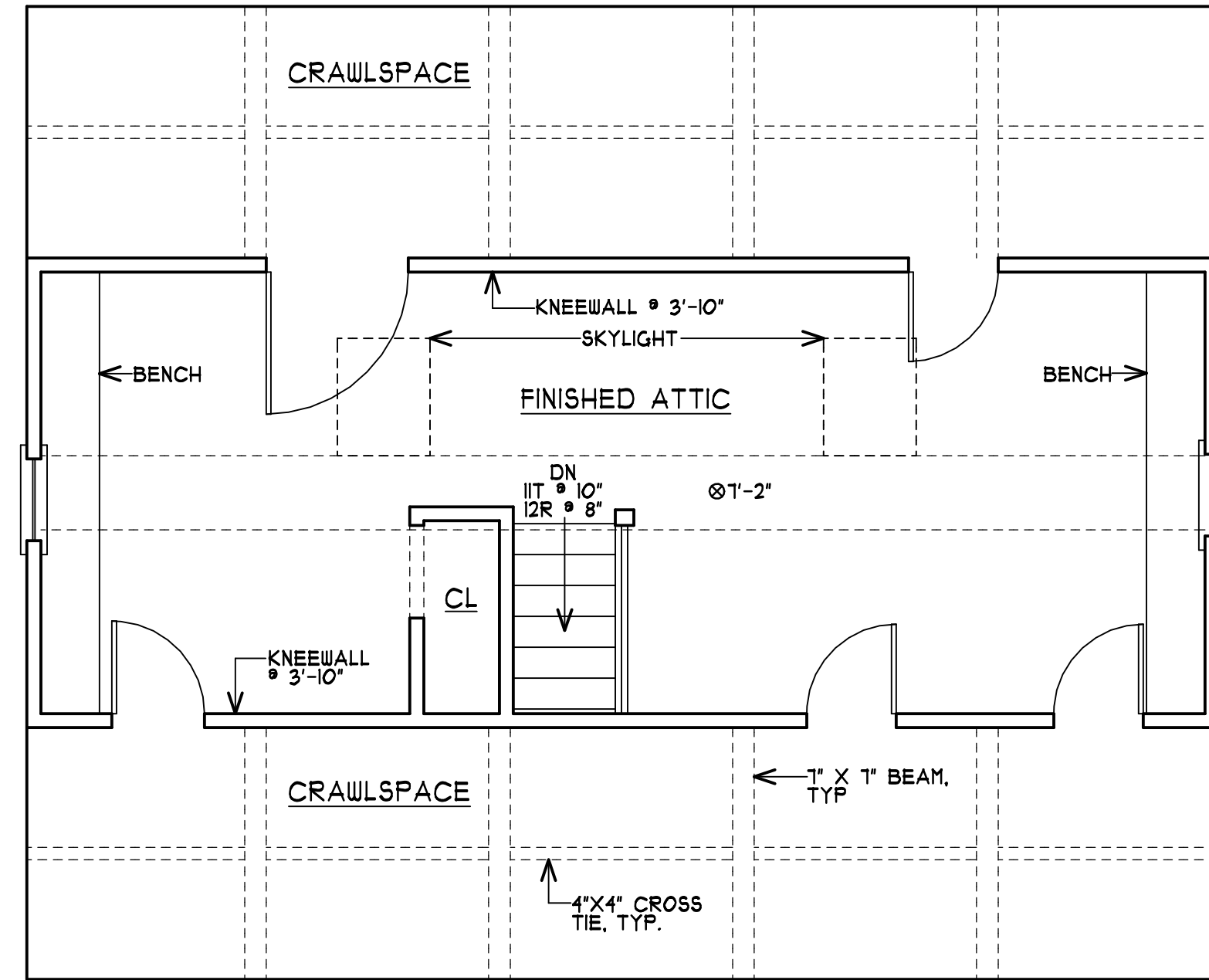
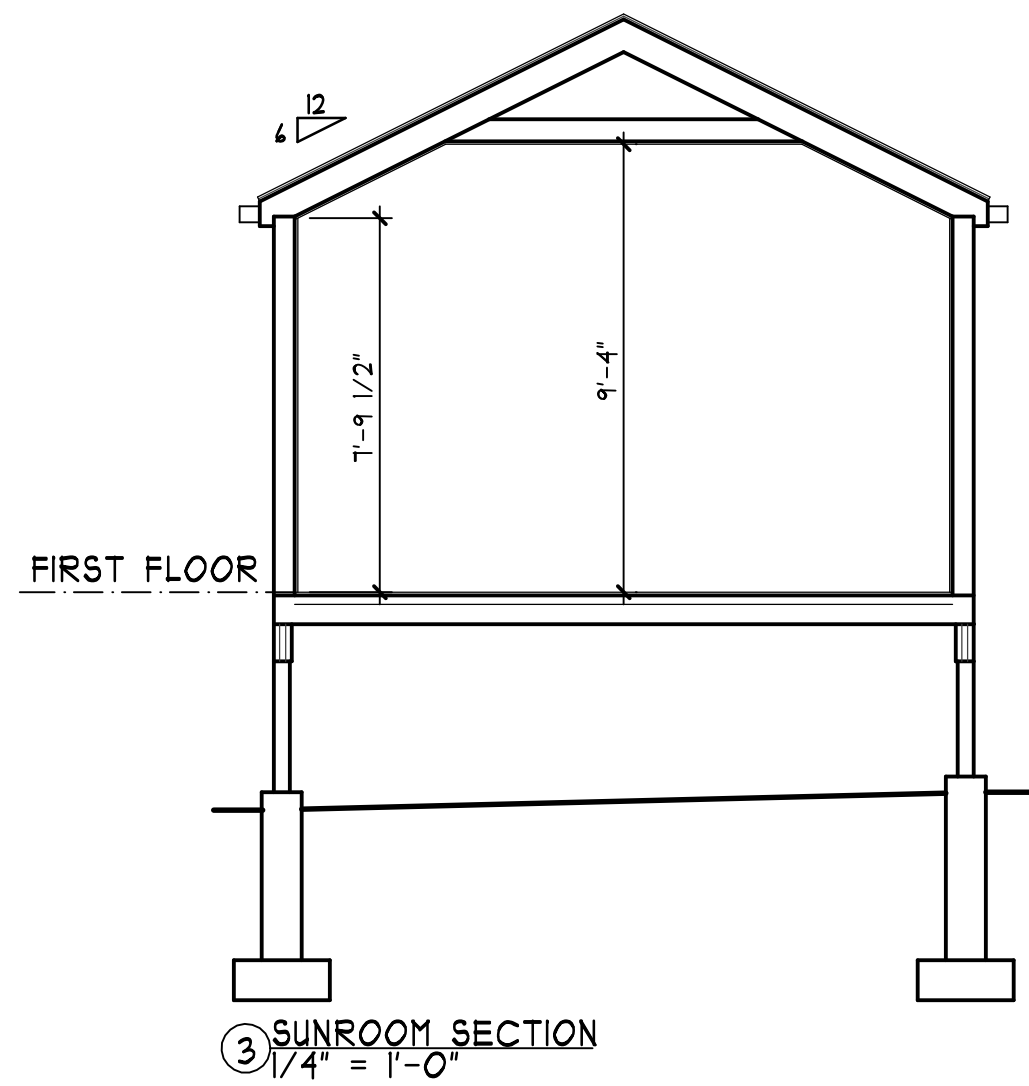
DICKINSON ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

2ND FLOOR AND ATTIC PLANS
 KITCHEN AND SUNROOM SECTIONS

scale: 1/4" = 1'-0"
 date: 9/22/22

drawn by: KE
 checked by: ND

NOT FOR CONSTRUCTION
 NO. 3



EXISTING



LATHAM RESIDENCE
200 STILL RIVER ROAD
HARVARD, MASSACHUSETTS

revisions:

3	XX/XX/XX
2	XX/XX/XX
1	XX/XX/XX

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ARCHITECTS, LLC
P.O. BOX 704
18 MAIN STREET
CONCORD, MA 01742
(978) 341-8267

NORTH AND
SOUTH
EXTERIOR
ELEVATIONS

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

checked by: ND

EXISTING

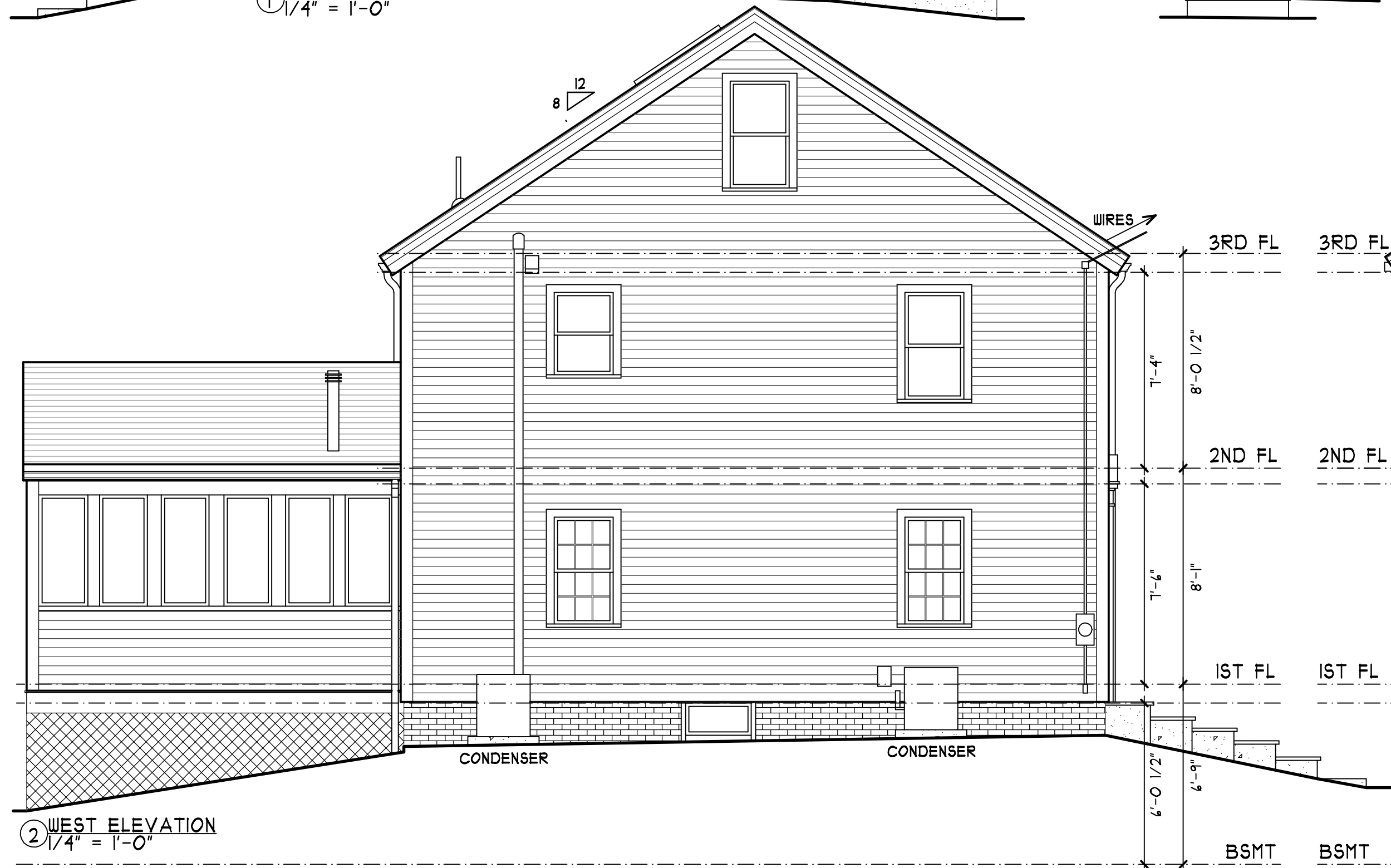
NOT FOR CONSTRUCTION

4

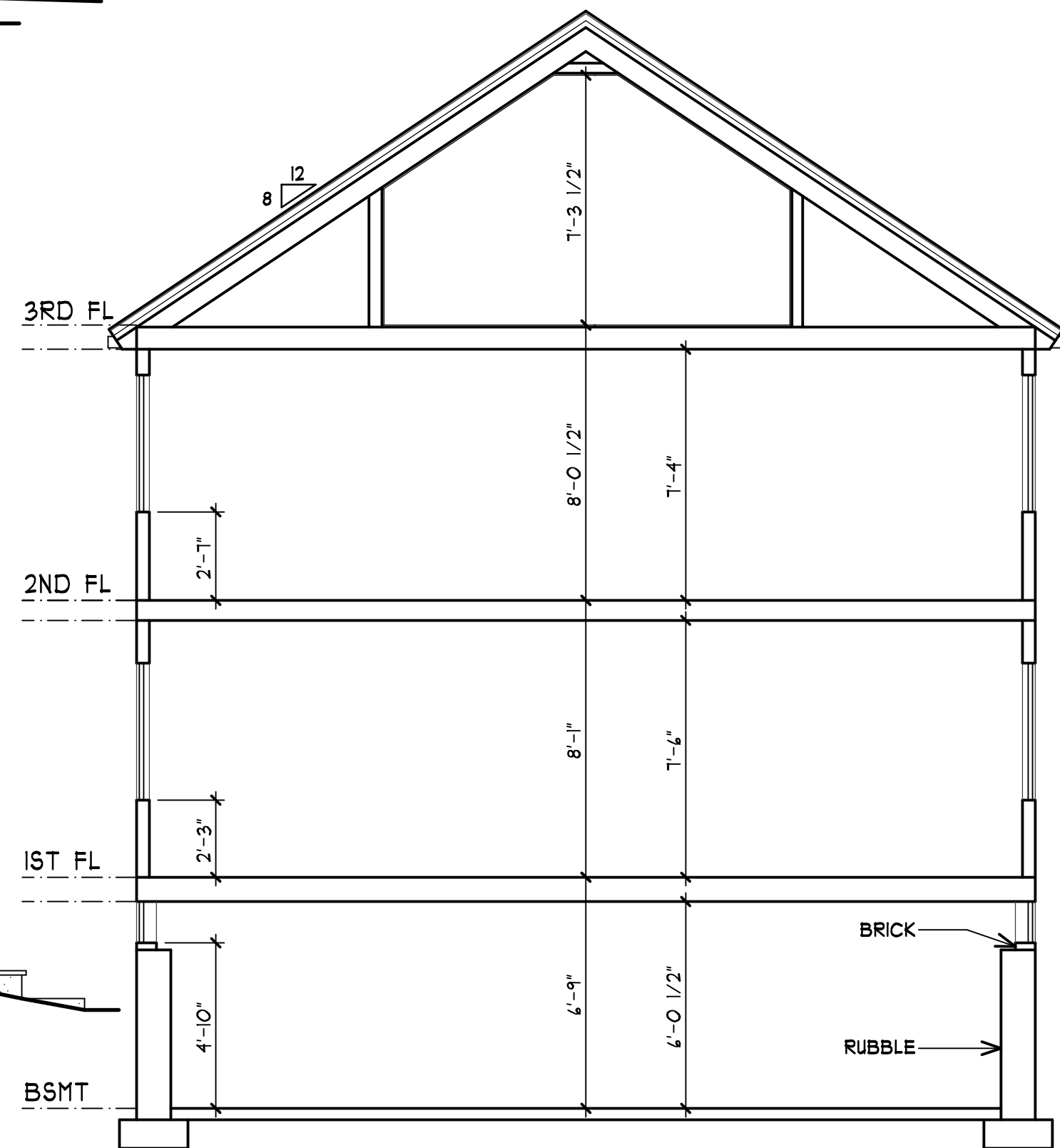
LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS



① EAST ELEVATION
 1/4" = 1'-0"



② WEST ELEVATION
 1/4" = 1'-0"



③ BUILDING SECTION
 1/4" = 1'-0"

revisions:

Ⓐ	XX/XX/XX
Ⓑ	XX/XX/XX
Ⓒ	XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8287

EAST AND
 WEST
 EXTERIOR
 ELEVATIONS
 MAIN BUILDING
 SECTION

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

checked by: ND

EXISTING

NOT FOR CONSTRUCTION

5



Abutters List Report

Town of Harvard, MA

Date: April 3, 2023
Parcel Number: 021-008-000
Property Address: 200 Still River Rd
Abutters To: 300ft

The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed: Carol Dearborn

Date: 4/3/23

Carol Dearborn
Assistant Assessor
(978) 456-4100 x315

FINANCE DEPARTMENT - ACCOUNTANT, ASSESSORS, TREASURER/COLLECTOR
13 Ayer Road, Harvard, Massachusetts 01451-1458
www.harvard-ma.gov



200 STILL RIVER RD

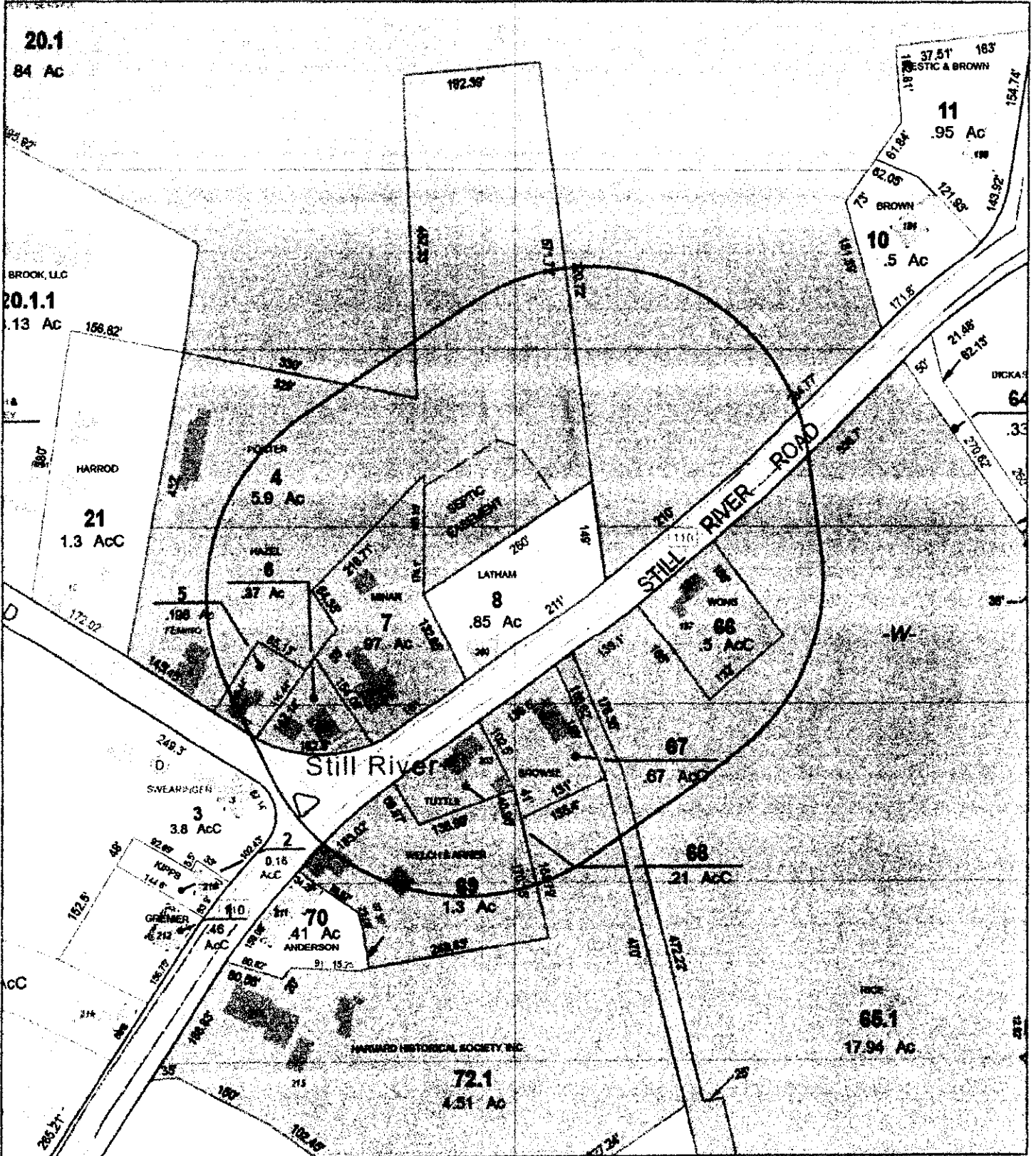
Town of Harvard, MA

1 inch = 188 Feet



www.cai-tech.com

April 3, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



300 feet Abutters List Report

Harvard, MA
April 03, 2023

Subject Property:

Parcel Number: 021-008-000-000
CAMA Number: 021-008-000-000
Property Address: 200 STILL RIVER RD

Mailing Address: LATHAM, ALEXANDER M & LOUISA C
200 STILL RIVER ROAD
HARVARD, MA 01451

Abutters:

Parcel Number: 020-020-001-000
CAMA Number: 020-020-001-000
Property Address: DEPOT RD-STILL RIVER

Mailing Address: US FISH AND WILDLIFE SERVICE
73 WEIR HILL RD
SUDBURY, MA 01776

Parcel Number: 021-004-000-000
CAMA Number: 021-004-000-000
Property Address: 6 DEPOT RD-STILL RIVER

Mailing Address: THE SARAH R PORTER 2006
REVOCABLE TRUST
PO BOX 206
STILL RIVER, MA 01467

Parcel Number: 021-005-000-000
CAMA Number: 021-005-000-000
Property Address: 4 DEPOT RD-STILL RIVER

Mailing Address: FEMINO, SANDRA MARIE
PO BOX 7
STILL RIVER, MA 01467

Parcel Number: 021-006-000-000
CAMA Number: 021-006-000-000
Property Address: 206 STILL RIVER RD

Mailing Address: HAZEL, NANCY J & WILLIAM T
150 AYER RD
HARVARD, MA 01451

Parcel Number: 021-007-000-000
CAMA Number: 021-007-000-000
Property Address: 204 STILL RIVER RD

Mailing Address: MINAR, RUDOLF J & KARA MCGUIRE
MINAR
PO BOX 204
STILL RIVER, MA 01467

Parcel Number: 021-065-001-000
CAMA Number: 021-065-001-000
Property Address: 199 STILL RIVER RD

Mailing Address: METCALF, THOMAS III
PO BOX 796
HARVARD, MA 01451

Parcel Number: 021-065-002-000
CAMA Number: 021-065-002-000
Property Address: 0 STILL RIVER RD

Mailing Address: THEODORE W MAXANT TRUSTEE OF
THE
PO BOX 11 53 WILLARD LANE
STILL RIVER, MA 01467

Parcel Number: 021-066-000-000
CAMA Number: 021-066-000-000
Property Address: 197 STILL RIVER RD

Mailing Address: D'ARCONTE, ADRIENNE A.
202 ARMINGTON ST
CRANSTON, RI 02905

Parcel Number: 021-067-000-000
CAMA Number: 021-067-000-000
Property Address: 201 STILL RIVER RD

Mailing Address: NICHOLAS BROWSE & CARYL GRAHAM
BROWSE
PO BOX 187
STILL RIVER, MA 01467

Parcel Number: 021-068-000-000
CAMA Number: 021-068-000-000
Property Address: 203 STILL RIVER RD

Mailing Address: TUTTLE, LEIGH D & SHARLENE F
PO BOX 156
STILL RIVER, MA 01467



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4/3/2023

Page 1 of 2



300 feet Abutters List Report

Harvard, MA
April 03, 2023

Parcel Number: 021-069-000-000
CAMA Number: 021-069-000-000
Property Address: 207 STILL RIVER RD

Mailing Address: WELSH, ERIC S & ARNER, JENNIFER M
P.O. BOX 118 STILL RIVER
HARVARD, MA 01467

Parcel Number: 021-072-001-000
CAMA Number: 021-072-001-000
Property Address: 213 STILL RIVER RD

Mailing Address: HARVARD HISTORICAL SOCIETY INC
PO BOX 542
HARVARD, MA 01451



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4/3/2023

Page 2 of 2

D'ARCONTE, ADRIENNE A.
202 ARMINGTON ST
CRANSTON, RI 02905

US FISH AND WILDLIFE SERV
73 WEIR HILL RD
SUDBURY, MA 01776

FEMINO, SANDRA MARIE
PO BOX 7
STILL RIVER, MA 01467

WELSH, ERIC S & ARNER, JE
P.O. BOX 118 STILL RIVER
HARVARD, MA 01467

HARVARD HISTORICAL SOCIET
PO BOX 542
HARVARD, MA 01451

HAZEL, NANCY J & WILLIAM
150 AYER RD
HARVARD, MA 01451

METCALF, THOMAS III
PO BOX 796
HARVARD, MA 01451

MINAR, RUDOLF J & KARA MC
PO BOX 204
STILL RIVER, MA 01467

NICHOLAS BROWSE & CARYL G
PO BOX 187
STILL RIVER, MA 01467

THE SARAH R PORTER 2006 R
PO BOX 206
STILL RIVER, MA 01467

THEODORE W MAXANT TRUSTEE
PO BOX 11
53 WILLARD LANE
STILL RIVER, MA 01467

TUTTLE, LEIGH D & SHARLEN
PO BOX 156
STILL RIVER, MA 01467

**TOWN OF HARVARD ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: Alexander and Louisa Latham
 Mailing Address: 200 Still River Rd., Harvard, MA 01451
 Telephone Number: 978 994 4914 Email Address: alexander.latham@gmail.com

Applicant is (check one): Owner Tenant Licensee Prospective Buyer

Location of Property: 200 Still River Rd. Assessors Map 21 Parcel: 8

Registry of Deeds: Book Number 50573 Page Number 144 Certificate Number _____

Owner's Name: Same Tel. No.: Same
 (If different than Applicant)

Owner's Address: Same

Representative: Nancy Dickinson
Dickinson Architects Tel. No.: 978 341 8267

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input checked="" type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

Specific Bylaw section (s) being applied for: 135-25, 125-3B(2) b

Nature of Application and Justification of Request: Requesting to add onto a pre existing non conforming one family dwelling. we will not be increasing the existing non-conformity and the addition will not be substantially more detrimental to the neighborhood. See attachment for more detail.

The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

<u>[Signature]</u> Property Owner's Signature (REQUIRED)	<u>4/4/23</u> Date
<u>[Signature]</u> Property Owner's Signature (REQUIRED)	<u>4/4/2023</u> Date
<u>[Signature]</u> Applicant's Signature (if different from owner)	<u>04/03/23</u> Date



P.O. Box 704, 91 Main Street, Concord, MA 01742
978-341-8267, DickinsonArc.Com

April 4, 2023

Zoning Board of Appeals
Town Hall, 13 Ayer Road
Harvard, MA 01451

Special Permit Application For:
Additions to Latham Residence
200 Still River Road, Harvard, MA 01451

135-10: WRITTEN STATEMENT:

Louisa and Alexander Latham reside at 200 Still River Road in Harvard, MA. They are proposing adding a mudroom, front porch, unheated garage and workshop, with storage above on the east side of their house, a bedroom over the existing 3 season sunroom, and extending their existing deck. Their house was built around 1800, before the zoning by-law was enacted. It became non-conforming with the creation of the zoning by-law. This house is pre-existing non-conforming because it sits entirely beyond the current required front setback. An existing 4 bedroom mounded septic system sits behind the house. The garage addition will be located further away from the existing front property line than the existing house. The addition will not be substantially more detrimental than the existing house because we will not be closer to the front property line than the existing house. The gross SF will increase from 3,680 sf to 4,621 sf, resulting in a 25% increase. Of the nearby houses, 2 have more gross square footage (8,835 and 5,546 sf), one has similar gross square footage, and three house have less gross sf (2,585, 2,416 and 2447). Therefore, the proposed amount of square footage will fit in with the scale of the neighborhood. Cedar shingles, instead of clapboards and awning windows will make the garage resemble a barn, which will help it look like it belongs with an historic house.

The new driveway will be safer for traffic because the owners will not have to back up onto Still River road (as they do now). The use of the property will remain as single family. The number of bedrooms will remain as 4. There will be no new vibrations or noises due to change of use or increase in occupancy. If the project is to go forward, construction will only take place during weekdays, between 7:00 am and 4:00 pm, for a finite period. The new asphalt driveway will have a 2' gravel shoulder which will help keep rainwater on site. In conclusion, we do not believe that the proposed addition will be more detrimental to the neighborhood than the existing non-conforming house because we are not getting closer to the existing front property line, and the size, scale, massing and style of the addition will be in harmony nearby properties. Also, no new noises, uses or traffic will interfere with the peace of the neighborhood. This addition does not qualify to be de minimus because we are requesting to add more than 15% to the footprint.

Respectfully,


Nancy Dickinson, AIA

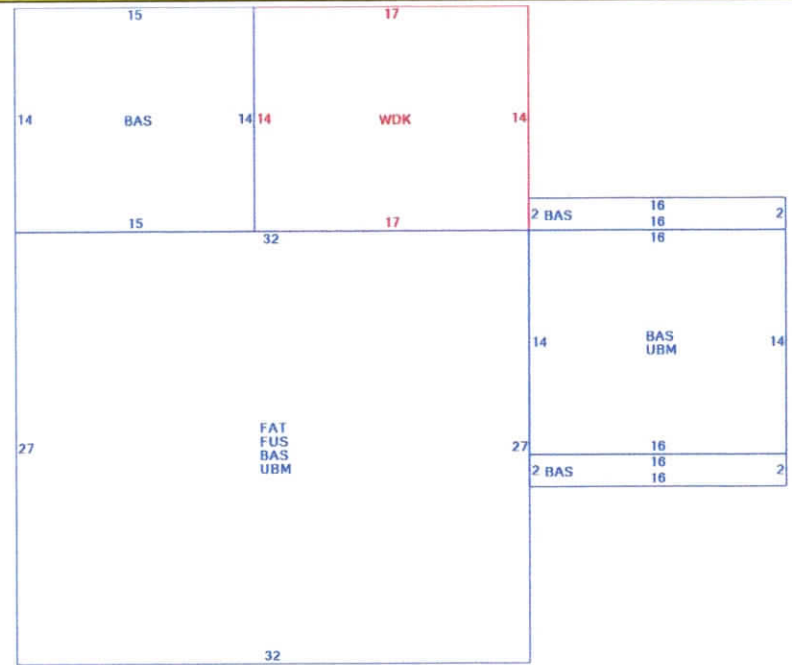
Enclosures

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				125 HARVARD, MA VISION							
LATHAM, ALEXANDER M & LOUISA C 200 STILL RIVER ROAD HARVARD MA 01451		1 Level	5 Well	3 Med Traffic	3 Rural	Description	Code	Appraised	Assessed								
			6 Septic	6 Paved		RESIDNTL	1010	403,000	403,000								
				T Two Way		RES LAND	1010	217,500	217,500								
SUPPLEMENTAL DATA						RES OB	1010	1,500	1,500	VISION							
Alt Prcl ID 1250210000800000 House Col YELLOW Field Chec		GIS ID M_190445_915814		Assoc Pid#		Total		622,000	622,000								
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)									
LATHAM, ALEXANDER M & LOUISA C		50573 0144	03-12-2013	Q	I	445,000	00	Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed	
DANGELO, JAMES P & KIMBERLY A		46191 0061	08-20-2010	Q	I	440,000	00	2022	1010	358,800	2021	1010	291,500	2020	1010	247,900	
CORDEIRO, CHARLES B JR & BONNIE		26256 0140	03-28-2002	Q	I	360,000	00		1010	202,500		1010	202,500		1010	202,500	
NOGLER, ESTATE OF, BARD, THOMAS B & NOGLER, ALFRED L, SR		20308 0044 16696 0396	08-17-1998 11-10-1994	U U	I I	100,000 1	1A 1A		1010	1,200		1010	1,200		1010	1,200	
								Total		562,500	Total		495,200	Total		451,600	
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor									
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int	APPRAISED VALUE SUMMARY								
			0.00						Appraised Bldg. Value (Card) 403,000								
Total									Appraised Xf (B) Value (Bldg) 0								
ASSESSING NEIGHBORHOOD									Appraised Ob (B) Value (Bldg) 1,500								
Nbhd	Nbhd Name		B	Tracing		Batch			Appraised Land Value (Bldg) 217,500								
1									Special Land Value 0								
NOTES									Total Appraised Parcel Value 622,000								
3/13 PER MLS FSP NOW HEATED RM/CHGD									Valuation Method C								
As of January 1, 2022									Total Appraised Parcel Value 622,000								
BUILDING PERMIT RECORD									VISIT / CHANGE HISTORY								
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpost/Result			
08-099	07-07-2008	RS	Residential	800		100	12-08-2008	CONST CHIMNEY ENCLOSU	12-06-2016	DH	X		C	Cyclical Insp			
									05-17-2011	LC	C	O	A	Appeal			
									08-28-2008	AM	C	O	C	Cyclical Insp			
									01-05-1996	CLT	R	M	A	Appeal			
LAND LINE VALUATION SECTION																	
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes		Location Adjustment		Adj Unit P	Land Value
1	1010	Single Fam	AR	Primary	0.850 AC	225,000.00	1.13725	P	1.00	30	1.000			1.0000			217,500
Total Card Land Units					0.85	AC	Parcel Total Land Area			0.85	Total Land Value					217,500	

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	63	Antique			
Model	01	Residential			
Grade:	05	Good			
Stories:	2.5	2.5 Stories			
Occupancy	1				
Exterior Wall 1	11	Clapboard			
Exterior Wall 2					
Roof Structure:	03	Gable/Hip			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	03	Plastered			
Interior Wall 2					
Interior Flr 1	12	Hardwood			
Interior Flr 2					
Heat Fuel	02	Oil			
Heat Type:	04	Forced Air-Duc			
AC Type:	01	None			
Total Bedrooms	04	4 Bedrooms			
Total Bthrms:	1				
Total Half Baths	1				
Total Xtra Fixtrs	1				
Total Rooms:	7				
Bath Style:	02	Modern			
Kitchen Style:	02	Modern			
# of Kitchens	1				
Fireplaces	0				

CONDO DATA				
Parcel Id		C	Owne	
			B	S
Adjust Type	Code	Description	Factor%	
Condo Flr				
Condo Unit				

COST / MARKET VALUATION	
Building Value New	575,724
Year Built	1700
Effective Year Built	
Depreciation Code	G
Remodel Rating	
Year Remodeled	
Depreciation %	30
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	70
RCNLD	403,000
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



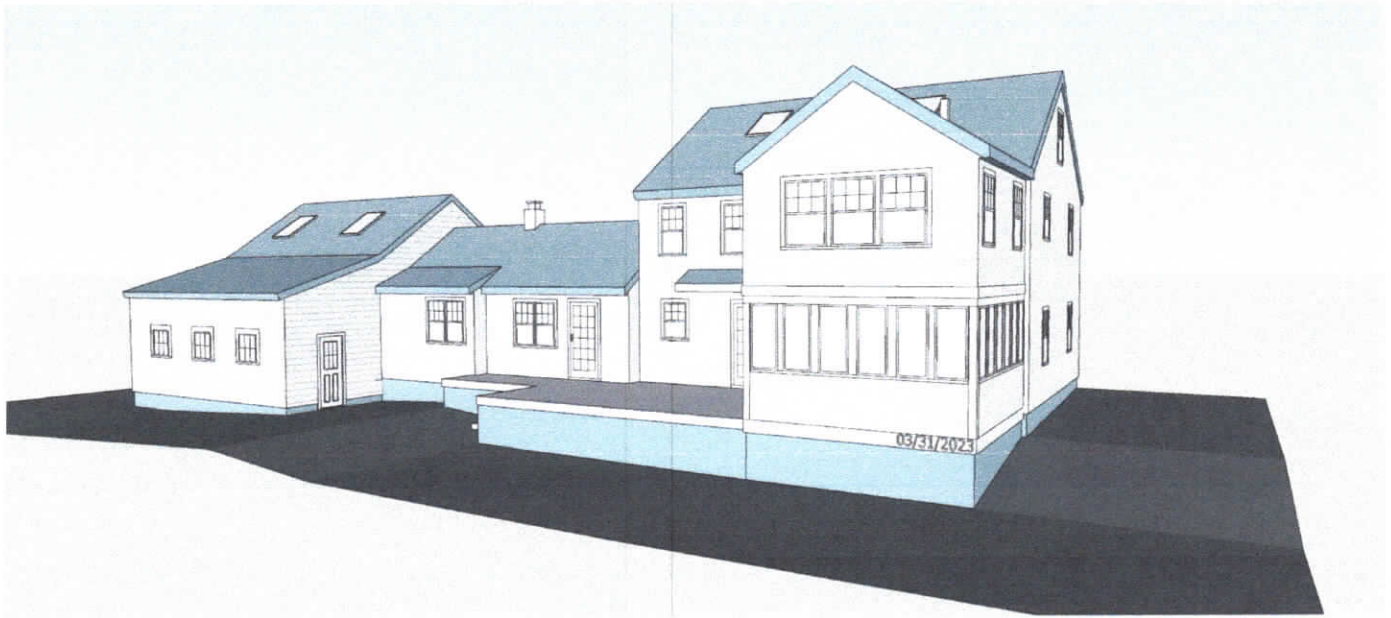
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Bld	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
SHD1	Shed	L	120	15.00	2000		B1		0.00	1,500

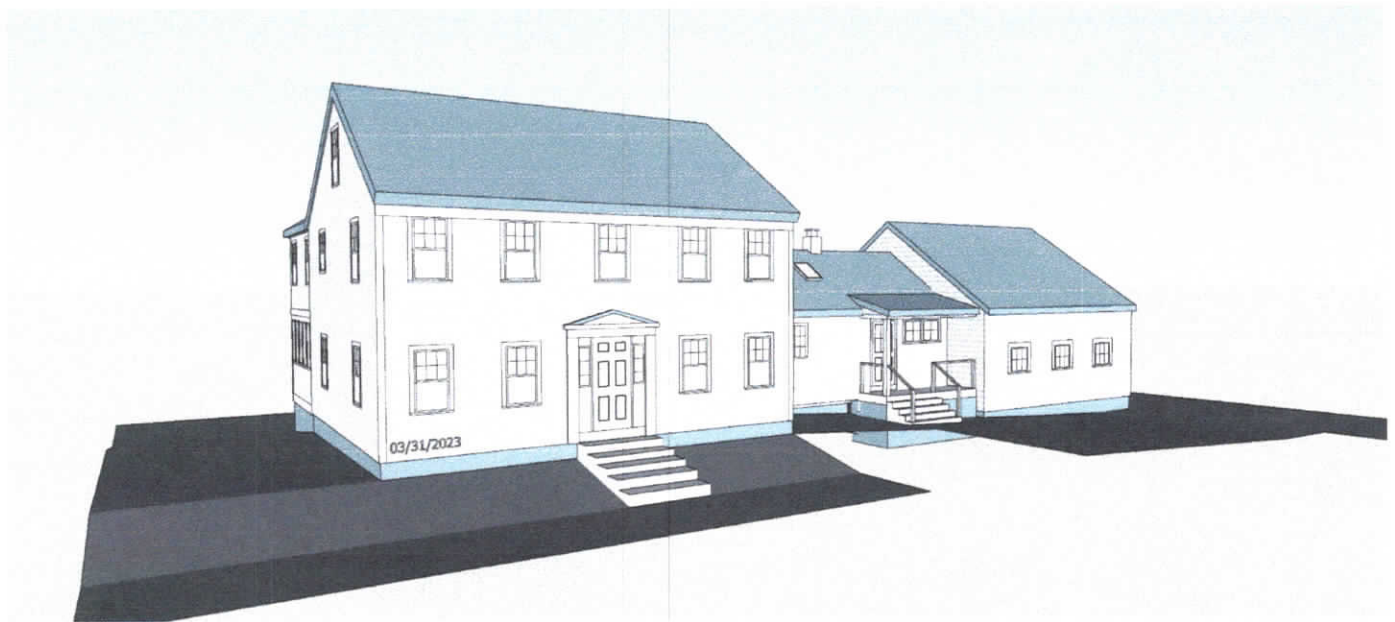
BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,362	1,362	1,362	203.21	276,775
FAT	Attic, Finished	259	864	259	60.92	52,632
FUS	Upper Story, Finished	864	864	864	203.21	175,576
UBM	Basement, Unfinished	0	1,088	218	40.72	44,300
WDK	Deck, Wood	0	238	36	30.74	7,316
Ttl Gross Liv / Lease Area		2,485	4,416	2,739		556,599





BACK

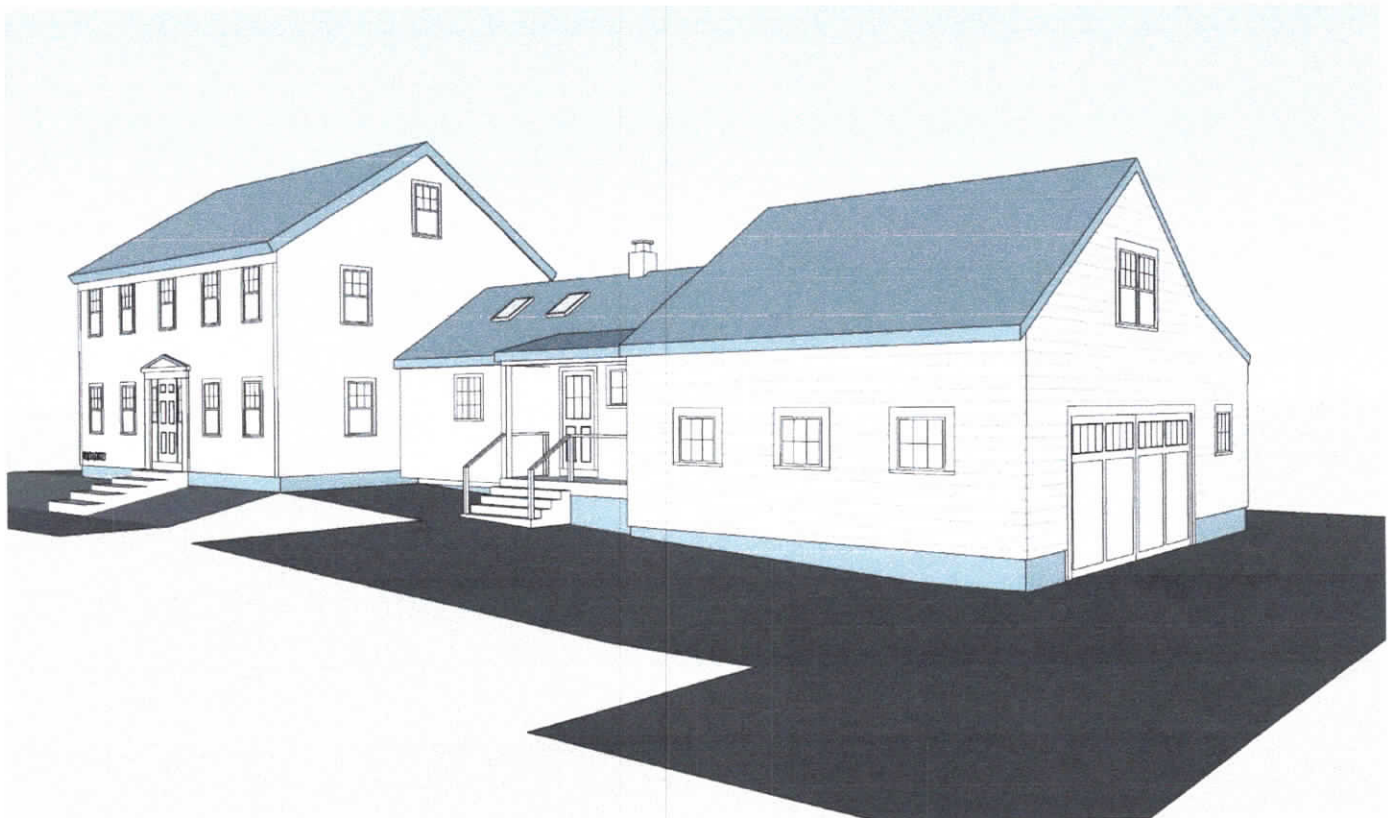


FRONT

200 STILL RIVER RD.



BACK



FRONT

200 STILL RIVER RD



EXISTING BACK



EXISTING FRONT

200 STILL RIVER RD.

Joseph G. Harwood House (1800)

by Dan / February 4, 2014 / Federal, Harvard, Houses



In the late eighteenth-century, a farming community developed along Still River Road in Harvard. The house at 200 Still River Road was built around 1800 by Joseph G. Harwood, who had obtained a license to sell alcohol. Around 1850 the house was acquired by William F. Bateman, who was postmaster of Still River (also a librarian). His widow, Louisa H. Bateman, took over his postmaster duties after his death in 1877. In the 1890s, the house was acquired by Amos H. Keyes and in 1907 by Arthur Hunter, an engineer with the Boston & Albany railroad. It was then owned by F. S. Savage, Sr., author of *Memoirs of Old Harvard Days* (1924). Savage also sold real estate. For many years it was a double house with a long garage addition on the northeast side. It has since been converted to a single-family home, with a new front entry molding and the old addition shortened.

DESIGN DATA

1. Hydraulic Loading

4 Bedrooms at 110 gallons per day per bedroom = 440 G.P.D.

2. Septic Tank Size

Average daily flow = $440 \times 200\% = 880$ gallons (minimum)
 Septic tank provided = 1500 Gallons

3. Design percolation rate = 2.0 M.P.I. (Soil Class)

Effluent Loading Rate = 3.55 gallons/S.F.

4. Leaching Area

Primary Leaching Area

Total area provided = 832 s.f. \times 0.53 gal./S.F. = 452.4 gal.

Minimum size leaching area allowed under the Town of HARVARD

Board of Health requirement is N/A square feet.

Reserve Leaching Area

Design percolation rate = _____ M.P.I. (Soil Class)

Effluent loading rate = _____ gallons / S.F.

Total area provided = _____ S.F. \times _____ gal./S.F. = _____ gal.

Invert at beginning leaching line = _____

Invert at end of leaching line = _____

Elevation of S.A.S. Bottom = _____

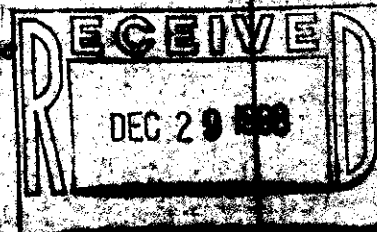
_____ W _____ Denotes water service

_____ P _____ Denotes approximate property line

_____ O.W. _____ Denotes overhead wires

_____ D _____ Denotes storm drain pipe

_____ ■ _____ Denotes catch basin



AS-BUILT PLAN regulated structure



NO.	DATE	DESCRIPTION	BY
1	9/5/88	REVISED AS-BUILT DATA	MDM
		EXAMINED TO ACTUAL FIELD DATA	GGB
DESIGN BY: GGB		DRAWN BY: GGB	CHECKED BY: GGB

AS-BUILT SEWAGE DISPOSAL SYSTEM

200 STILL RIVER ROAD

HARVARD, MA

PREPARED FOR: **TOM BARD**
 275 NEW HARBURY ST
 HARVARD, MA 02147

TEL: (617) 305-7288

SCALE: 1" = 20'

DATE: 6/5/88

DUCHARME & WHEELER, INC.

1092 MAIN STREET, P.O. BOX 427, BOLTON, MA, 01740

THIS PLAN IS NOT TO BE USED FOR THE ESTABLISHMENT OF PROPERTY LINES, ERECTION OF FENCES, LANDSCAPING

N/F
Porter

Certified Plot Plan

200 Still River Road Harvard, Mass.

STREET

TOWN

EXISTING SEPTIC SYSTEM AND GRADING EASEMENT
(PL.BK.774-51) 273.71'

13.63'

SURVEYOR

SHED

FENCE

200 Still River Road
BK.50573-144
35,028± SQ. FT.

NOTE: FOR DIMENSIONS OF THE PROPOSED ADDITIONS SEE PLAN BY DICKINSON ARCHITECTS, LLC DATED MARCH, 2023.

I certify that the existing house and proposed additions are located on the lot as shown.
I further certify that the existing house and proposed additions are located within Flood Zone "X" (unshaded) per Flood Insurance Rate Map (FIRM) for the Town of Harvard, Community Panel No.250308 0476 E dated July 4, 2011.

BUILDING SETBACK LINE

APPROXIMATE LOCATION EXISTING SEPTIC SYSTEM

PROPOSED DECK EXPANSION

EX. SHED (TO BE MOVED)

EX. TREE CLUSTER

PROPOSED GRAVEL SHOULDER

PROPOSED DRIVEWAY

Ex. House #200

Prop. Addition

N/F
US Fish & Wildlife Service

FND CB W/DH

APPROX. LOCATION EX. WELL

PROP. UNCOVERED STEPS

10" CHERRY

PROP. COVERED PORCH

MAILBOX

EX. CATCH BASIN

Zoning Classification: Agriculture-Residential
Scale: 1"=20'

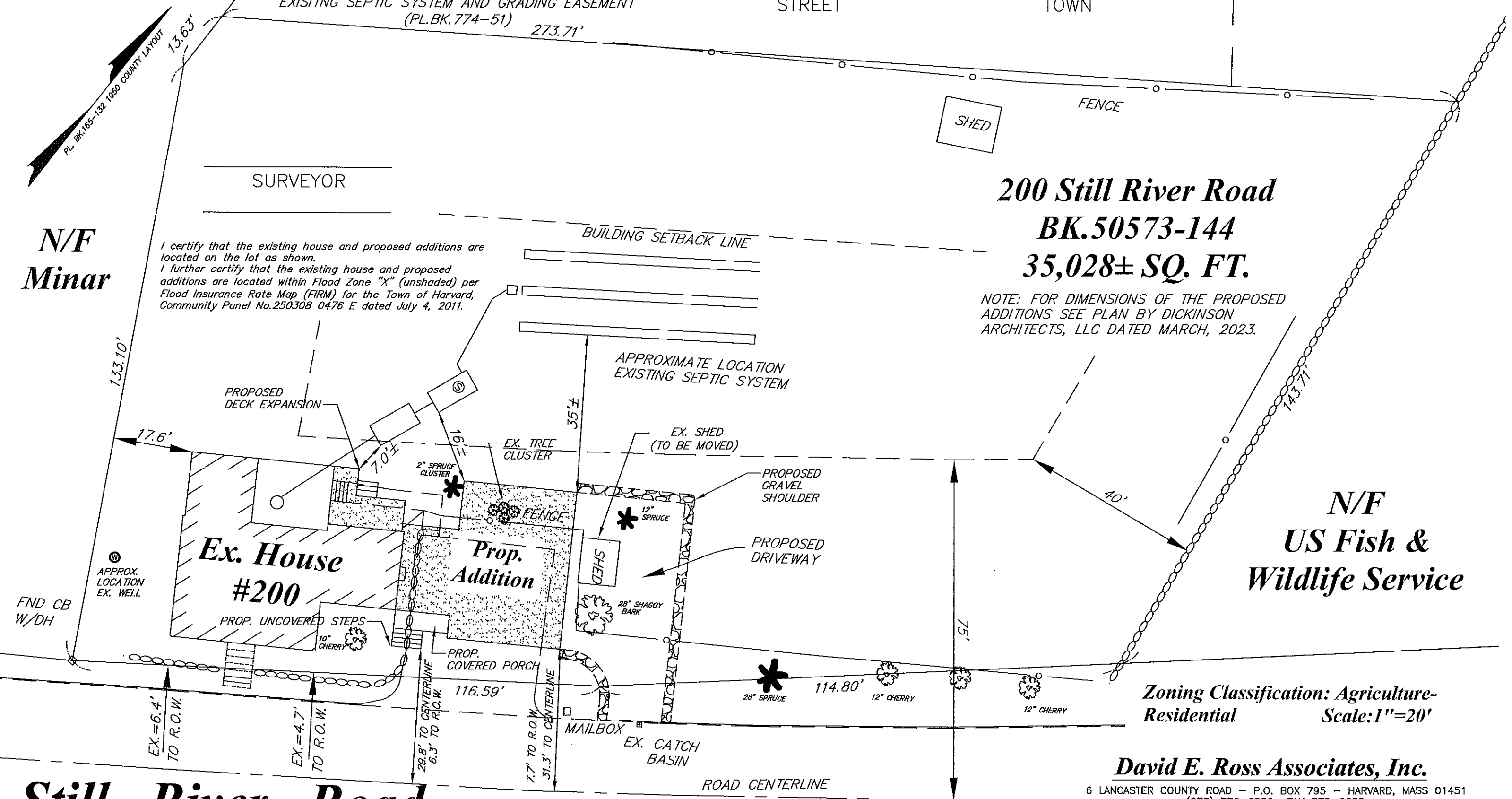
David E. Ross Associates, Inc.

6 LANCASTER COUNTY ROAD - P.O. BOX 795 - HARVARD, MASS 01451
(978) 772-6232 FAX 772-6258

Still River Road

REFERENCES: Job #34260, NB843-3

PLAN NO. S-15248

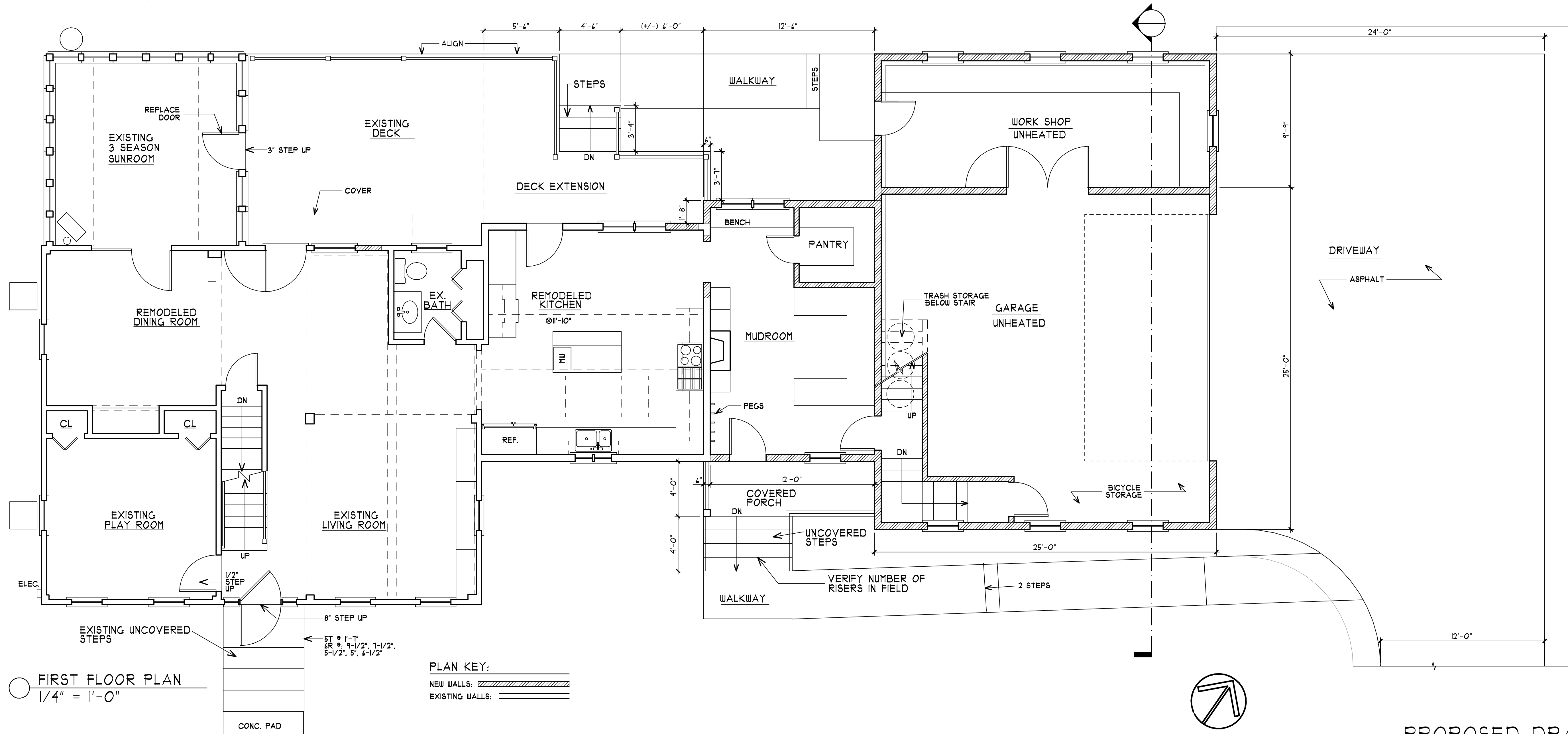


SEPTIC ROOM COUNT		
	EXISTING	PROPOSED
FIRST FLOOR	4 ROOMS: KITCHEN LIVING DINING PLAYROOM	5 ROOMS: KITCHEN LIVING DINING PLAYROOM MUDROOM
SECOND FLOOR	3 BEDROOMS	3 BEDROOMS
ATTIC	1 GUEST RM	1 GUEST RM
TOTAL NUMBER OF ROOMS	8 ROOMS, 4 BEDROOMS	9 ROOMS, 4 BEDROOMS
EXISTING SEPTIC SIZED FOR 4 BEDROOMS, 9 ROOMS	COMPLIANT	COMPLIANT

TABLE OF AREAS			
	EXISTING	PROPOSED	% INCREASE
GROSS SF.	3,680 SF	4,621 SF	25%
BUILDING FOOTPRINT	1,659 SF	2,954 SF	78%
WALKS AND DRIVEWAY	1,206 SF	1,304 SF	8%
IMPERVIOUS: FOOTPRINT WALKS AND DRIVEWAY	2,865 SF	4,258 SF	49%

- NOTES:
- GROSS INCLUDES INTERIOR GARAGE PARKING AND COVERED PORCHES. IT DOES NOT INCLUDE DECKS AND UNCOVERED STEPS.
 - BUILDING FOOTPRINT INCLUDES DECK, DECK EXPANSION AND UNCOVERED STEPS.

NOTE: 3 SEASON SUN ROOM, WORKSHOP, GARAGE, STORAGE ABOVE GARAGE, UNFINISHED BASEMENT AND PROPOSED CRAWL SPACE ARE NOT INCLUDED IN SEPTIC ROOM COUNT BECAUSE THEY ARE NOT HEATED



FIRST FLOOR PLAN
1/4" = 1'-0"

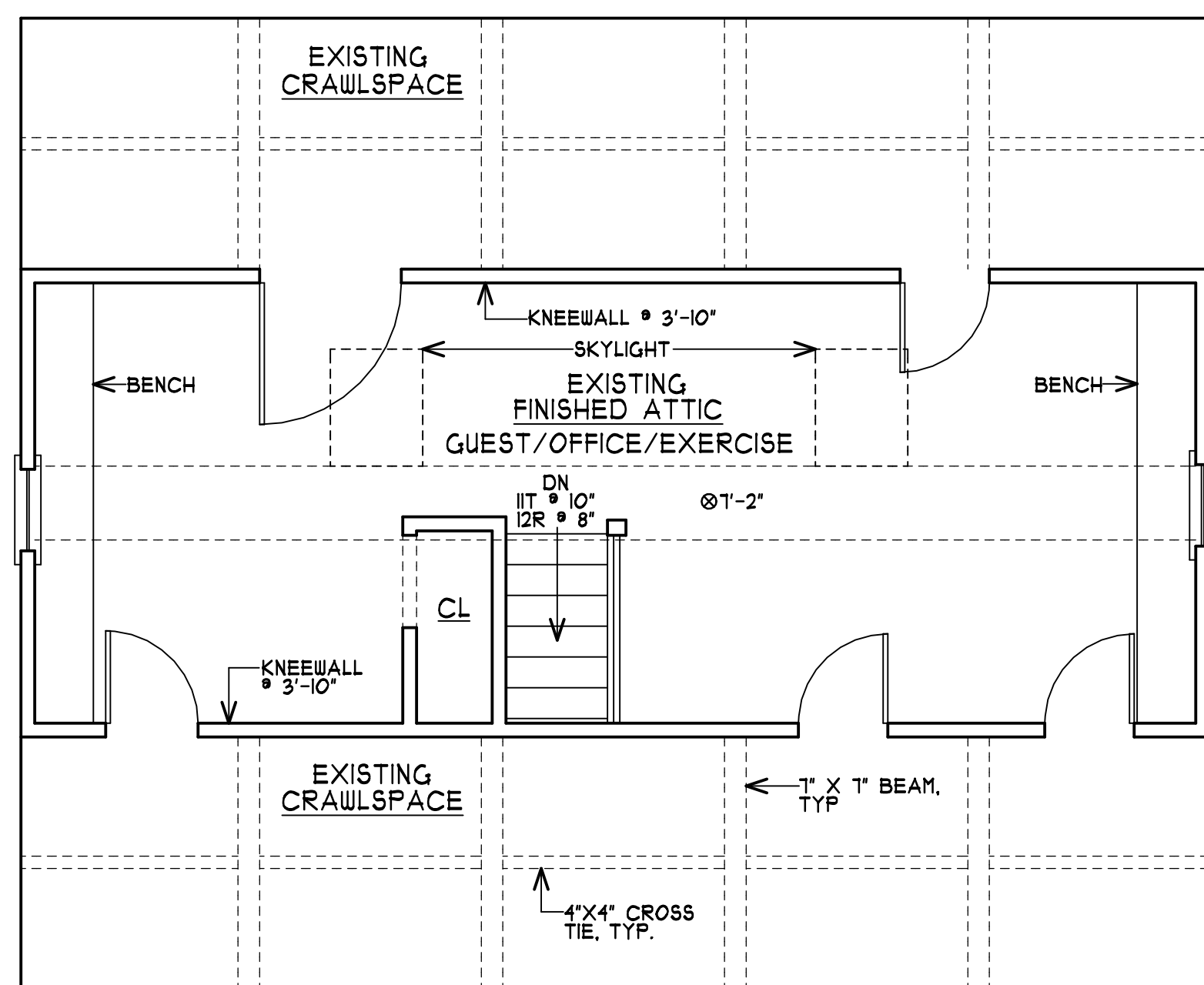
PLAN KEY:
NEW WALLS:
EXISTING WALLS:

PROPOSED DRAWINGS

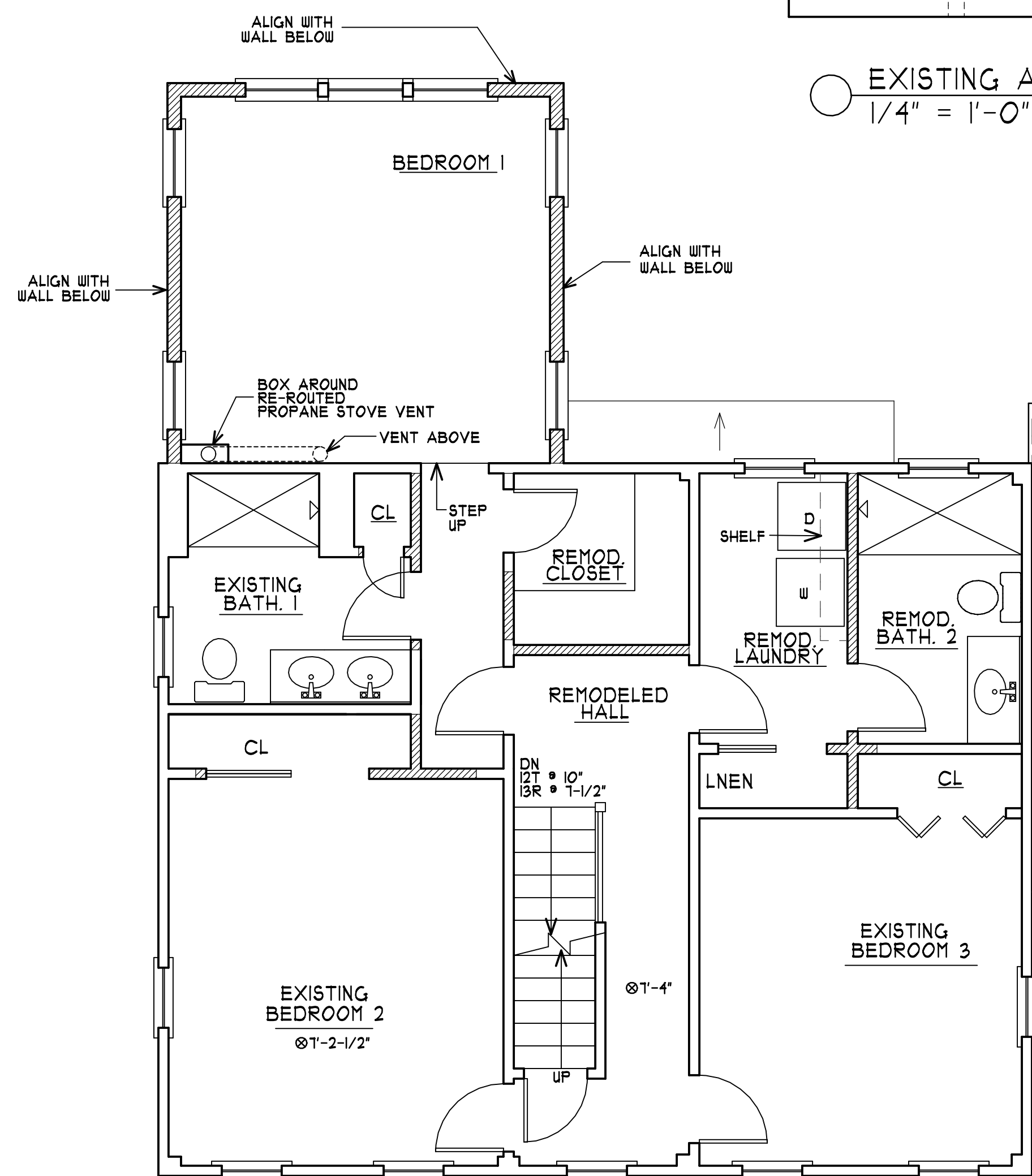
DICKINSON
ARCHITECTS, LLC
P.O. BOX 704
91 MAIN STREET
CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

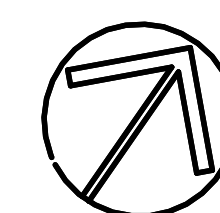
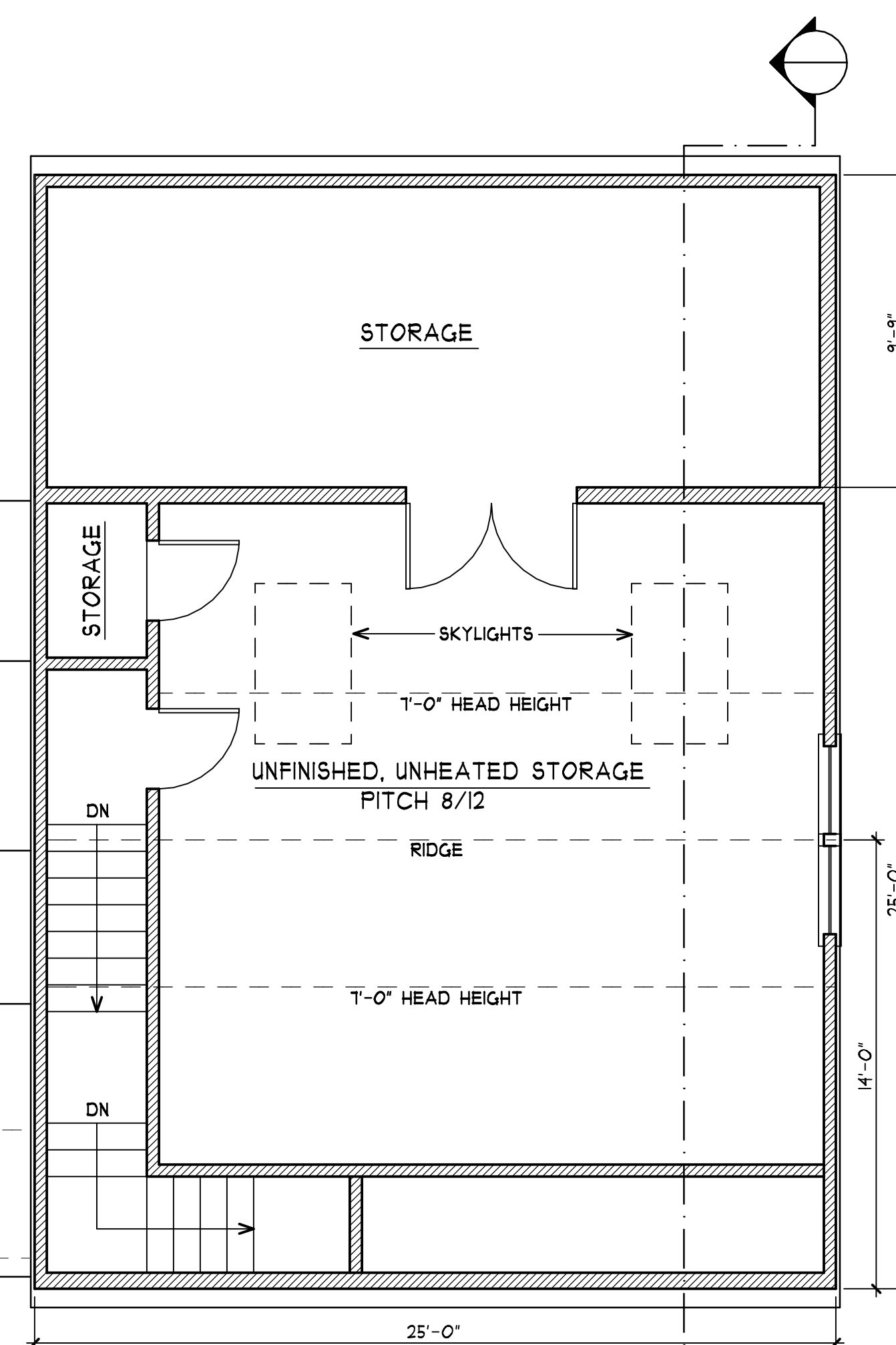
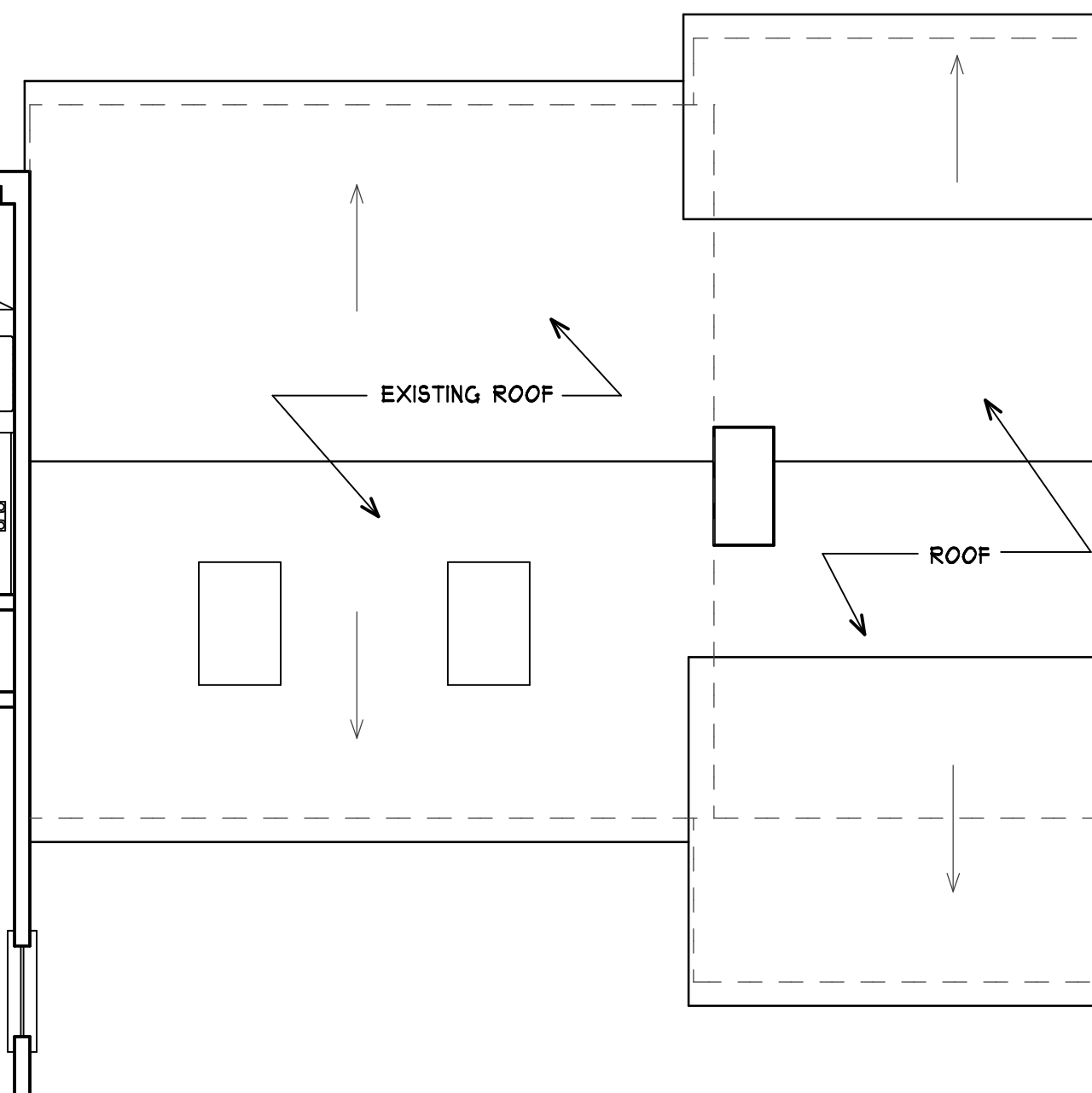
scale: AS NOTED
date: 03/31/2023
drawn by: E.C.
checked by: N.D.



EXISTING ATTIC PLAN
1/4" = 1'-0"



SECOND FLOOR PLAN
1/4" = 1'-0"

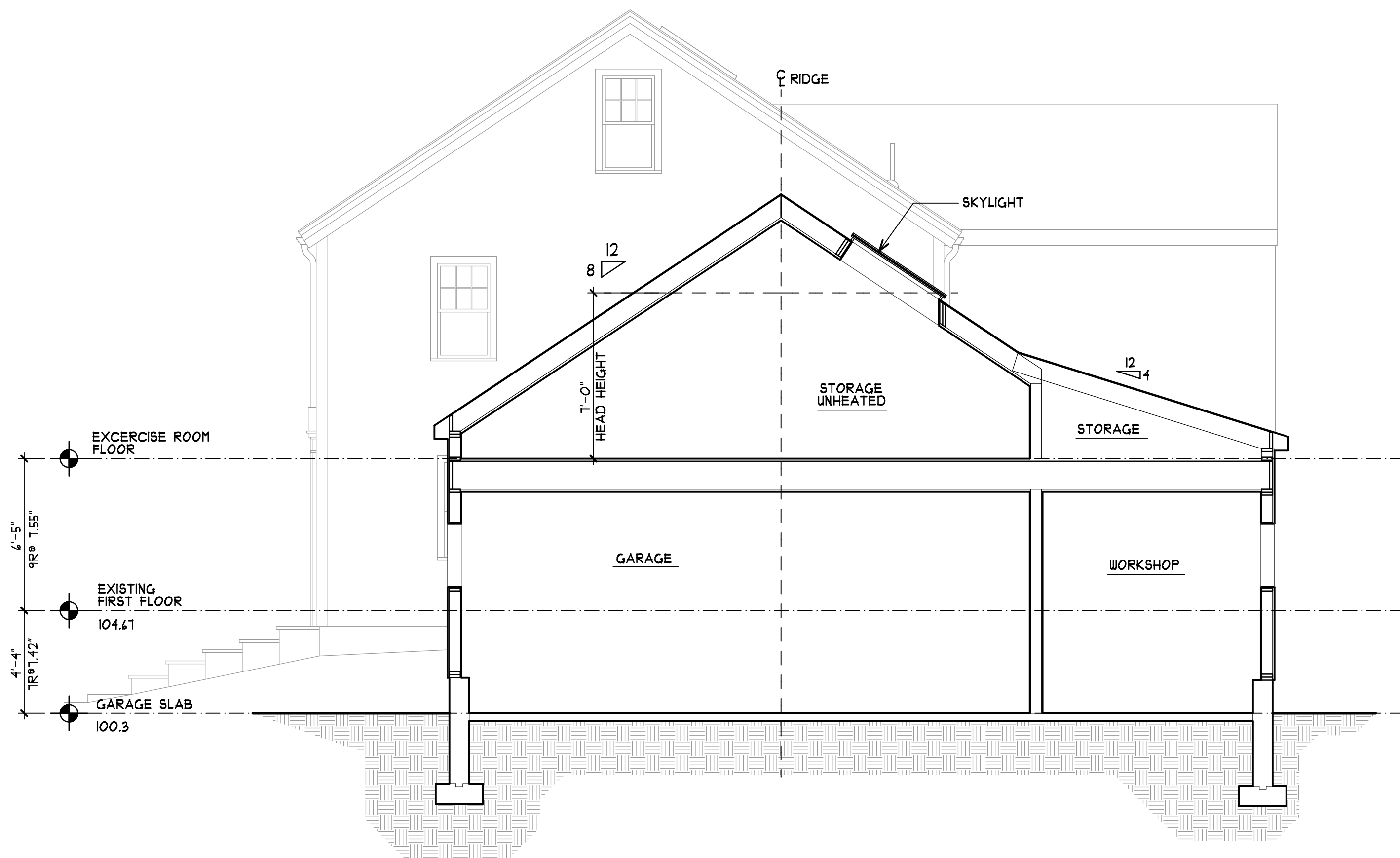


PROPOSED DRAWINGS

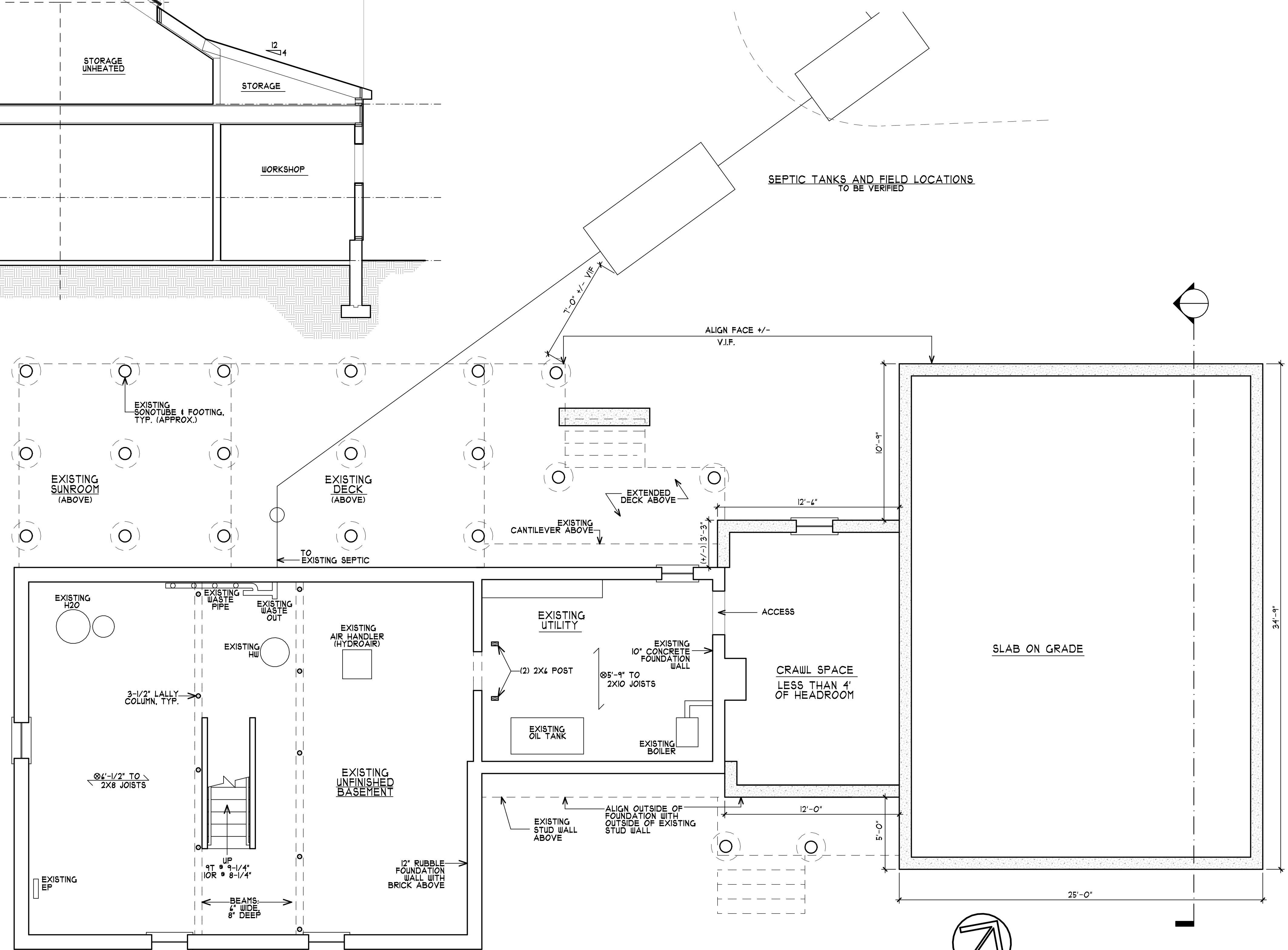
DICKINSON ARCHITECTS, LLC
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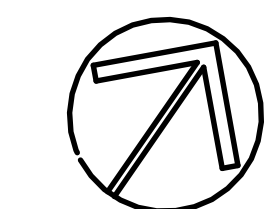
scale: AS NOTED
date: 03/31/2023
drawn by: E.C.
checked by: N.D.



SECTION THROUGH GARAGE
 1/4" = 1'-0"



BASEMENT PLAN
 1/4" = 1'-0"

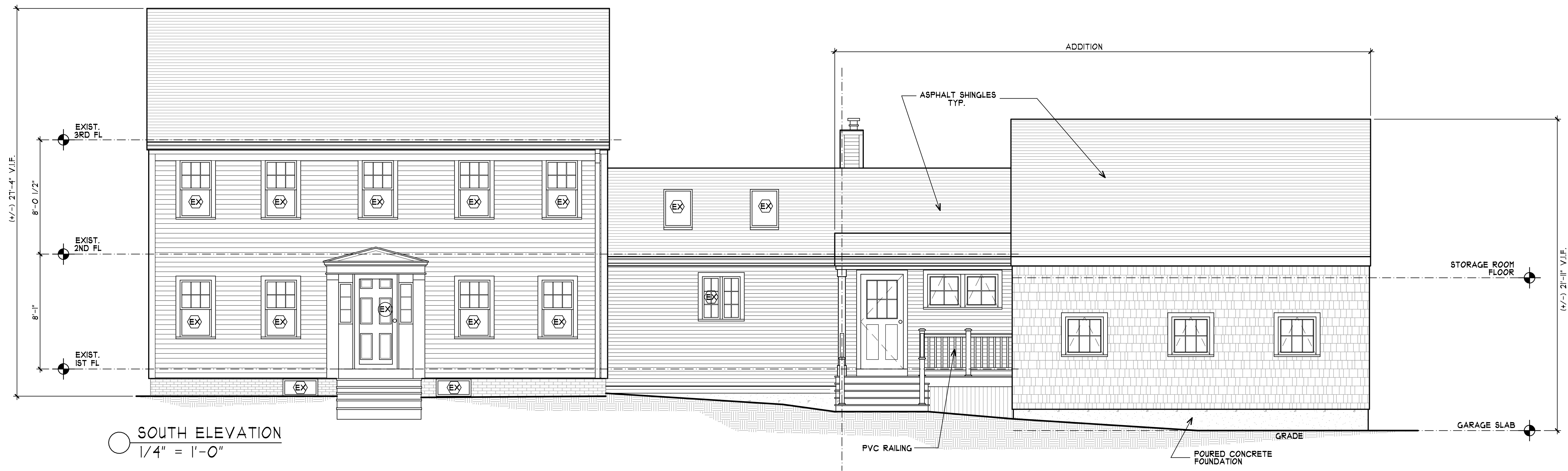


PROPOSED DRAWINGS

DICKINSON ARCHITECTS, LLC
 P.O. BOX 704
 91 MAIN STREET
 CONCORD, MA 01742
 (978) 341-6267

LATHAM RESIDENCE
 200 STILL RIVER RD.
 HARVARD, MASSACHUSETTS

scale:	AS NOTED
date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



SOUTH ELEVATION
1/4" = 1'-0"



NORTH ELEVATION
1/4" = 1'-0"

PROPOSED DRAWINGS

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LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

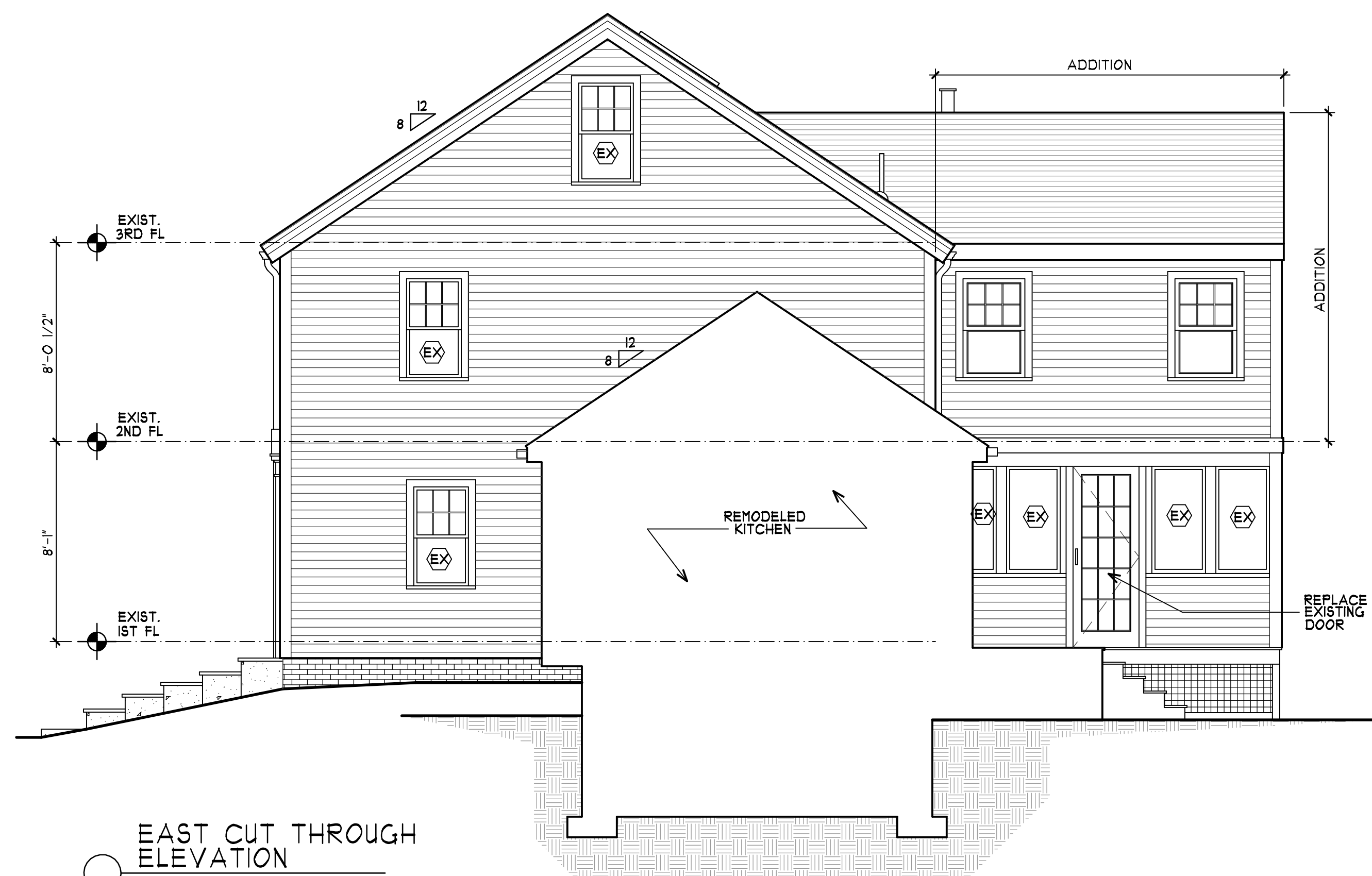
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date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



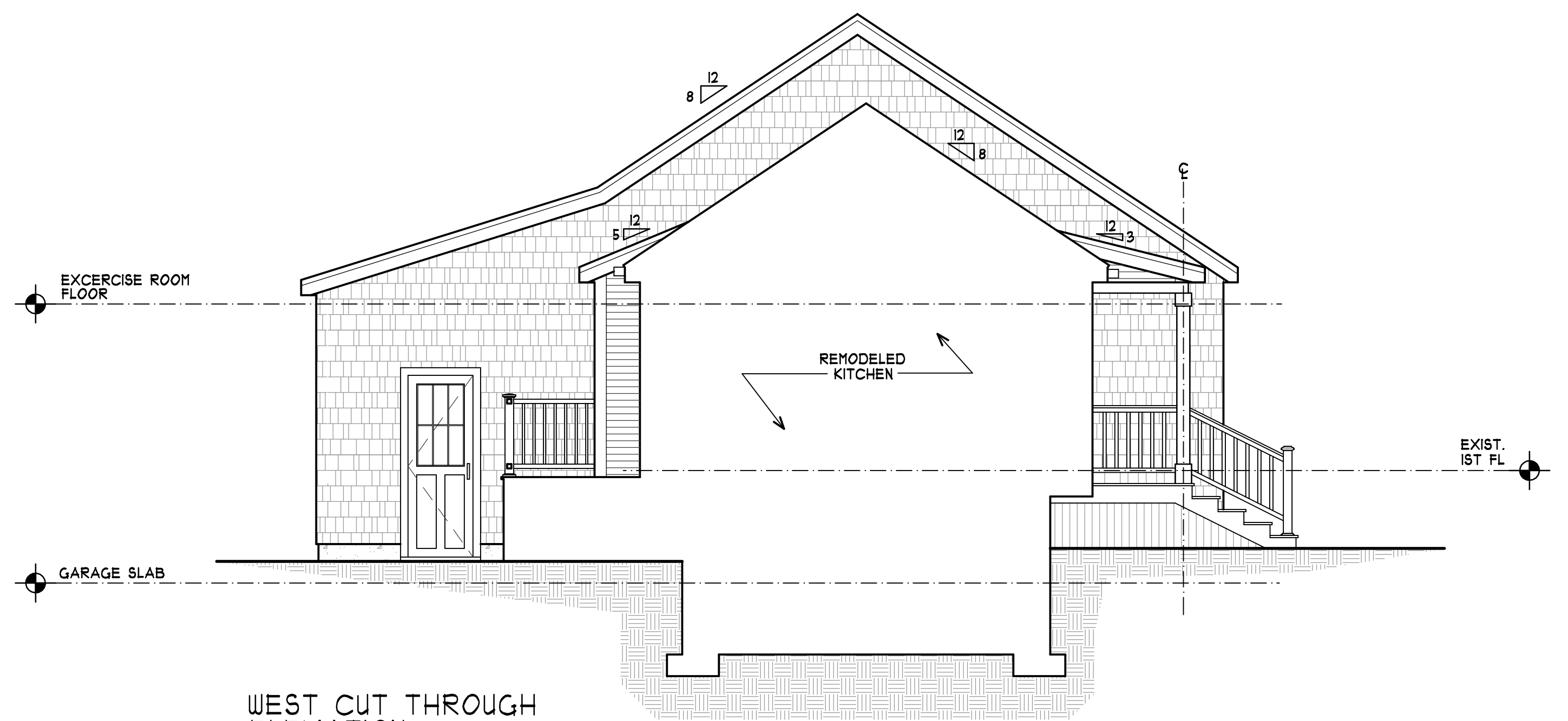
○ EAST ELEVATION
1/4" = 1'-0"



○ WEST ELEVATION
1/4" = 1'-0"



○ EAST CUT THROUGH ELEVATION
1/4" = 1'-0"



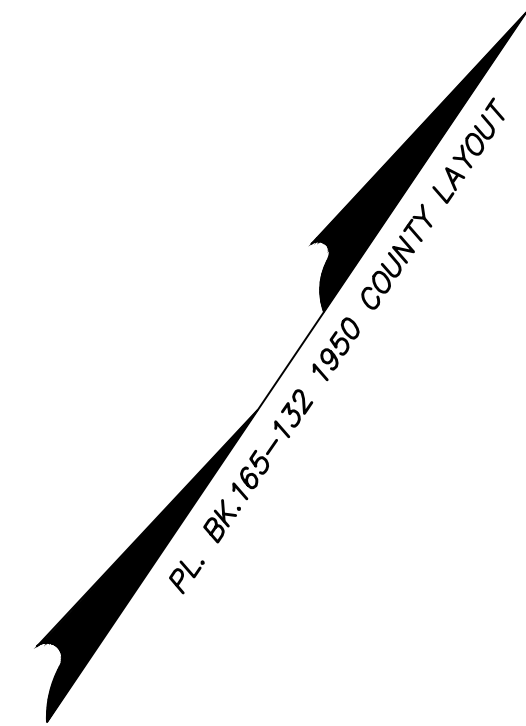
○ WEST CUT THROUGH ELEVATION
1/4" = 1'-0"

PROPOSED DRAWINGS

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HARVARD, MASSACHUSETTS

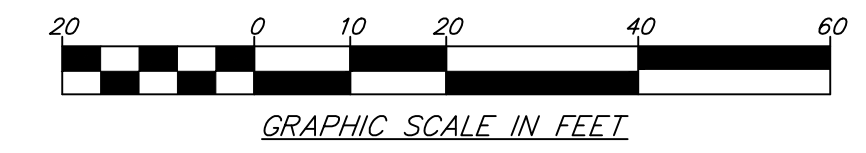
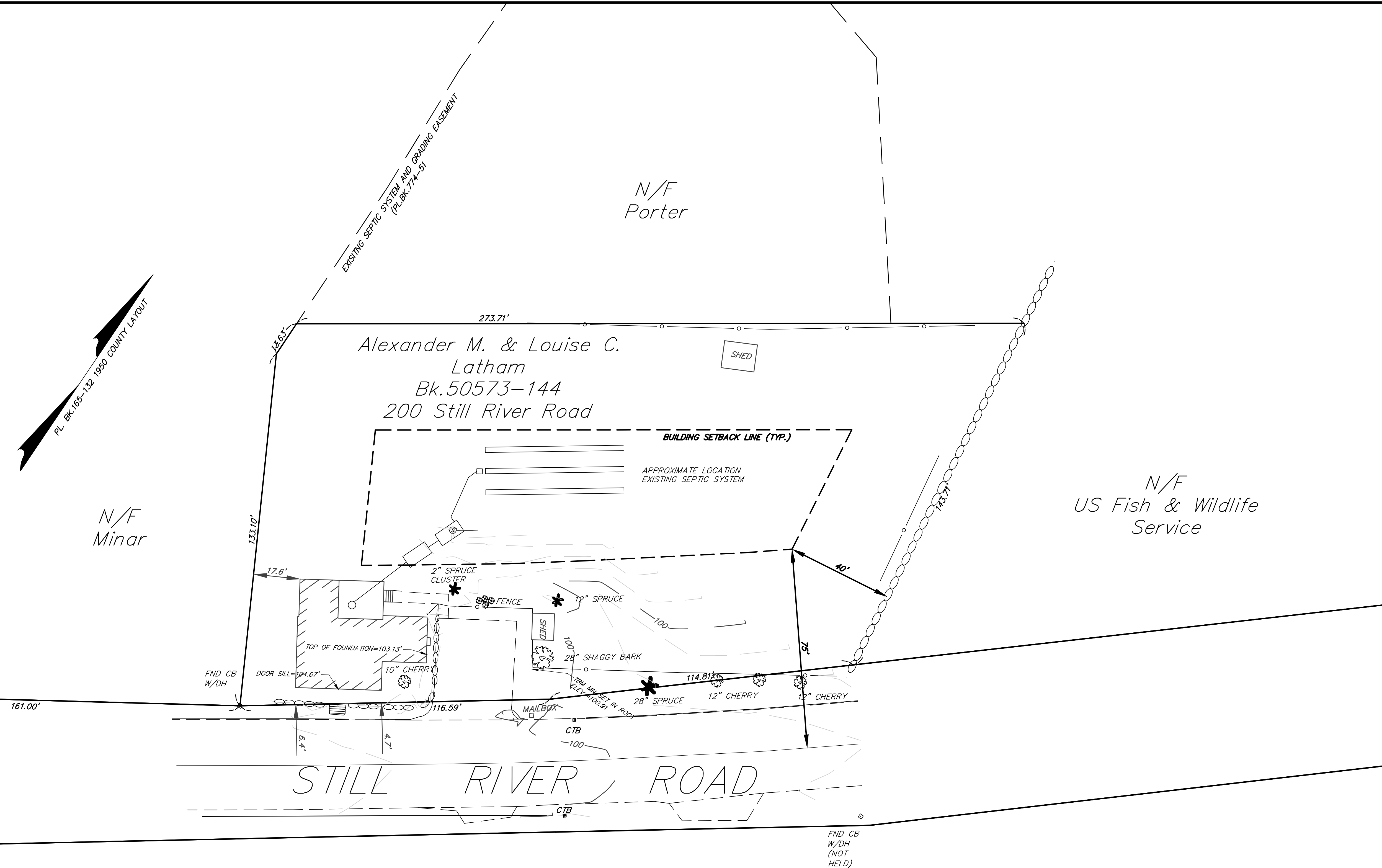
scale:	AS NOTED
date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



N/F
Minar

N/F
Porter

N/F
US Fish & Wildlife
Service



SURV.: SPM/MSB	CALC.: KRC	DRAFT: KRC
INR: 843-3	DEED: BK. 50573-144	CHECK: KRC

REVISIONS	

SHEET TITLE:
EXISTING CONDITIONS PLAN

DESIGNED FOR:
ALEXANDER LATHAM

ADDRESS:
**200 STILL RIVER ROAD
HARVARD, MA**

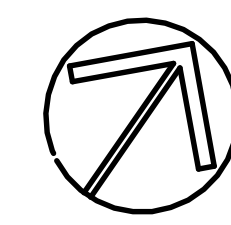
LOT NO.: XXXXX1	ASSESSOR MAP: 21	ASSESSOR PARCEL: 8
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DAVID E. ROSS ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 6 Lancaster County Road
 P.O. Box 795
 Harvard, MA 01451-0795
 978-772-6232
 FAX 978-772-6258
 www.davideross.com

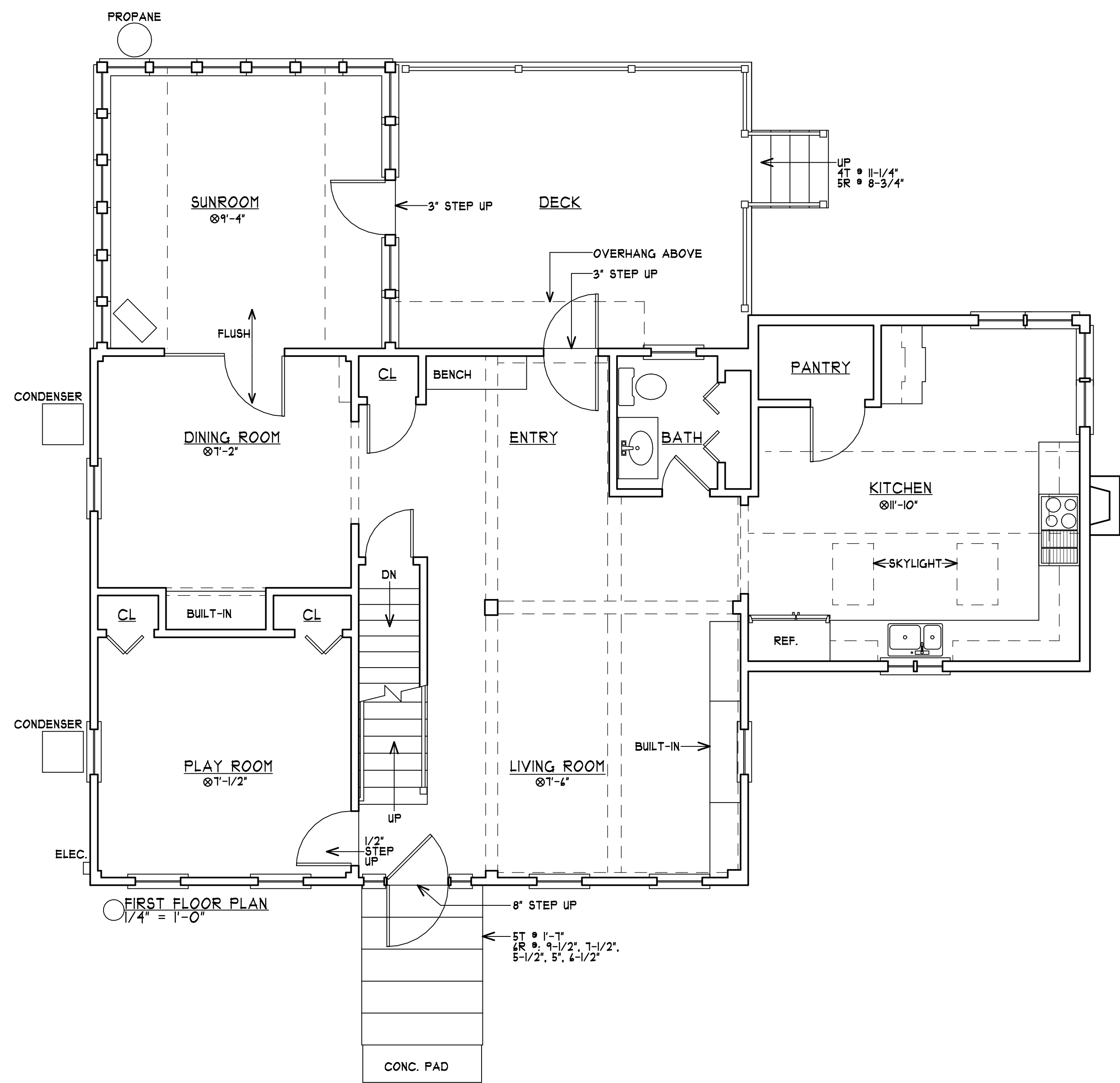
SCALE: 1"=20' DATE: FEBRUARY, 2023

REF.: PLAN NO.:

JOB NO.: 34260 SHEET NO.:



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS



FIRST FLOOR PLAN
 1/4" = 1'-0"

revisions:

3	XX/XX/XX
2	XX/XX/XX
1	XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

FIRST FLOOR
 PLAN

scale: 1/4" = 1'-0"

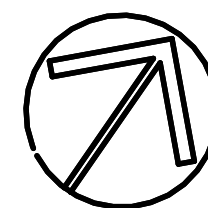
date: 9/22/22

drawn by: KE

checked by: ND

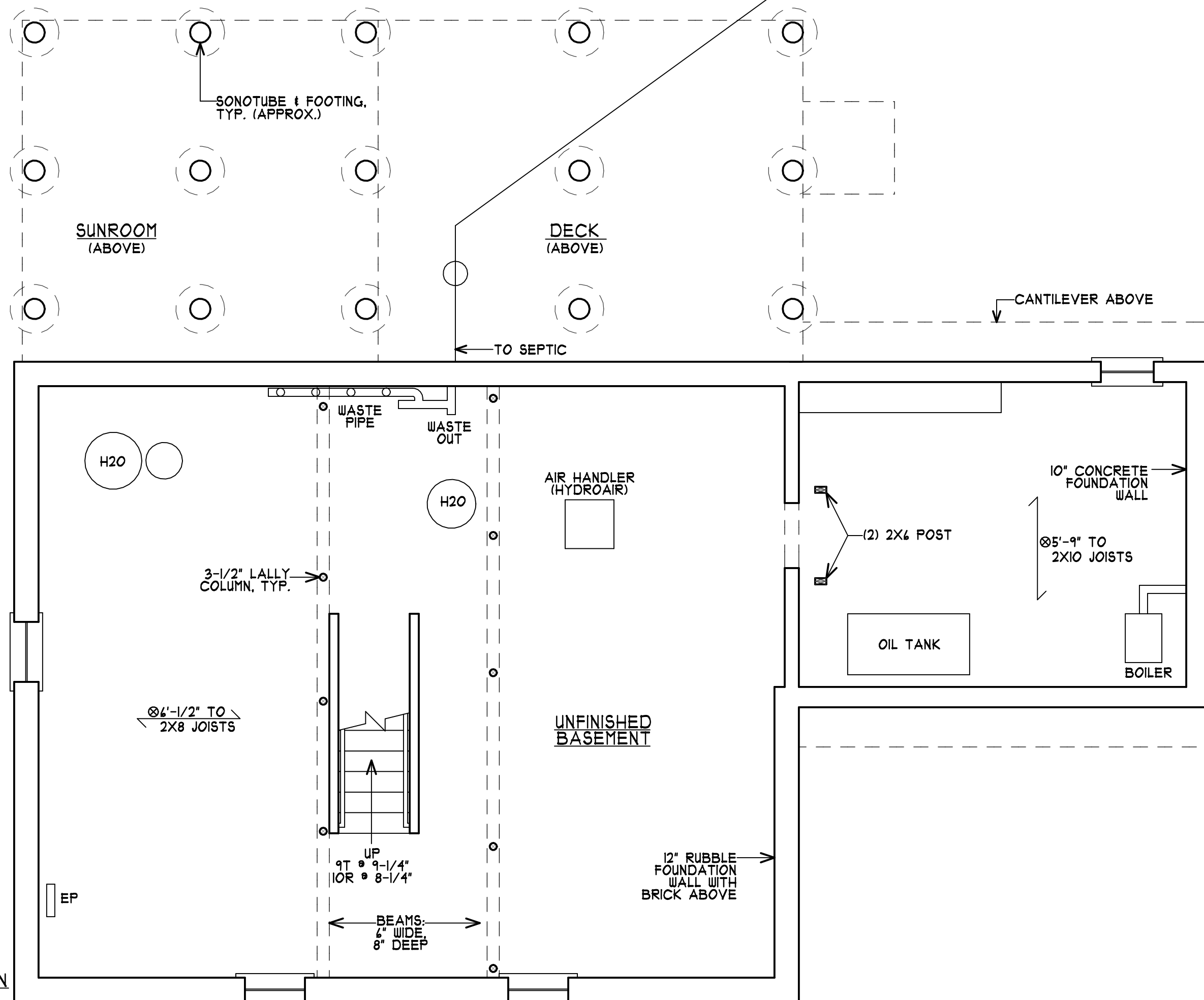
EXISTING

NOT FOR CONSTRUCTION



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS

SEPTIC TANKS AND FIELD LOCATIONS
 TO BE VERIFIED



revisions:

- △ XX/XX/XX
- △ XX/XX/XX
- △ XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

BASEMENT
 FLOOR PLAN

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

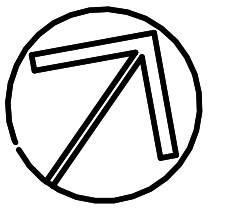
checked by: ND

○ BASEMENT PLAN
 1/4" = 1'-0"

EXISTING

NOT FOR CONSTRUCTION

VA 2



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS

revisions:

Ⓐ	XX/XX/XX
Ⓑ	XX/XX/XX
Ⓒ	XX/XX/XX

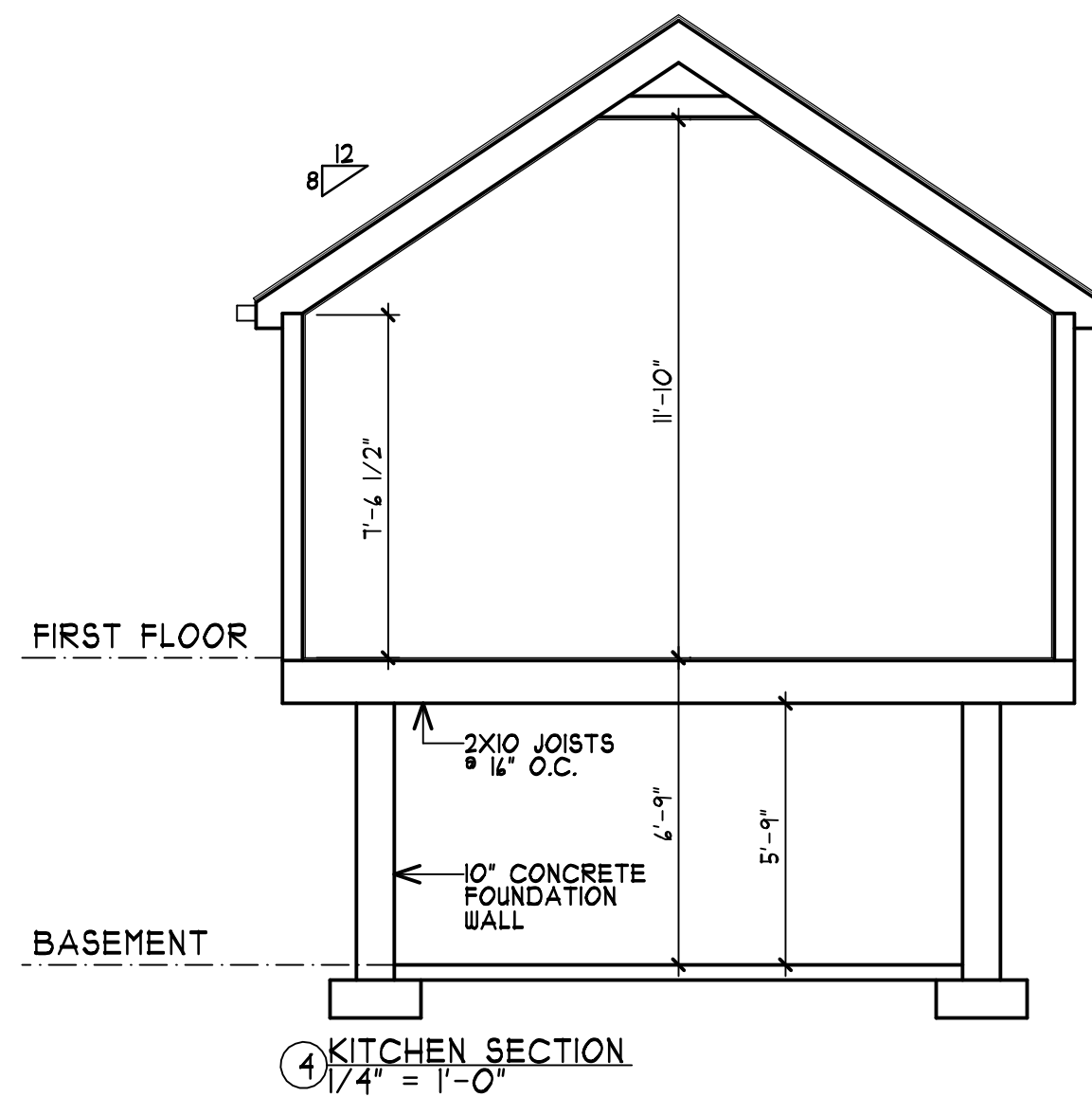
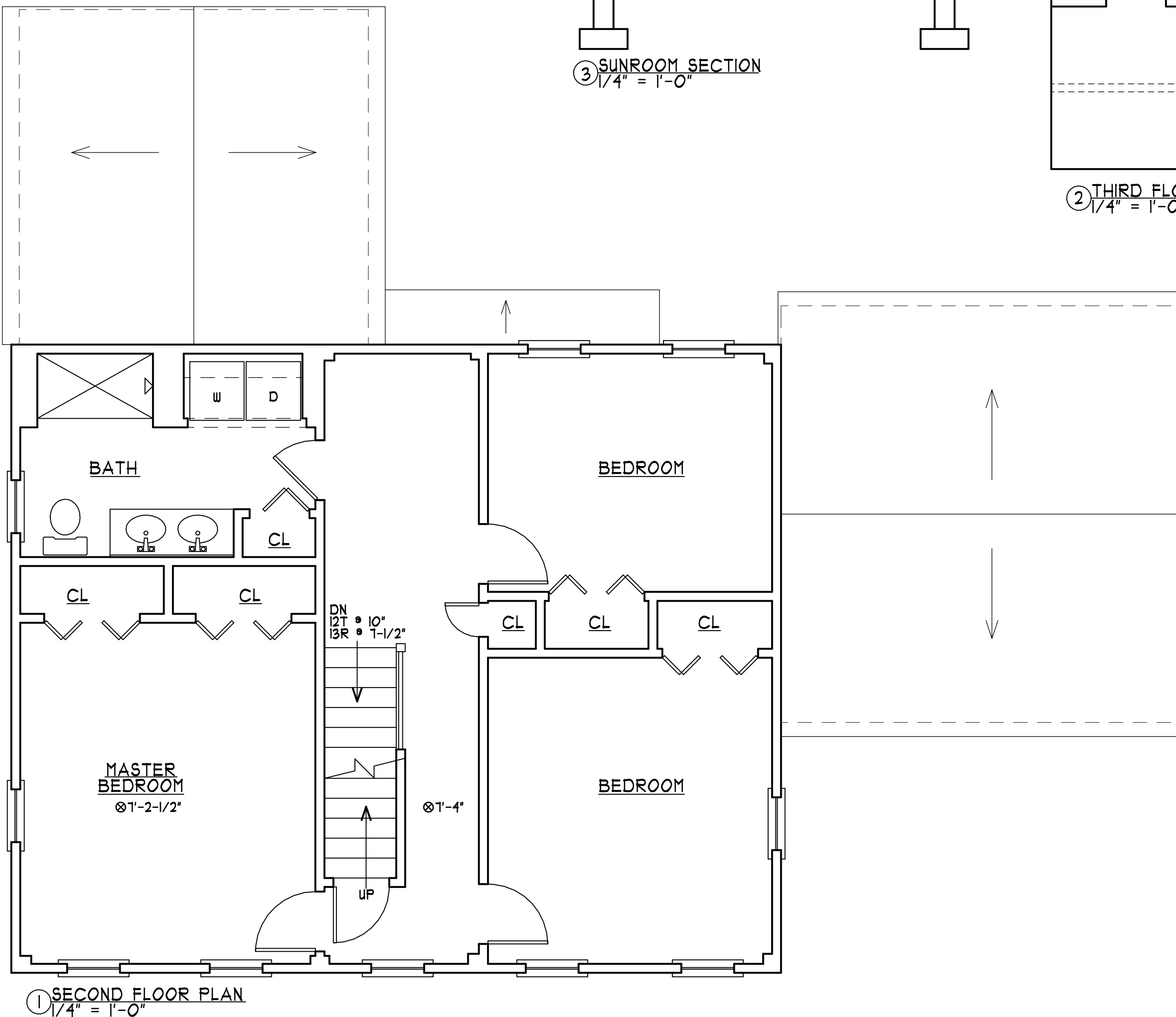
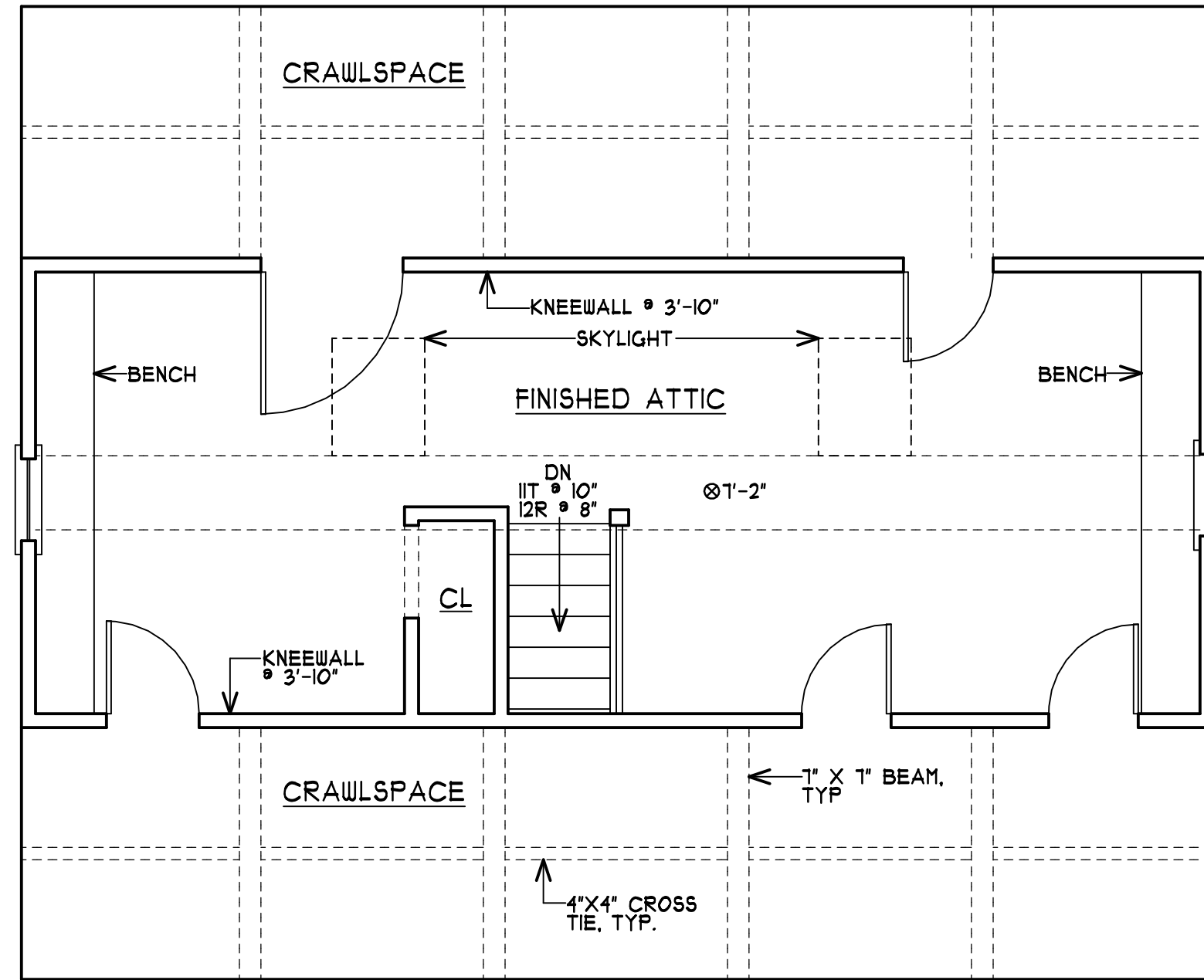
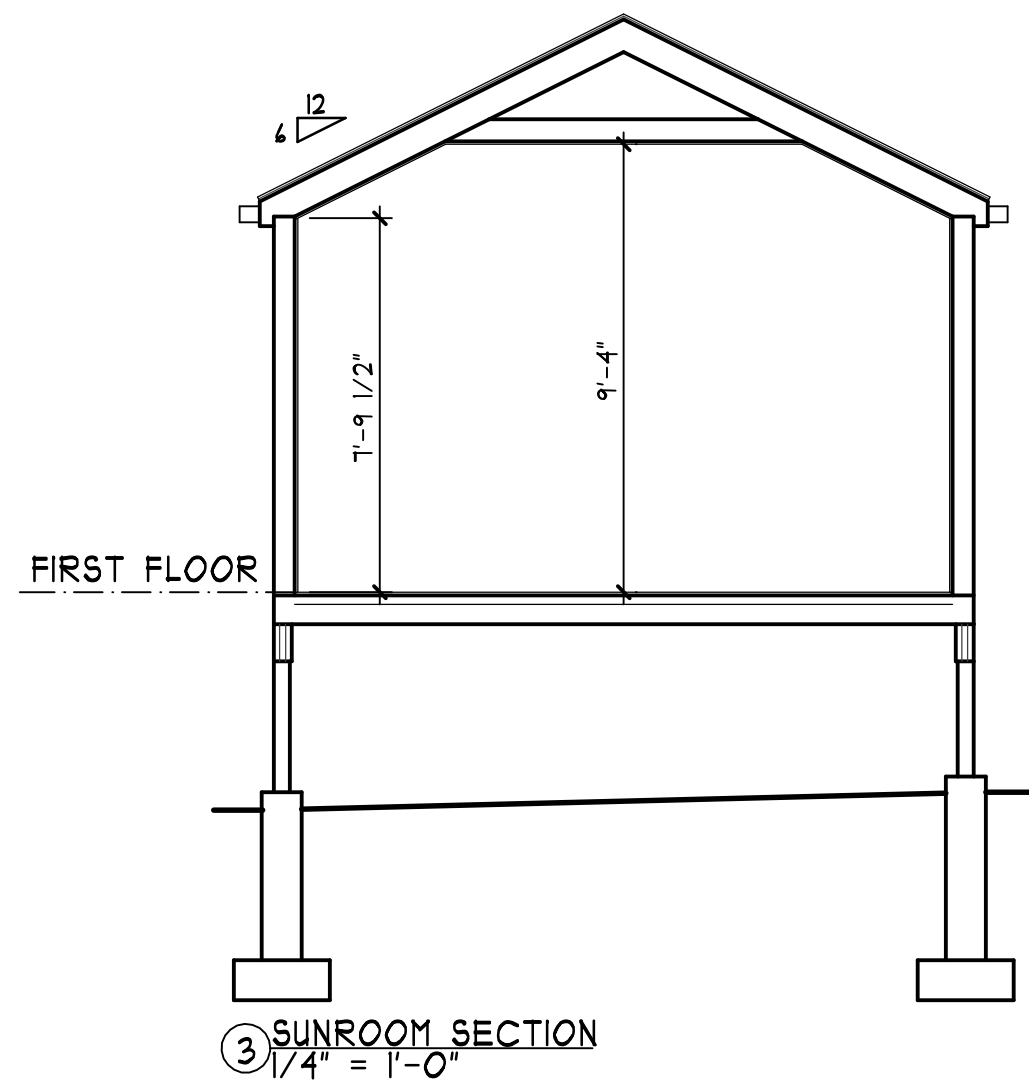
DICKINSON ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

2ND FLOOR AND ATTIC PLANS
 KITCHEN AND SUNROOM SECTIONS

scale: 1/4" = 1'-0"
 date: 9/22/22

drawn by: KE
 checked by: ND

NOT FOR CONSTRUCTION
 NO. 3



EXISTING



LATHAM RESIDENCE
200 STILL RIVER ROAD
HARVARD, MASSACHUSETTS

revisions:

- ③ xx/xx/xx
- ② xx/xx/xx
- ① xx/xx/xx

DICKINSON
ARCHITECTS, LLC
P.O. BOX 704
18 MAIN STREET
CONCORD, MA 01742
(978) 341-8267

NORTH AND
SOUTH
EXTERIOR
ELEVATIONS

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

checked by: ND

EXISTING

NOT FOR CONSTRUCTION

4

LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS

revisions:

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Ⓑ	XX/XX/XX
Ⓒ	XX/XX/XX

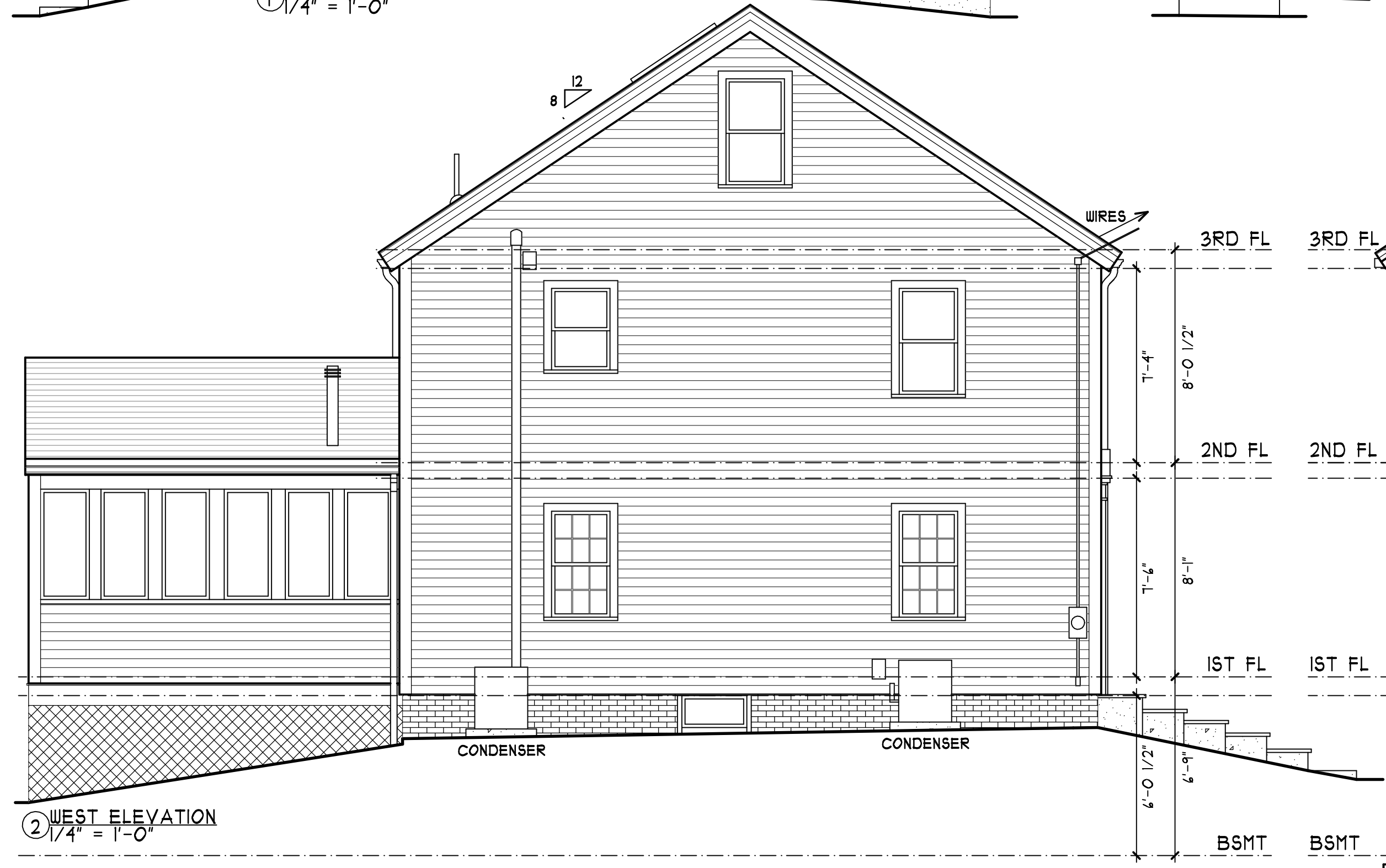
DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8287

EAST AND
 WEST
 EXTERIOR
 ELEVATIONS
 MAIN BUILDING
 SECTION

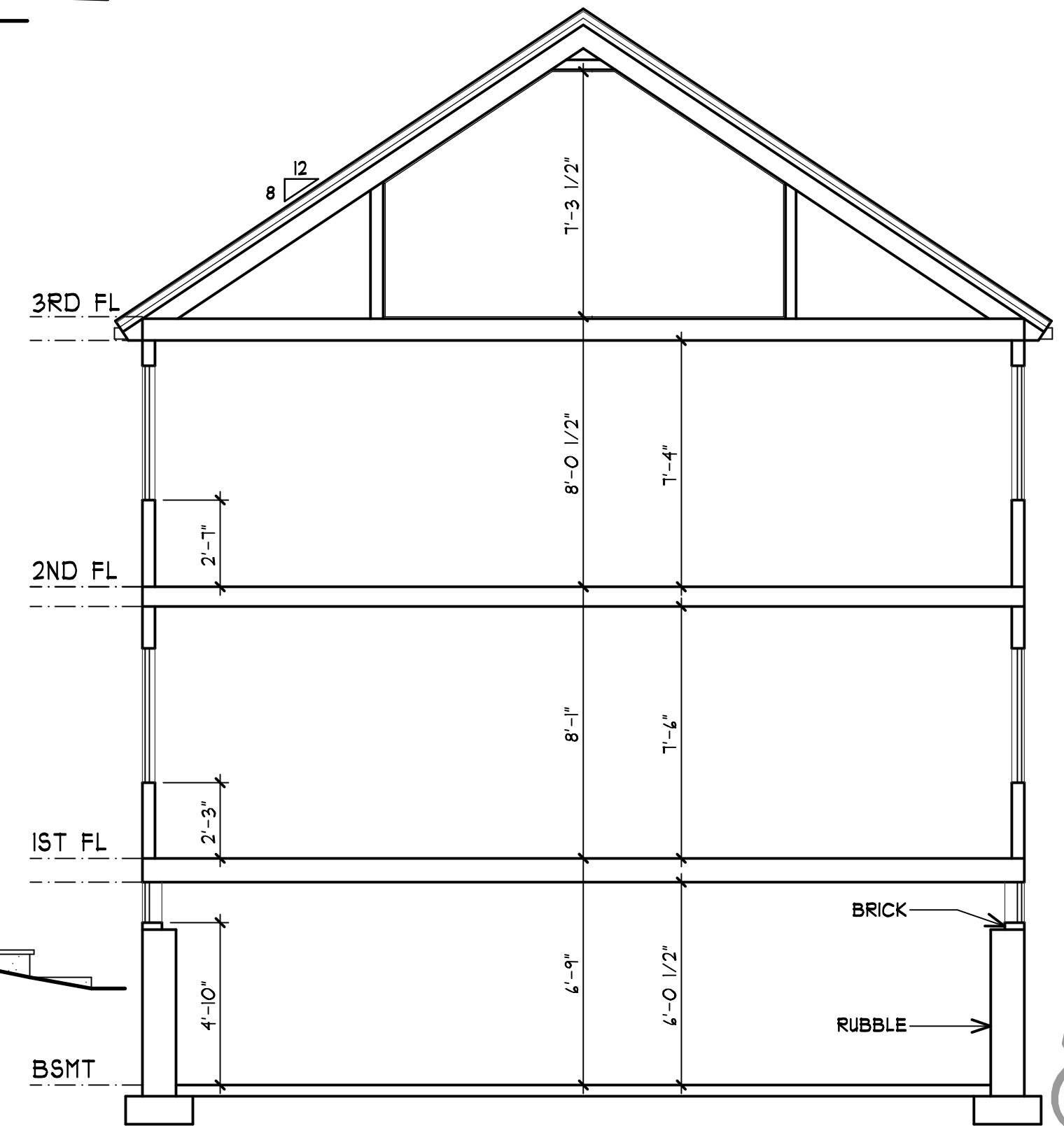
scale: 1/4" = 1'-0"
 date: 9/22/22
 drawn by: KE
 checked by: ND



① EAST ELEVATION
 1/4" = 1'-0"



② WEST ELEVATION
 1/4" = 1'-0"



③ BUILDING SECTION
 1/4" = 1'-0"

EXISTING

NOT FOR CONSTRUCTION

OFFICE OF THE
PLANNING BOARD

13 AYER ROAD HARVARD, MA 01451

978-456-4100

www.harvard.ma.us



To: Marlene Kenney, Town Clerk
Harvard Town Hall
13 Ayer Road
Harvard, MA 01451

February 22, 2021

HARVARD PLANNING BOARD

NOTICE OF DECISION ON APPLICATION OF

**Cellco Partnership d/b/a Verizon Wireless
Application for Site Plan Review of New Cell Tower Installation Approved as Existing Non-Conforming Use**

**12 Woodchuck Hill Road
Harvard, MA 01451
Assessors Map 23 Parcel 5**

RECEIVED
TOWN CLERK
2021 FEB 25 PM 4:27

SUMMARY OF APPLICATION

Continued review of Cellco Partnership d/b/a Verizon Wireless Site Plan Review for a 160' monopole telecommunications tower at 12 Woodchuck Hill Road. This analysis covers four (4) areas: (1) Recommendations on requested waivers, (2) Additional areas of consideration prior to any decision, (3) Other Findings, and (4) Standard and special conditions of approval recommendations.

PLANS AND DOCUMENTS SUBMITTED IN SUPPORT OF APPLICATION

- I. The Application packet (17 copies) for Special Permit and Site Plan Review for new Wireless Tower dated July 2020, received by the Harvard Town Clerk on July 16, 2020, with accompanying documents as required, including certified abutters list, corresponding fees paid and also including:
 - a. Project narrative letter from Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105 dated July 2020.
 - b. A plan set for 12 Woodchuck Hill Road; Harvard, MA; dated December 9, 2019; developed by Chappell Engineering Associates, 201 Boston Post Road, Suite 101, Marlborough, MA 01752.
 - c. Photo Simulations for 12 Woodchuck Hill Road; Harvard, MA; dated March 6, 2020 prepared by Chappell Engineering Associates, 201 Boston Post Road, Suite 101, Marlborough, MA 01752.

- d. RF Report; 12 Woodchuck Hill Road; Harvard, MA; dated April 8, 2020; prepared by C Squared Systems, 65 Dartmouth Drive, Auburn, NH 03032
- e. Plot map set labeled "Attachments" dated April 8, 2020; prepared by C Squared Systems, 65 Dartmouth Drive, Auburn, NH 03032
- f. Owners Letter of Authorization dated December 11, 2019 and signed by Richard F. Maiore and Frances C. Maiore.
- g. RF Emissions Report dated April 2, 2020; prepared by Donald L. Haes, Jr., CHP, CLSO for 12 Woodchuck Hill Road; Harvard, MA.
- h. RF Emissions Report Addendum dated April 2, 2020; prepared by Donald L. Haes, Jr., CHP, CLSO for 12 Woodchuck Hill Road; Harvard, MA
- i. Document entitled Analysis of Coverage Gain/Loss at Various Heights; undated.
- j. Certified abutters list packet for 12 Woodchuck Hill Road; Harvard, MA, including request, report, and map received by Harvard Board of Assessors on February 3, 2020.
- k. Summary narrative letter for site plan review dated January 12, 2021 from Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105.
- l. A revised plan set for 12 Woodchuck Hill Road; Harvard, MA; dated December 30, 2020.
- m. Revised photo simulations for 12 Woodchuck Hill Road; Harvard, MA; dated January 5, 2021 prepared by Chappell Engineering Associates, 201 Boston Post Road, Suite 101, Marlborough, MA 01752.
- n. Special Permit application withdrawal and request for waivers letter dated January 12, 2021 from Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105.
- o. Request for waivers letter dated February 22, 2021 from Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105.

II. Comments from Other Town Boards and/or Interested Parties

- a. Recommendations from Tree Warden CJ Ferguson regarding screening plantings dated Thursday, February 11, 2021.

III. Consultant Reviews

- a. Report entitled Review of Applications for Variance, Special Permit and Site Plan Review for a Wireless Communications Tower at 12 Woodchuck Hill Road, Harvard Massachusetts; prepared by Isotrope, LLC, 503 Main Street, Medfield, MA 02052; undated.
- b. Revised report entitled Review of Applications for a Wireless Communications Tower at 12 Woodchuck Hill Road, Harvard Massachusetts; prepared by Isotrope, LLC, 503 Main Street, Medfield, MA 02052; dated September 10, 2020.

IV. Additional Material

- a. FCC Bulletin 18-133 regarding “Accelerating Broadband Deployment by Removing Barriers to Infrastructure Investment” declaratory ruling; Adopted September 26, 2018 and released September 27, 2018.
- b. Property Valuation Report dated August 25, 2015 produced by Real Estate Consultants of New England, Inc and signed by Andrew G. LeMay and John Lopes.
- c. Balloon Test Legal Notice; Harvard Planning Board

V. Supplemental Materials

- a. Response letter to joint Planning Board/ZBA questions dated October 4, 2020 and produced by Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105
- b. Extension agreement letter dated October 6, 2020 from Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105.
- c. Extension agreement email dated December 7, 2020 from Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105.
- d. Extension agreement letter dated January 12, 2020 from Christopher A. Swiniarski, McLane Middleton, PA, 900 Elm Street, Manchester, NH 03105.
- e. Sample tower removal bond (Methuen, MA).
- f. Landscaping Site Plan dated 2/18/21 for 12 Woodchuck Hill Road developed by Chappell Engineering Associates, 201 Boston Post Road, Suite 101, Marlborough, MA 01752.

VI. Public Input – There was significant public input from abutters including comments and questions submitted during Planning Board hearing as well as emails submitted to the Land Use Boards office and distributed to Planning Board members. A full record of all public comment can be found in the meeting recordings, meeting minutes, email archives, and online Planning Board web pages.

LIMITED FINDINGS

The Harvard Planning Board makes the following findings with respect to the application for a site plan approval for a pre-existing, non-conforming replacement wireless communications facility at the Site.

- I. That, in fact, the application for site plan approval is complete as to form and content and is consistent with the Protective (zoning) Bylaws.
- II. That the Planning Board has voted unanimously (4-0-0) to grant the following waivers:
 - a. All requirements set forth in §125-27 E, as the requirements listed therein expressly pertain to “an application for a special permit” and the Applicant has withdrawn such application.
 - b. The following requirements of § 125-38 D, for the reasons stated in *italics* following each requirement:

- (1) Parking, loading, maneuvering, storage and service areas or uses, walkways, driveways, lighting, green areas and visual screening; *The proposed facility is unmanned and has no "use" other than the existence of the structures shown on the plans submitted.*
 - (2) Provisions for water supply and reservoirs, surface water drainage, and treatment and disposal of sewage and any other wastes; *The proposed facility has no water supply or waste generation.*
 - (3) Levels and grades where substantial excavation or fill is involved; *No substantial excavation or fill is proposed (other than temporary excavation for a foundation.*
 - (4) Clearing limits used to calculate both the volume and rate of surface water runoff. *The proposal will constitute an overall reduction in impervious area.*
- c. The requirement set forth in §125-38G of the Town of Harvard Protective Bylaw to provide a landscape plan that is prepared by a Landscape Architect.
- d. The applicant, on February 8, 2021, submitted a copy of a removal bond posted for the City of Methuen in 2015. The \$50,000 appears reasonable provided that with a 11.92 percent inflation rate since 2015, a bond no less than \$55,960 (rounded to \$56,000) be posted for this project. It is recommended that any submitted bond be submitted for Town Counsel review and approval as to form and content prior to issuance of a Building Permit for the project.

DECISION

Therefore, on February 22, 2021, by a unanimous vote of the four (4) members eligible to vote, the Planning Board **GRANTS** the Site Plan **subject to the following conditions:**

Standard Conditions of Approval

1. This Site Plan Approval shall lapse no later than February 1, 2026 if substantial use of the Approval has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun by such date except for good cause.
2. The granting of this Site Plan Approval is predicated on the applicant complying fully with all provisions of the Town of Harvard Protective Bylaw, the Town of Harvard Codified Bylaws, and Massachusetts General Law, as applicable.
3. The applicant shall be responsible for acquiring and complying with all other local, state, or federal permits and approvals as necessary to construct and operate the project as approved by the Board.
4. The applicant shall provide to the Planning Board, Building Commissioner, and Fire Chief, a detailed construction schedule identifying the sequence and timetable of all key components of the proposed site activity, as applicable. The applicant shall agree to periodic inspections by Town officials as needed and desired. This should include limitations on hours of work, which are to be 7:00 am to 6:00 pm weekdays only.
5. Duly authorized agents of the Town shall have the right to enter upon the Property to ensure continued compliance with the terms and conditions of this Special Permit.

6. This decision allows the proposed improvements and activities in the location shown on the approved Site Plan. No alterations, changed to the approved improvements, other additional uses or additional improvements shall be allowed without further review and approval by the Planning Board in the form of a modification to the Site Plan

Special Conditions of Approval

1. Construction of the telecommunications facility shall be completed within five (5) years from the effective date of this site plan approval. Prior to construction, the applicant, successors, or assigns, shall secure and finalize any required building permits for the proposed use from the Building Commissioner.
2. Co-location of antennas upon the proposed tower shall require a special permit, separate and distinct from this approval, as per the requirements of §125-27 generally and subsection D specifically.
3. The applicant shall detail the timing of the removal of the existing structure and provide for safety protocols that will be followed.
4. The applicant shall provide a detailed Maintenance and Operations (M&O) Plan for the maintenance of the facility, structures, and related improvements.
5. The applicant shall provide adequate screening of the fenced compound housing the mechanicals and related improvements with evergreen plantings as specified by the Harvard Tree Warden, and identified on the landscape plan sheet, sufficient to provide complete coverage of the fenced compound within five (5) years of installation. Specific criteria as recommended by the Harvard Tree Warden are as follows:
 - a. **Species:** Green Giant Arborvitae (*Thuja standishii x plicata*); Shall be nursery-grade specimens 5' to 6' in height at planting.
 - b. **Placement:** 15' off the edge of the pavement as per site plan.
 - c. **Spacing:** Each tree shall be planted with a 10' to 11' spacing extending northward from the southernmost location on the plan. The distance between the last and first tree should be between 90' and 100'. A total of nine (9) trees shall be planted.
 - d. **Ground Cover:** Natural, wood chips, with gardening fabric laid down then chips on top.
 - e. **Watering:** Sufficient quantity and frequency to ensure growth. Recommend putting a "super soaker" type hose and feed from the house with a timer. This can be adjusted as needed depending on health and weather.

The landscape plan shall be revised to include all of the provisions of this decision.

6. A landscape materials maintenance plan shall be submitted by the applicant prior to issuance of the Certificate of Occupancy (CO) that shall include how the any project plantings shall be maintained including watering and a replacement regimen for plantings that perish or show significant deterioration. This plan, operationalized upon installation of the plantings, shall cover a minimum two (2) year duration of watering and for unit replacement over the entire period of operation of the facility.
7. As per §125-27 G, Nonuse, a performance bond, letter of credit, or other surety approved as to form and content by the Planning Board, shall be posted with the Town prior to issuance of a Certificate of Occupancy (CO). It is recommended that a bond of \$56,000 be posted. Town Counsel shall review and approve bond as to form and content prior to issuance of a Building Permit.

8. A separate performance bond of \$4000.00 shall be provided to the Harvard Tree Warden to ensure compliance with landscaping planting and maintenance. This bond shall be in place for two (2) years upon installation of plantings and, at minimum, be large enough to cover the replacement of all plantings as shown on the landscape plan.
9. The compound fence shall be provided as proposed in the submitted detail. It shall also include slats or privacy screening (fence exterior) to enhance the security of the compound to be shown on a draft elevation plan. The slats shall be a shade of dark green that enhances the screening impact.
10. Any proposed material improvements or modifications to the driveway intended to accommodate the site improvements shall be subject to driveway site plan approval as applicable.
11. Proposed lighting shall be limited to, "...that needed for emergencies," comply with shielding requirements, only be motion activated, and be included on site plans and in details.
12. Noise generated by the facility shall not exceed ambient levels. The generator use shall be limited to between 9:00 am and 5:00 pm during weekdays and not exceed one (1) use per week.
13. The tower owner shall allow the installation of municipal public safety communications equipment as may be requested by Harvard Public Safety officials provided such equipment does not interfere with the service of other carriers on the tower.

VOTE

Motion made by Stacia Donahue and seconded by Jane Biering to approve the Site Plan Review with a Cellco Partnership, 12 Woodchuck Hill Road.

The following members of the Board voted to grant the Site Plan Review, subject to the above stated terms and conditions:

- I. Stacia Donahue
- II. Fran Nickerson
- III. Gwen Leonard
- IV. Jane Biering

The following members voted to deny the grant of a Site Plan Review:

- I. None

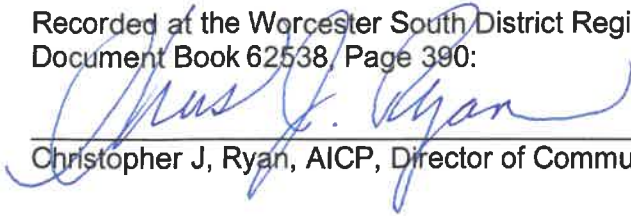
The following members voted to Abstain or Were Not Available to Cast a Vote:

- I. Justin Brown

ELECTRONIC SIGNATURE

The Harvard Planning Board, on May 18, 2020, voted to authorize the Director of Community and Economic Development, to electronically sign Harvard Planning Board documents during the Covid-19 State of Emergency as per the provisions of M.G.L. Chapter 110G, Section 9, which the Planning Board recognizes and accepts heretofore throughout the duration of the emergency.

Recorded at the Worcester South District Registry of Deeds as an Electronically Recorded Document Book 62538, Page 390:



Christopher J, Ryan, AICP, Director of Community and Economic Development

Stamped engineering acceptance letter prior to final inspection shall be uploaded to this application. Thanks David.



Jeff Hayes

Remove Note • May 30, 2023 at 7:59 am

At request of the applicant via email from 5/26/23, this permit is being extended till Dec 29, 2023.



Jeff Hayes

Remove Note • May 30, 2023 at 8:07 am

Copy of email sent to applicant on 5/30/23:
Good morning David,
Thank you for the email. I have extended this permit until December 29, 2023.
As long as work has begun by this date, you are all set. If work is to start after this date, please note that the expectation is that the new MA building code will go into effect on Jan 1, 2024. This would necessitate a new building permit to capture the new code requirements.

This step was assigned to Jeff Hayes - Nov 9, 2022 at 3:23 pm
Jeff Hayes approved this step - Nov 29, 2022 at 1:20 pm

**TOWN OF HARVARD ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: William Ference

Mailing Address: 40 Mass Ave, Harvard, MA 01451

Telephone Number: 267-566-2637 Email Address: bill.ference@gmail.com

Applicant is (check one): Owner Tenant Licensee Prospective Buyer

Location of Property: 247 Littleton County Rd Assessors Map 14 Parcel: 53.1

Registry of Deeds: Book Number 67898 Page Number 271 Certificate Number _____

Owner's Name: 247 Littleton County Road LLC Tel. No.: _____
(If different than Applicant)

Owner's Address: 1 Bolton Road, Harvard, MA 01451

Representative: Goldsmith, Prest & Ringwall, Inc. Tel. No.: 978-772-1590

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input checked="" type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

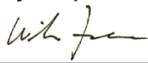
Specific Bylaw section (s) being applied for: 125-3 C Non-conforming structures other than one- and two-family dwellings and 125-3 D Non-conforming uses.

Nature of Application and Justification of Request: See attached.

The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

 3/16/2023
Property Owner's Signature (REQUIRED) Date

Property Owner's Signature (REQUIRED) Date

Applicant's Signature (if different from owner) Date



Engineering Solutions
for Land & Structures

Civil Engineering Land Planning Land Surveying

Harvard Zoning Board of Appeals
Special Permit Modification
Nature and Justification
Bill Ference
247 Littleton County Road

The property at 247 Littleton County Road (“the property”), also known as Friendly Crossways, was issued a Special Permit by the ZBA on April 22, 2022, recorded at the WSRD in book 68247 page 319, allowing the continued non-conforming use as an events venue and allowing the construction of a commercial kitchen and tent platform.

The construction of the kitchen is critical to the property’s operation and is required by the Board of Health in order to prepare food onsite. Whereas the proposed kitchen addition falls within Zone I of the property’s existing Public Water System (PWS) and whereas construction is not permitted within a PWS Zone I, the applicant seeks to de-certify the PWS. In order to approve the de-certification, MassDEP has requested that the Applicant amend the Special Permit text to limit the usage of the property to below the threshold for a PWS, defined as a system that “regularly serves an average of at least 25 individuals daily at least 60 days of the year.”¹

The proponent is petitioning the ZBA to amend the text of the referenced Special Permit as follows:

To section “*Decision (iv)*”:

Existing Text:

“increasing the number of events held at the Locus to 130 per year, including the service of alcoholic beverages and entertainment, subject to the following conditions.”

Proposed Amended Text:

“limiting the number of events with 25 or more guests served at the Locus to 59 or fewer per year, including the service of alcoholic beverages and entertainment, subject to the following conditions...”

To section “*A. Conditions*”:

Text Addition:

“If the Applicant ever seeks to hold more than 60 events with an average of 25 guests or more per year, the Applicant will register the property’s well as a Public Water System (PWS) through the MassDEP. With a PWS, the property will be allowed to host up to 130 events per year of any size.”

We believe the proposed text amendment is de minimis. On behalf of the proponent, we respectfully request the ZBA amend the text of the referenced Special Permit as requested and ask that all materials associated with the original filing be accepted by reference.

Worcester South District Registry of Deeds Electronically Recorded Document

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Recording Information

Document Number	: 103841
Document Type	: DECN
Recorded Date	: September 21, 2022
Recorded Time	: 03:45:07 PM
Recorded Book and Page	: 68247 / 319
Number of Pages(including cover sheet)	: 7
Receipt Number	: 1471795
Recording Fee	: \$105.00

Worcester South District Registry of Deeds
Kathryn A. Toomey, Register
90 Front St
Worcester, MA 01608
(508) 798-7717

**OFFICE OF THE
HARVARD ZONING BOARD OF APPEALS**

13 AYER ROAD HARVARD, MA 01451

978-456-4100 EXT.321

www.harvard-ma.gov



SPECIAL PERMIT DECISION

RE: Application of William Ference for a Special Permit

PROPERTY ADDRESS AND TITLE REFERENCE: 247 Littleton County Road, Harvard Massachusetts; Assessors Map 14, Parcels 53.1 and 53.2; Worcester District Registry of Deeds, Book 21955, Page 5 and Book 60401, Page 353

DATE: April 27, 2022

FINDINGS AND DECISION

I. Procedural History

On March 10, 2022 the applicant, William Ference (the "Applicant") filed an application ("the Application") with the Board of Appeals ("ZBA") seeking a special permit pursuant to the provisions of Sections 125-3, Paragraphs C and D of the Protective Bylaw ("the Bylaw") to allow changes and modifications to the prior nonconforming structure and uses at 247 Littleton County Road, Harvard, Massachusetts (the "Locus"), also known as "Friendly Crossways", by (i) constructing an approximately 1,200 square foot addition at the rear of the building and installing a commercial kitchen in the addition to prepare food for events; (ii) enhancing the outdoor area behind the existing building with a constructed platform and seasonal tent; (iii) constructing a new gravel parking lot in the southeastern corner of the adjacent corn field; and (iv) increasing the number of events held at the Locus to 130 per year.

A notice of the public hearing on the Application, a true copy of which is on file in the Office of the Town Clerk, was:

1. Published in the Harvard Press, a newspaper with general circulation in the Town of Harvard on March 18, 2022 and March 25, 2022;
2. Posted in a conspicuous place in the Harvard Town Hall on March 15, 2022, which was at least fourteen (14) days prior to the ZBA's hearing; and
3. Mailed, postpaid, on March 15, 2022, which is at least fourteen (14) days before the hearing to the Applicant, abutters, owners of land directly opposite the Locus on

any public or private street or way, abutters to the abutters within three hundred (300) feet of the Locus, the planning boards of the abutting towns. The notice was mailed to the names and addresses shown on the most recent tax list provided by the Assessor's Office.

A public hearing before the ZBA on the application was held on April 13, 2022 and April 27, 2022, on which date the hearing was closed.

At the hearing, the Applicant and his engineer, Goldsmith, Prest and Ringwall, Inc. presented the ZBA with the Applicant's plans, photographs and supporting materials concerning the proposed changes to the structure and uses at the Locus.

In addition to the Application, the ZBA received and reviewed the following documents relative to the Application:

- ZBA Special Permit Plan - Site Plan 247 Littleton County Rd., prepared by Goldsmith, Prest & Ringwall, Inc. dated March 2022.
- Architectural plans for Ference Catering, Harvard MA, prepared by Becthel Frank Erickson Architects, Inc.
 - A-1 SW Elevations Proposed and Existing
 - A-2 NW Elevations Proposed and Existing
- Letters of support from Suzanne Buell of 237 Littleton County Rd, and from Todd Brown and Rob Cullinane of 279 Littleton County Rd.

The ZBA received written comments on the Application by letters from the Board of Health dated April 12, 2022 and the Building Commissioner dated April 13, 2022.

No parties in interest appeared or voiced their opposition to the requested special permit.

The ZBA deliberated on this decision at its meeting of April 27, 2022, and made the following findings and decision based on the foregoing documents and other evidence submitted at the public hearing.

II. Findings

A. General

1. The Locus is owned by Mary Helen Vesenka-Turner and Keith Turner (Parcel 53.1) and Mary Helen Vesenka-Turner, James P. Vesenka, Ruth Anne Lewis and Hannah

Roeder (Parcel 53.2).

2. The Locus has a land area of approximately 24.57 acres, in the aggregate. It is improved with a residential building having a floor area of approximately 13,040 square feet, which was constructed on or about 1880. The Locus has frontage on and is accessible from Littleton County Road.
3. The Locus is situated in the AR (Agricultural/Residential) Zoning District.
4. The Building on the Locus is non-conforming as to front setback and size. The existing front yard setback is approximately sixty-five feet (65') from the centerline of the road and which is less than the current requirement under the Bylaw of seventy-five feet (75'). The gross floor area of the building of approximately 13,040 square feet is greater than the maximum allowable floor area under Section 125-37 of Bylaw, Major Buildings, of 10,000 square feet.
5. The existing and prior uses of the Locus as an event venue, including the service of alcoholic beverages and entertainment, a retreat and conference center with lodging, and a hostel are nonconforming in the AR Zoning District.
6. The proposed uses of the Locus as an event venue, including the service of alcoholic beverages and entertainment, a retreat and conference center with lodging, and a hostel are nonconforming in the AR Zoning District.

B. Special Permit

1. The nonconforming aspects of the building on the Locus as to front setback and size pre-date the first Bylaw adopted by the Town. Those aspects of the building are prior nonconforming or grandfathered.
2. The existing and prior uses of the Locus, which began on or about 1947, as an event venue, including the service of alcoholic beverages and entertainment, a retreat and conference center with lodging, and a hostel pre-date the first Bylaw adopted by the Town. Said uses have not been abandoned or discontinued for a period of 2 years or more since they were commenced. Those uses are prior nonconforming or grandfathered.
3. The proposed changes to the building and parking area on the Locus:
 - a.) will not result in substantial increase of volume or rate of surface water runoff to neighboring properties and streets, and will not result in substantial danger of pollution or contamination of the groundwater supply, a groundwater absorption area, a well, pond, stream, watercourse, W District, or inland wetland. Any and all surface water runoff resulting from the changes will be retained within the Locus.

- b.) will result in no substantial increase in traffic, compared to refusal of the special permit, on any residential street where the Locus have access;
 - c.) will be in harmony with the general purpose and intent of the Bylaw, including each purpose stated in § 125-1, Purpose, which is pertinent to the Application;
 - d.) would have been permitted before the building became non-conforming; and
 - e.) will not be substantially more detrimental to the neighborhood than the existing non-conformity.
4. The proposed change to the nonconforming uses of the Locus will not be substantially more detrimental than the existing non-conforming uses to the neighborhood.

III. Decision

Based on the foregoing evidence and findings, on April 2022, the ZBA voted unanimously (Chairman Tracey and Members Lawton and Maxant) to grant a special permit pursuant to the provisions of Section 125-3, Paragraphs C and D of the Bylaw, to allow changes and modifications to the prior nonconforming structure and uses at the Locus by (i) constructing an approximately 1,200 square foot addition at the rear of the building and installing a commercial kitchen in the addition to prepare food for events; (ii) enhancing the outdoor area behind the existing building with a constructed platform and seasonal tent; (iii) constructing a new gravel parking lot in the southeastern corner of the adjacent corn field, all as shown on the plans and drawings referenced above and (iv) increasing the number of events held at the Locus to 130 per year, including the service of alcoholic beverages and entertainment, subject to the following conditions:

A. Conditions

1. Before the issuance of a building permit for said changes to the building, the Applicant shall obtain:
 - a.) Site Plan approval from the Planning Board; and
 - b.) a subsurface wastewater disposal permit.
2. Before the use of the commercial kitchen for catered events, the applicant shall obtain:
 - a.) a Certificate of Compliance for the installed subsurface wastewater disposal system; and

b.) approval of the Harvard Board of Health of the commercial kitchen facility in accordance with Massachusetts DPH and Federal Food Code requirements.

3. Before serving alcoholic beverages at any events at the Locus, the Applicant shall obtain the appropriate liquor licenses from the Select Board and/or the Alcoholic Beverages Control Commission.
4. Before serving food and nonalcoholic beverages at any events at the Locus, the Applicant shall obtain a common victualler's license from the Select Board
5. Before providing any entertainment at any events at the Locus, the Applicant shall obtain the appropriate entertainment licenses from the Select Board.
6. Before providing any lodging to guests at the Locus, the Applicant shall obtain an inn keeper's license from the Select Board.
7. Before erecting any tent(s) at the Locus for which a tent permit is required, the Applicant shall obtain a tent permit(s) from the Building Commissioner.
8. Events at the Locus shall begin no earlier than 8:00 A.M. and shall end no later than 11:00 P.M. Amplified music played or broadcast at such events shall occur only during hours established by the Select Board as conditions of entertainment licenses.
9. Noise generated by events at the Locus shall comply with MassDEP's noise pollution policy and 310 CMR 7.00, *et seq.*
10. Before the Applicant exercises the rights granted under this Special Permit, he shall record an attested copy of it at the Worcester District Registry of Deeds in the chain of title to the Locus and provide documentation of said recording to the Building Commissioner.
11. The modifications and changes to the Locus and the building on the Locus shall be substantially the same as those shown on the Special Permit Plan and Architectural plans referenced above. De minimis modifications to said plans may be may by the Applicant, with the approval of the Building Commissioner, without review and approval by the ZBA.

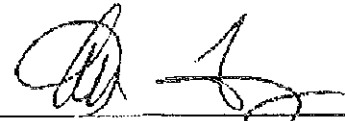
B. Terms

Action under this Special Permit shall lapse two (2) years from its date of issuance, but shall not include such time require to pursue or await the determination of an appeal referenced to in M.G.L. Chapter 40A, §17.


An appeal may be made pursuant to §17 of MGL Chapter 40A within twenty (20) days after the decision is filed with the Town Clerk.

This decision is not valid until after the Town Clerk of Harvard has certified it with respect to appeal provided in §9 of MGL Chapter 40A and a copy so certified has been recorded in the Worcester Registry of Deeds, referenced to the land.

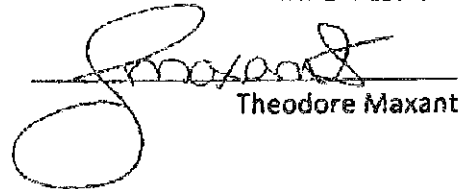
This decision does not waive or otherwise alter the requirements of the Harvard Protective Bylaw or any other law or ordinance. A copy of this decision showing book and page number of recording shall accompany an application for a building permit.



Christopher Tracey, Chairman



Michael Lawton



Theodore Maxant

This is to certify that as of June 16, 2022 no notice of appeal has been filed with this office in regard to this decision. I hereby certify that the twenty day appeal period has lapsed.

Signed: Lynn Kelly Lynn Kelly, Town Clerk



BOARD OF HEALTH

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MEMO

To: Harvard Zoning Board of Appeals; Juno Construction, LLC

From: Harvard Board of Health

Date: July 26, 2023

Re: Comprehensive Permit Application: Old Mill & Ayer Road (Village at Robin Lane)

At the Harvard Board of Health meeting of July 25, 2023, the Health Agent reviewed his initial comments regarding the Comprehensive Permit Application of Juno Construction, LLC, dated July 5, 2023, with the Board of Health Members.

The Board of Health herein offers the following comments to the ZBA and questions for the applicant:

1. The development must have a source of potable water in compliance with 310 CMR 22.00 Drinking Water regulations, MassDEP.
2. The development must have a sewage disposal system in compliance with Title 5 of the State Environmental Code, 310 CMR 15.000.
3. No burying of wood waste from lot clearing operations is allowed without compliance with 310 CMR 16.000, Site Assignment regulations.
4. Any blasting materials used shall not be perchlorate-based.
5. All detention/retention structures shall minimize standing water.

6. All phases of construction shall be done in a manner to minimize noise, odor and dust that would be injurious of public health and/or cause a “condition of air pollution.”
7. Please advise: What was the history of use of the property? Was the property an orchard in the past?
8. Please advise: Will this development affect the public water supply approval of Foxglove Apartments (capacity, IWPA)?

Thank you for the opportunity to offer comments. The Board of Health anticipates additional questions and comments will arise as the project progresses.