

**TOWN OF HARVARD  
ZONING BOARD OF APPEALS AGENDA  
WEDNESDAY NOVEMBER 1, 2023 @ 7:00pm via ZOOM**

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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 may listen in and participate by phone and/or online by following the link and phone number below.

THVolGovt Pro is inviting you to a scheduled Zoom meeting.

Topic: Zoning Board of Appeals

Time: Nov 1, 2023 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81910680883?pwd=K0x4b2pxbE8yTmhqRFNjdTNGeVhyQT09>

Meeting ID: 819 1068 0883

Passcode: 715667

One tap mobile

+19294362866,,81910680883# US (New York)

+13017158592,,81910680883# US (Washington DC)

Dial by your location

• +1 929 436 2866 US (New York)

• +1 301 715 8592 US (Washington DC)

• +1 305 224 1968 US

• +1 309 205 3325 US

Meeting ID: 819 1068 0883

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

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

**7:30pm Public Hearing for the application of Graham & Elizabeth Clark at 110 Littleton Road for a Variance for §125-30(E)3 and §125-45 for proposed alterations to replace pre-existing non-conforming deck and front steps.**

**New Business:** a) Approve Minutes  
b) Approve Invoice (Beels + Thomas Invoice #3241.03-2 for \$3,499.18)  
c) Craftsman Village & Conservation Commission  
d) Confirm ZBA meeting night starting in November 2023 (not 2<sup>nd</sup> Wednesday of the month)

**NEXT SCHEDULED MEETING:  
WEDNESDAY, DECEMBER 6, 2023**

**AS**

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.



Goldsmith, Prest & Ringwall, Inc.

## Memorandum

To: Harvard Zoning Board of Appeals  
From: Bruce Ringwall, Pres. GPR  
Date: October 26, 2023  
Subject: Village at Robin Lane  
Copy: Walter Eriksen, Melissa Robins, Esq.

Several questions were discussed during the last hearing on October 4, 2023. One item we were asked to comment on was FAR coverage without the basements or garages included.

The dwelling units without garages or basements is 49,152± SF. Ten percent of the subject site is 49,985 SF. No relief is necessary if the local FAR requirements didn't include basements or garages.

Another item was the relief on the parking spaces. The bylaw calls for 9' X 19' spaces. The plan indicates 9' X 18' spaces, however the parking spaces are recessed an additional four feet from the edge of the road side line to provide a 24' backing isle per the bylaw.

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# Plant List

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## Trees

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<u>Symbol</u>	<u>No.</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Size</u>
Ar	4	Acer rubrum 'October Glory'	October Glory Red Maple	1 1/2" -2" dbh
Tp	7	Liriodendron tulipifera	Tulip Tree	1 1/2" -2" dbh
Ff	6	Abies Fraseri	Fraser Fir	6'-7' ht
Ua	4	Ulmus Americana	American Elm	1 1/2" -2" dbh

## Shrubs / Grasses

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	<u>No.</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Size</u>
Vd	2	Wiburnum dentatum Autumn Jazz	Arrowwood Viburnum Autumn Jazz	2' - 3'
Rs	6	Rosa Scarlet Meidiland 'Meikrotal'	Scarlet Meidiland	18" - 24"
Ma	4	Miscanthus sinensis 'Andante'	Andante Maiden Grass	#2 pot
Mz	4	Miscanthus sinensis 'Zebrinus'	Zebrinus Grass	#2 pot



**From:** [Walter Eriksen](#)  
**To:** [Bruce D. Ringwall](#)  
**Subject:** HERS  
**Date:** Wednesday, October 4, 2023 2:48:55 PM  
**Attachments:** [2 bedroom Duplex Harvard MA with 6 K solar HERS.pdf](#)

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Here is the proposed HERS rating. We get to this great rating by using 2" of closed cell foam, then fiberglass batts in the walls, and about 24" of blown in in the attic. Mathew Brothers energy efficient windows, Mitsubishi electric heat pumps for heating and cooling and an electric hybrid heat pump hot water heater. Then about 6,000 kw of solar panels on the roof, depending on orientation, etc.  
thanks

# Home Energy Rating Certificate

Projected Report  
Based on Plans

Rating Date: 2023-08-08  
Registry ID:  
Ekotrope ID: dmamPrMd

## HERS® Index Score:

# 10

Your home's HERS score is a relative performance score. The lower the number, the more energy efficient the home. To learn more, visit [www.hersindex.com](http://www.hersindex.com)

## Annual Savings

# \$7,322

\*Relative to an average U.S. home

**Home:**  
2 bedroom Duplex  
Harvard, MA 01451  
**Builder:**  
Applewood Construction

**This home meets or exceeds the criteria of the following:**

Massachusetts Stretch Code  
2021 International Energy Conservation Code

Home complies with the 2021 IECC Energy Rating Index Compliance Alternative Section: R406

## Your Home's Estimated Energy Use:

Use [MBtu]	Annual Cost
Heating	16.3 \$1,230
Cooling	0.3 \$19
Hot Water	1.9 \$140
Lights/Appliances	18.9 \$1,425
Service Charges	\$120
Generation (e.g. Solar)	28.8 -\$2,177
<b>Total:</b>	<b>37.3</b> <b>\$758</b>

## Home Feature Summary:

Home Type:	Duplex, single unit
Model:	2 BR duplex
Community:	N/A
Conditioned Floor Area:	2,076 ft <sup>2</sup>
Number of Bedrooms:	2
Primary Heating System:	Air Source Heat Pump • Electric • 9.8 HSPF
Primary Cooling System:	Air Source Heat Pump • Electric • 19.2 SEER
Primary Water Heating:	Residential Water Heater • Electric • 3.93 Energy Factor
House Tightness:	1.5 ACH50 (Adjusted Infiltration: 1.50 ACH50)
Ventilation:	75 CFM • 45 Watts • ERV
Duct Leakage to Outside:	Forced Air Ductless
Above Grade Walls:	R-29
Ceiling:	Attic, R-60
Window Type:	U-Value: 0.27, SHGC: 0.26
Foundation Walls:	N/A
Framed Floor:	R-30

## Rating Completed by:

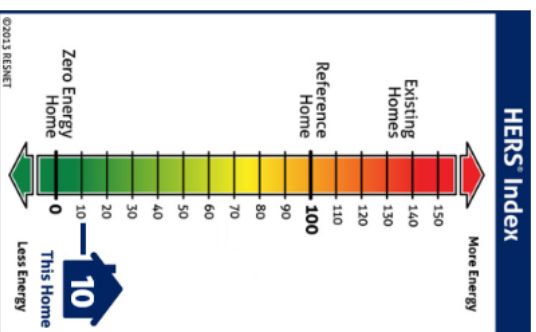
**Energy Rater:** Mark Horgan  
RESNET ID: 5543470

**Rating Company:** Associated Energy, LLC  
PO Box 1346 Leonminster MA 01453  
9785348310

**Rating Provider:** Performance Systems Development  
950 Danby Rd, Ste 201P, Ithaca NY 14850  
607-277-6240

*Mark Horgan*

Mark Horgan, Certified Energy Rater  
Digitally signed: 8/9/23 at 8:15 AM



ekotrope

Ekotrope RATER - Version:3.2.4.3215

The Energy Rating Disclosure for this home is available from the Approved Rating Provider. This report does not constitute any warranty or guarantee.

# RESNET HOME ENERGY RATING Standard Disclosure

For home(s) located at: **2 bedroom Duplex, Harvard , MA**

Check the applicable disclosure(s):

1. The Rater or the Rater's employer is receiving a fee for providing the rating on this home.
2. In addition to the rating, the Rater or the Rater's employer has also provided the following consulting services for this home:
- A. Mechanical system design
  - B. Moisture control or indoor air quality consulting
  - C. Performance testing and/or commissioning other than required for the rating itself
  - D. Training for sales or construction personnel
  - E. Other(specify)
3. The Rater or the Rater's employer is:
- A. The seller of this home or their agent
  - B. The mortgagor for some portion of the financed payments on this home
  - C. An employee, contractor, or consultant of the electric and/or natural gas utility serving this home
4. The Rater or Rater's employer is a supplier or installer of products, which may include:

Products	Installed in this home by		OR is in the business of	
HVAC systems	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer
Thermal insulation systems	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer
Air sealing of envelope or duct systems	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer
Energy efficient appliances	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer
Construction (builder, developer, construction contractor, etc)	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer
Other (specify): <input type="text"/>	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer	<input type="checkbox"/> Rater	<input type="checkbox"/> Employer

5. This home has been verified under the provisions of Chapter 6, Section 603 "Technical Requirements for Sampling" of the Mortgage Industry National Home Energy Rating Standard as set forth by the Residential Energy Services Network (RESNET). Rater Certification #: 5543470

Name: Mark Horgan  
Organization: Associated Energy, LLC

Signature: Mark Horgan  
Digitally signed: 8/9/23 at 8:15 AM

I attest that the above information is true and correct to the best of my knowledge. As a Rater or Rating Provider I abide by the rating quality control provisions of the Mortgage Industry National Home Energy Rating Standard as set forth by the Residential Energy Services Network(RESNET). The national rating quality control provisions of the rating standard are contained in Chapter One 102.1.4.6 of the standard and are posted at

<https://standards.resnet.us>

**The Home Energy Rating Standard Disclosure for this home is available from the rating provider.**

# IECC 2021 Performance Compliance

## Property

2 bedroom Duplex  
Harvard , MA 01451  
Model: 2 BR duplex

## Organization

Associated Energy, LLC  
Mark Horgan  
9785348310

## Inspection Status

Results are projected

2 bedroom Duplex Harvard MA  
projected  
2 bedroom Duplex Harvard MA with  
6 K solar

## Builder

Applewood Construction

**This report is based on a proposed design and does not confirm field enforcement of design elements.**

## Annual Energy Cost

Design	IECC 2021 Performance	As Designed
Heating	\$938	\$750
Cooling	\$42	\$31
Water Heating	\$89	\$89
Mechanical Ventilation	\$40	\$58
<b>SubTotal - Used to determine compliance</b>	<b>\$1,109</b>	<b>\$928</b>
Lights & Appliances w/out Ventilation	\$757	\$757
Onsite generation	\$0	\$0
<b>Total</b>	<b>\$1,866</b>	<b>\$1,685</b>

## Requirements

✓	R405.2	Performance-based compliance passes by 16.3%	The proposed house meets the IECC 2021 Performance reference energy bill requirement by \$181.1.
✓	R405.2 Item 2	Total UA alternative compliance passes by 19.0%	The proposed home meets the UA requirement by 19.0%
✓	R405.2 Item 2	Glazed Fenestration SHGC	
✓	R402.4.1.2	Air Leakage Testing	Air sealing is 1.50 ACH at 50 Pa and 0.10 CFM50 / ft <sup>2</sup> Shell Area. It must not exceed 5.00 ACH at 50 Pa or 0.28 CFM50 / ft <sup>2</sup> Shell Area.
✓	R403.3.1	Duct Insulation	There are no forced air ducted systems.
✓	R403.3.5	Duct Testing	
✓	R404.1	Lighting Equipment	At least 100.0% of fixtures shall be high-efficacy lamps, currently 100.0% are high-efficacy.
✓	Mandatory Checklist	Mandatory code requirements that are not checked by Ekotrope must be met.	2021 IECC Required Items must be checked as complete.
✓	R403.6.2	Mechanical Ventilation Efficacy	
✓	R403.6.1	Mechanical Ventilation Energy Recovery	
✓	R402.5	Area-weighted average fenestration SHGC	Area-weighted average fenestration SHGC is 0.26. The maximum allowed value is [No Limit].
✓	R402.5	Area-weighted average fenestration U-Factor	
✓	R401.2.5 Option 2	Additional energy efficiency	R401.2.5: 2.2 - 95% Threshold Met.

**Design exceeds requirements for IECC 2021 Performance compliance by 16.3%.**

As a 3rd party extension of the code jurisdiction utilizing these reports, I certify that this energy code compliance document has been created in accordance with the requirements of Chapter 4 of the adopted International Energy Conservation Code based on WORCESTER County. If rating is Projected, I certify that the building design described herein is consistent with the building plans, specifications, and other calculations submitted with the permit application. If rating is Confirmed, I certify that the address referenced above has been inspected/tested and that the mandatory provisions of the IECC have been installed to meet or exceed the intent of the IECC or will be verified as such by another party.

Name: Mark Horgan

Signature: Mark Horgan

Organization: Associated Energy, LLC

Digitally signed: 8/9/23 at 8:15 AM

## Ekotrope RATER - Version 3.2.4.3215

IECC 2021 Performance compliance results calculated using Ekotrope RATER's energy and code compliance algorithm.  
Ekotrope RATER is a RESNET Accredited HERS Rating Tool. All results are based on data entered by Ekotrope users.  
Ekotrope disclaims all liability for the information shown on this report.

# Harvard Fire Department

13 Ayer Road  
Harvard, Massachusetts 01451

Business Phone: (978) 456-3648  
Fax: (978) 456-3381



## FIRE PREVENTION OFFICE

October 11, 2023

To: Bruce Ringwall  
GPR, Inc  
39 Main Street, Suite 301  
Ayer, MA 01432

From: Lt. Andrew Perry  
Fire Prevention Officer  
Harvard Fire Department  
13 Ayer Road  
Harvard, MA 01451

CC: Town of Harvard Zoning Board of Appeals  
c/o Frank O'Connor, Jr., Director of Planning  
13 Ayer Road  
Harvard, MA 01451

Re: The Village at Robin Lane  
Old Mill Road at Ayer Road  
B+T Project No. 3241.03

Mr. Ringwall,

Thank you for meeting with Chief Sicard and I on Tuesday 10/10/2023 to discuss The Village at Robin Lane Comprehensive Permit Application and the recent peer review comments from Beals and Thomas. You will find below our responses to each of the "Waiver Comments" Beals and Thomas have deferred to the Harvard Fire Department. These comments are in response to the letter from Beals and Thomas to the ZBA, c/o Frank O'Connor, dated 10/03/2023.

### **Comment 16.**

The Fire Department has reviewed the proposed design of Robin Lane (The Village at Robin Lane Site Plan REV-1, 2023-09-20), we find no concerns with roadway geometry relative to emergency access provided.

### **Comment 17.**

GPR has provided Emergency Vehicle Turning Movement drawings that show acceptable movement of fire apparatus through the cul-de-sac. (The Village at Robin



Lane Site Plan REV-1, 2023-09-20) we find no concerns with roadway geometry relative to emergency access provided.

**Comment 21.**

The Fire Department does not require access to the well field area with any large size fire apparatus. This area would only be accessed in the event of a forest fire incident, the access provided on the site plan is adequate for our forest firefighting vehicle(s).

**Comment 24.**

The Fire Department acknowledges the concern stated by B+T of an emergency vehicle needing to enter an oncoming lane in order to complete the turn. This is common practice today with the size of modern fire apparatus and occurs throughout town given Harvard's small country roads. The Fire Department has no concerns with the adequacy of the emergency access provided.

**Comment 25.**

The Fire Department has no concern with the location of the cistern/dry hydrant. We would however stipulate that the dry hydrant connection faces the roadway for our access, the connection shall be a NSH 6-inch female and bollards be installed next to the dry hydrant connection to prevent vehicle damage.

**Additional/General Fire Department Comments**

1. GPR has proposed allowing parking on one side of the street only with no overnight parking allowed. This proposal is acceptable to the fire department for emergency access when the residents have additional visitors beyond the capacity of the visitor parking areas.

Please let us know if you have any additional questions or comments related to this review.

Respectfully,

*Andrew Perry*

Lieutenant Andrew Perry  
Fire Prevention Officer  
Harvard Fire Department



**HARVARD POLICE DEPARTMENT**  
40 AYER ROAD HARVARD MA 01451 – TEL. (978) 456-1212 - FAX (978) 456-8313

To: Bruce Ringwall, GPR Inc

From: James Babu, Chief of Police

Subj: Village at Robin Lane Parking

Date: October 18, 2023

Dear Mr. Ringwall,

I wanted to express my gratitude for the opportunity to meet with you today on-site and review the proposed parking recommendations for the Village at Robin Lane project. After our discussions and thorough consideration of the site location and plans, I am pleased to inform you that I have no concerns or objections with your recommendations.

The primary issue at hand pertains to the need for additional parking beyond the existing driveways and the designated twelve guest parking spaces. The applicant has put forth a proposal to amend the Condominium documents to allow parking on one side of the drive only, while also prohibiting overnight parking. I understand that these recommendations are intended to address parking-related concerns, and I have carefully evaluated their potential impact on the Town's emergency service vehicles. Based on my assessment, I can confidently affirm that these changes should not pose any problems for our emergency services.

By restricting parking to one side of the drive and prohibiting overnight parking, it can help alleviate potential congestion and ensure smoother traffic flow in the area. This, in turn, will aid emergency services in maintaining efficient access to the location whenever needed.

Once again, thank you for taking the time to meet and discuss these important matters. I look forward to the continued progress of the project and remain available for any further discussions or clarifications as necessary.

Sincerely,

*James Babu*

Chief of Police



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for Land & Structures

October 27, 2023

Harvard Zoning Board of Appeals (Via email)  
13 Ayer Road  
Harvard, MA 01451

RE: Village at Robin Lane  
Additional relief request

Dear Board Members:

On behalf of the proponent, Juno construction, LLC, GPR respectfully requests additional relief from Harvard's Zoning Board of Appeals Comprehensive Permit Rules & Regulations. Specifically, from Chapter 136 Section 136-3.A(1)(a)[1][b][x] calling for site development plans to indicate proposed lighting and photometric analysis.

As has been discussed the project is not proposing any street lights or driveway lights. The development is designed in accordance with 'dark sky' guidelines and only proposes the required architectural down lighting at entry and egress doors of each dwelling unit. Further, the Town of Harvard protective Zoning Bylaws do not require specific lighting requirements of either footcandle or lumen for residential or commercial developments.

On behalf of the proponent, please add this to the list of items of relief requested for the project.

Sincerely,

A handwritten signature in black ink, appearing to read 'BDR', with a small 'pres' written below it.

Bruce D. Ringwall, Pres.

Copy to: Juno Construction (via email)  
Melissa Robbins, Esq. (via email)  
GPR file 03219

**Goldsmith, Prest & Ringwall, Inc.**

OFFICE OF THE  
**CONSERVATION COMMISSION**

13 AYER ROAD HARVARD, MA 01451

978-456-4100 EXT.321

[www.harvard-ma.gov](http://www.harvard-ma.gov)



September 27, 2023

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

RE: Variance – 110 Littleton Road

Dear Chairman Tracey,

The Harvard Conservation Commission has no comments pertaining to the application for a Variance at 110 Littleton Road for the replacement of an existing deck filed on behalf of Graham & Elizabeth Clark. Thank you.

For the Commission,

A handwritten signature in black ink, appearing to read "Liz Allard", is written over a circular stamp or mark.

Liz Allard  
Conservation Agent

Cc: File

Zoning Board of Appeals  
Application for a Variance  
For  
110 Littleton Rd  
Map 13 Parcel 87  
Harvard MA, 01451

Applicants/Owners: Elizabeth & Graham Clark

Date: September 21, 2023



## Table of Contents

Zoning Board of Appeals Application

Written Statement

Photographs of Site

Abutters List

Assessors Field Card

Attachments

Plans Prepared by Proposed by David E. Ross Associates, Inc.

A. Certified Plot Plan

Plans Prepared by Quinn's Construction, LLC.

B. Clark Residence

**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: Elizabeth Clark, Graham Clark

Mailing Address: 110 Littleton Rd, Harvard MA 01451

Telephone Number: 978-621-7504 Email Address: bethadee@gmail.com

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

Location of Property: 110 Littleton Rd, Harvard MA 01451 Assessors Map 13 Parcel: 87

Registry of Deeds: Book Number 48229 Page Number 262 Certificate Number 124841

Owner's Name: N/A Tel. No.: N/A  
(If different than Applicant)

Owner's Address: N/A

Representative: N/A Tel. No.: N/A

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

- |   |                                 |
|---|---------------------------------|
| <input checked="" 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 type="checkbox"/> Comprehensive Permit (20 copies)                     | Fee: 500.00/unit                |

Specific Bylaw section (s) being applied for: Chaper 125-30 E3

Nature of Application and Justification of Request: Replace the existing decking and front steps, built in 1986, due to material degradation rendering the current deck and stairs unsafe and to replace the decking on another deck to match the new decking.


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.

  
Property Owner's Signature (REQUIRED)

9/21/2023  
Date

  
Property Owner's Signature (REQUIRED)

9/21/2023  
Date

\_\_\_\_\_  
Applicant's Signature (if different from owner)

\_\_\_\_\_  
Date

## Written Statement

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### Background

We, Elizabeth and Graham Clark of 110 Littleton Rd, are proposing to replace the existing decking and front steps, built in 1986, due to material degradation rendering the current deck and stairs unsafe and to replace the decking on another deck to match the new decking. We are requesting a variance for the following changes to our property:

**Item A:** Build a roof and screening on the pre-existing footprint of non-conforming deck that has substantial privacy from neighbors

**Item B:** Replace pre-existing non-conforming steps to the front door but extend slightly more into the 40' setback in order to maximize safety as the primary entrance and exit to the house

**Item C:** Replace deck flooring and railings on a pre-existing non-conforming deck

We appreciate the intention of the bylaws to preserve the rural character of the town by valuing open space particularly as it applies to privacy and a lack of disturbance to neighbors. However, our property is a long narrow shape with the house in the very corner such that any update to the pre-existing decks and front steps will require working inside the setbacks (Chapter 125 section 45 (1)(b)). Luckily our immediate neighbors have more typical properties with much more than required setbacks from shared property lines to protect their privacy. We believe that changes to the pre-existing decks and front steps will not impact neighbors' privacy and open space, or detract from the rural nature of the neighborhood (Chapter 125 section 45 (1)(d)(i)). We will refer to the Chapter 125 Section 45 of the Protective Bylaw in order to prove our case for a variance.

### *Chapter 125 Section 45 - Variances*

- (1) *The Board of Appeals may, as provided in the Zoning Act, Sections 10 and 11, authorize with respect to particular land or structures a variance from the terms of the Bylaw where the Board finds that:*
  - (a) *enforcement of the Bylaw provisions would involve substantial hardship, financial or otherwise, to the petitioner, and*
  - (b) *There are circumstances relating to soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting the district generally; and*

*(c) The hardship is owing to said circumstances; and*

*(d) Desirable relief may be granted:*

- i. Without substantial detriment to the public good; and*
- ii. Without nullifying or substantially derogating from the intent or purpose of the Bylaw.*

**(Item A)** The main deck was built with the house originally in 1986 and is non-conforming because it is inside the 40' setback on one side. We need to replace the rotting decking because it is unsafe in its current state. In order to move the deck to be fully within the setbacks, the existing structure and footings would need to be demolished and rebuilt in a smaller footprint which is substantially more expensive than keeping them in place (Chapter 125 section 45 (1)(a)). We are also requesting to add a roof and screening to the existing footprint in order for our family to spend time outside without suffering harm. There is an extensive wetlands area across the street (Bowers Brook) which creates a larger than average mosquito population. Our 7 year old son has PFAPA, which is a periodic fever syndrome that causes him to get a high fever and miss school for one or two days after he is bitten by mosquitos. Deet containing sprays and mosquito deterrent devices have not succeeded in reducing mosquitos enough to prevent frequent bites in the morning and evening. The screened-in porch will not be used in a way that is different from a standard deck in terms of noise so we do not expect neighbors to be impacted by its use (Chapter 125 section 45 (1)(d)(i)). The neighbor's house on the side of the house that would be impacted by the change inside the setback is very far from the property line (>100ft) and is protected by a thick privacy screening of shrubs and trees (see attached photo 1). This neighbor has given verbal agreement to the proposed plans.

**(Item B)** The deck flooring and front steps need to be replaced because they are rotting and unsafe in the current state. Getting to the front door on the pre-existing staircase currently requires 15 continuous steps in a 4' wide stairway with no landings (see attached photo 2). It is a long difficult ascent for some and since it is the easiest and most direct way into the house, it can be unsafe when moving large heavy furniture and appliances due to the narrow staircase and lack of opportunities to take a break. The widening of the staircase from 4' to 5' and addition of two landings brings the boundary of the staircase from 39.9' to 38.3' from the setback which is still non-conforming but an overall increase from 0.25% to 4.25% of the setback distance. This distance could be reduced by bringing the stairs directly against the house, which is not ideal due to snow sitting against the siding and bugs having easy access causing material deterioration (Chapter 125 section 45 (1)(a)). The neighbor on the side of the house that would be impacted by the steps being more inside the setback is protected by a thick privacy screening

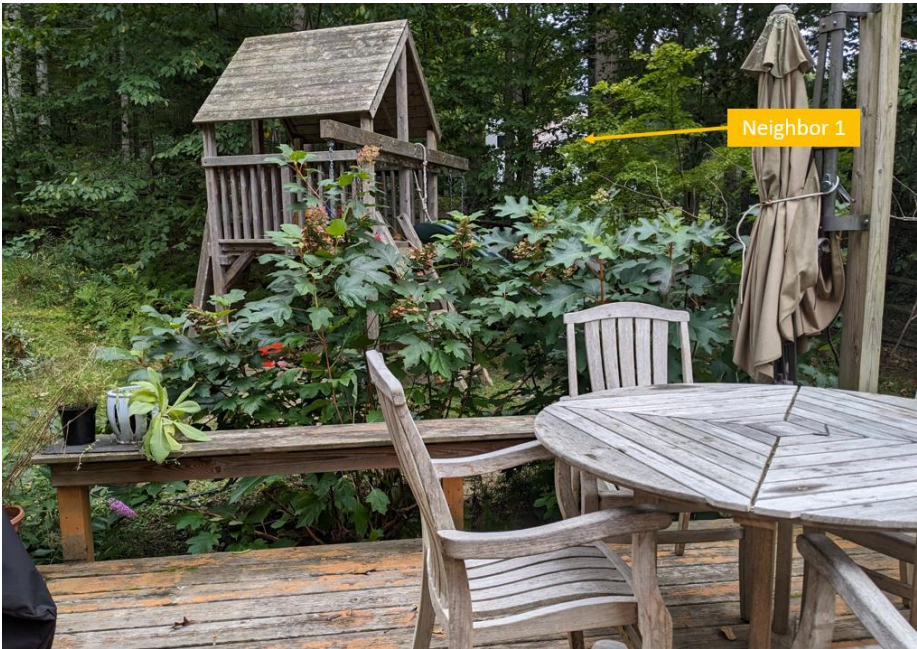
of deciduous and pine trees (see attached photo 3) (Chapter 125 section 45 (1)(d)(i)). This neighbor has given verbal agreement to the proposed plans.

**(Item C)** We would like to replace the decking and railings on our smaller non-conforming deck to match the decking in A and B in order to tie together the aesthetics of the exterior which will improve the appearance of the house and neighborhood (Chapter 125 section 45 (1)(d)(i)).

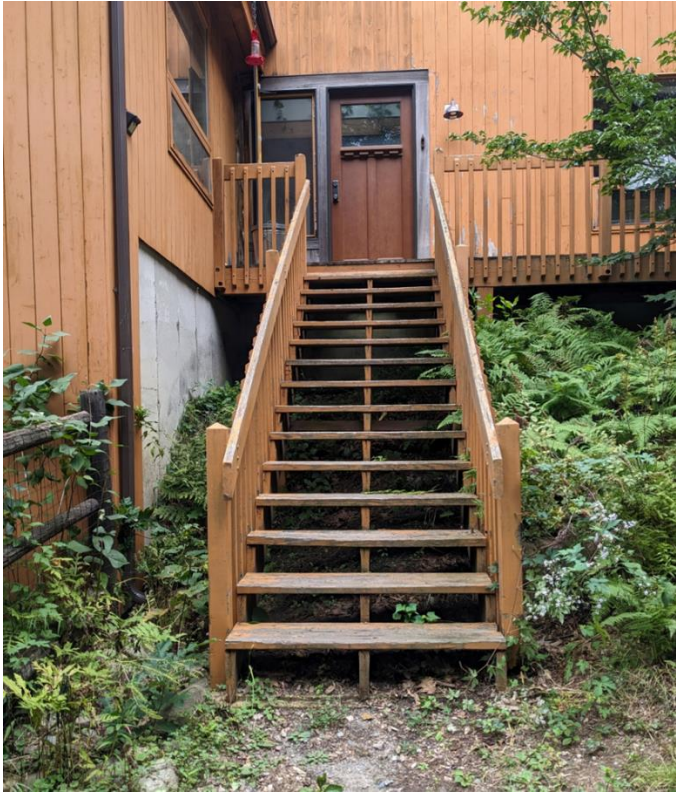


Photographs of Site

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*photo 1 - taken from main deck, see map 1 yellow arrow*



*photo 2*

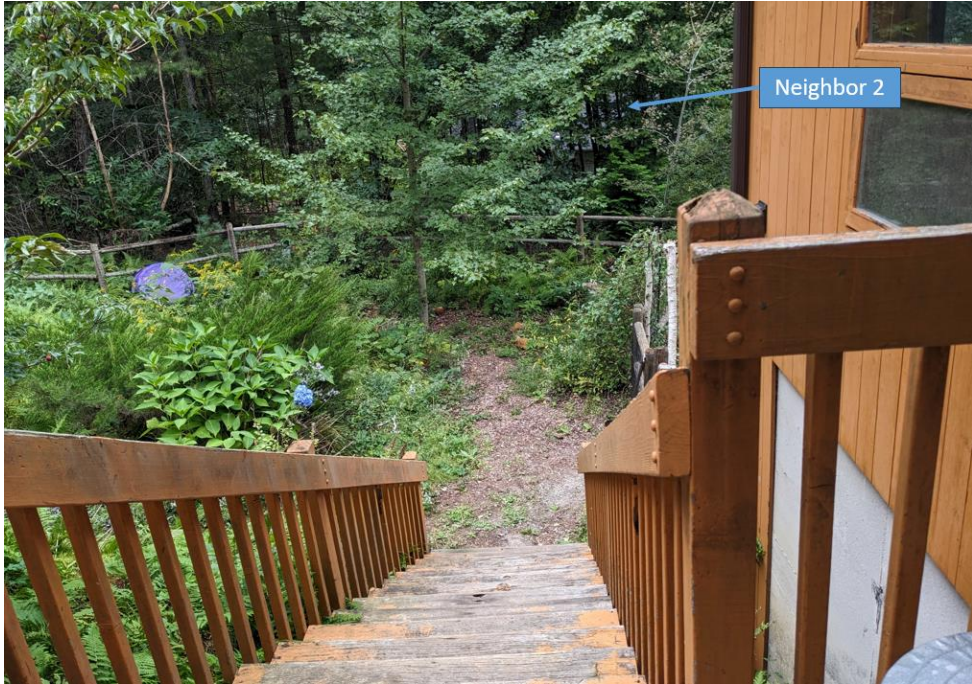
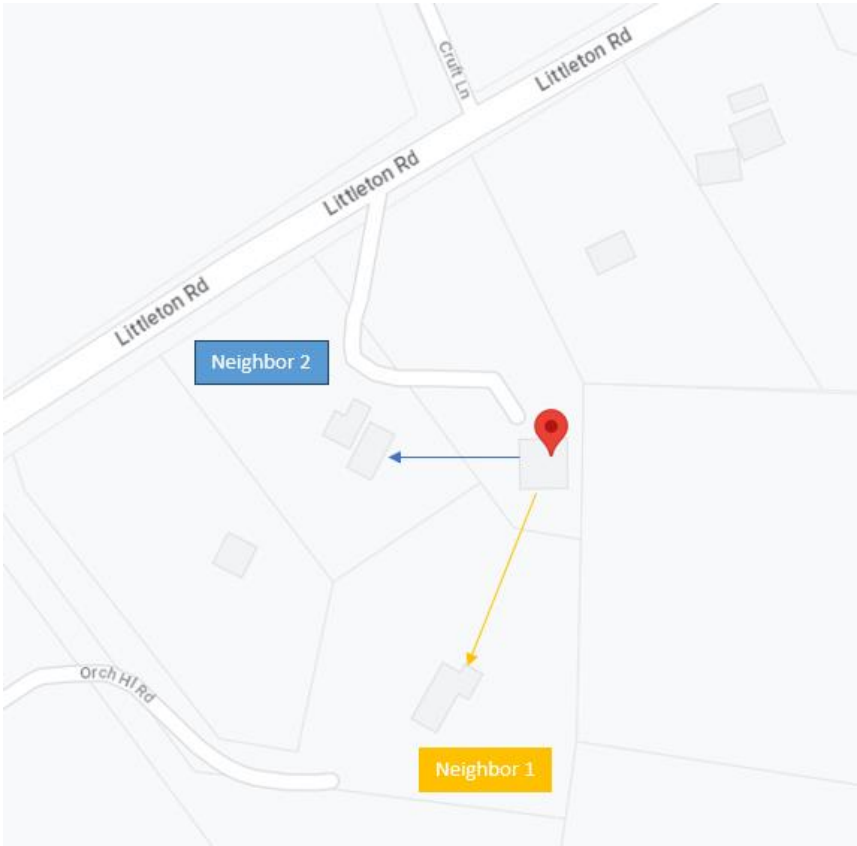


photo 3 - taken from top of stairway in front of front door, see map 1 blue arrow



map 1



**Abutters List Report**  
Town of Harvard, MA

Date: September 19, 2023

Parcel Number: 013-087-000

Property Address: 110 Littleton 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.

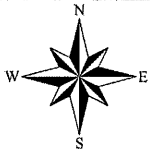
Signed: 

Date: 9/19/23

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](http://www.harvard-ma.gov)





# 110 LITTLETON RD

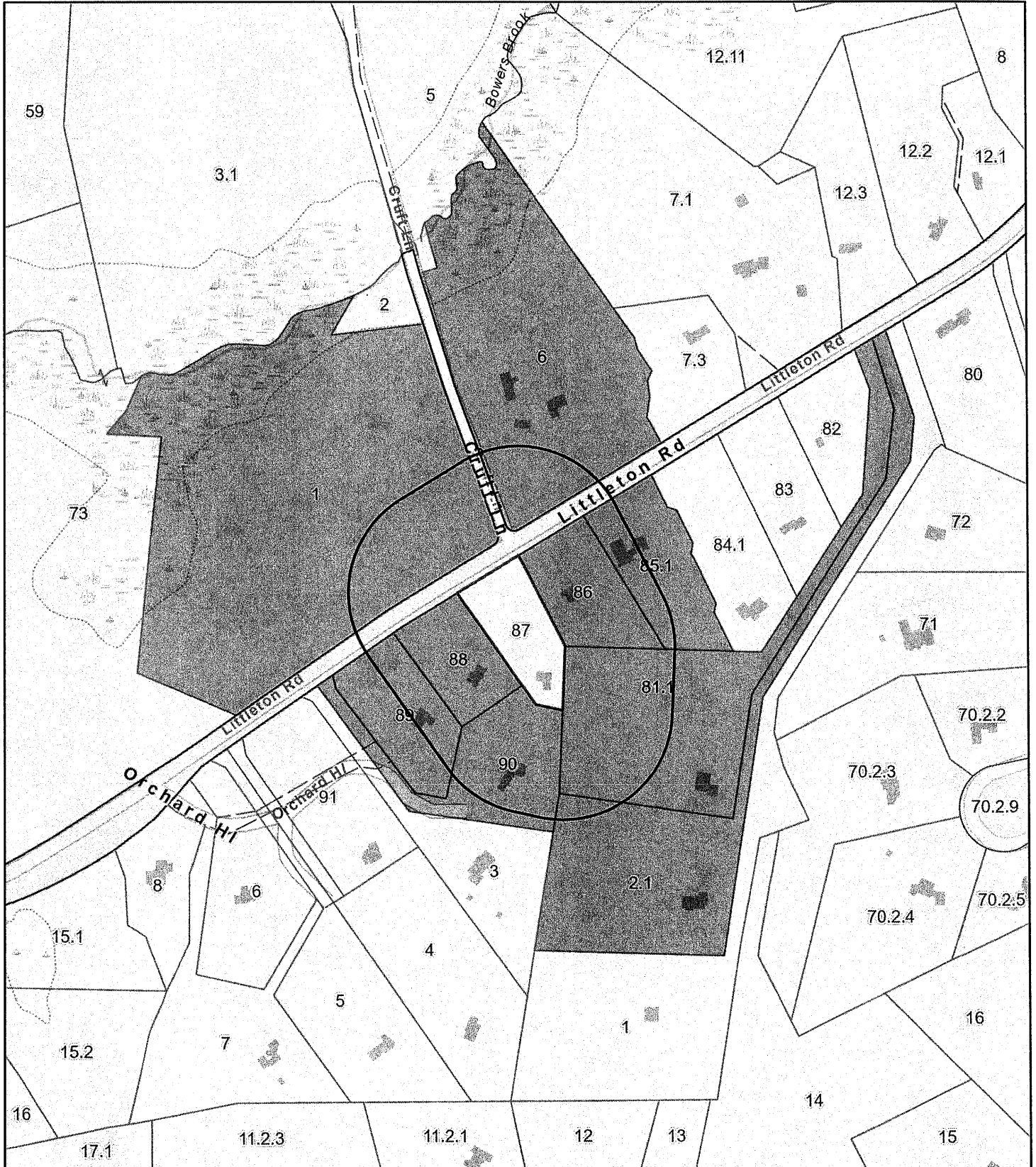
Town of Harvard, MA

1 inch = 376 Feet



www.cai-tech.com

September 19, 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  
September 19, 2023

## Subject Property:

Parcel Number: 013-087-000-000  
CAMA Number: 013-087-000-000  
Property Address: 110 LITTLETON RD

Mailing Address: CLARK, GRAHAM & PAVLIK, ELIZABETH  
C  
110 LITTLETON RD  
HARVARD, MA 01451

---

## Abutters:

Parcel Number: 013-001-000-000  
CAMA Number: 013-001-000-000  
Property Address: LITTLETON RD

Mailing Address: SHAW, JOSEPH ANTHONY  
195 PROSPECT HILL RD  
HARVARD, MA 01451

Parcel Number: 013-006-000-000  
CAMA Number: 013-006-000-000  
Property Address: 8 CRUFT LN

Mailing Address: SHAW MARK  
8 CRUFT LN  
HARVARD, MA 01451

Parcel Number: 013-081-001-000  
CAMA Number: 013-081-001-000  
Property Address: 138 LITTLETON RD

Mailing Address: BRANNEN, ROBERT C & ELAINE  
138 LITTLETON RD  
HARVARD, MA 01451

Parcel Number: 013-085-001-000  
CAMA Number: 013-085-001-000  
Property Address: 120 LITTLETON RD

Mailing Address: DANIELS, DAVID W & DIANE T  
PO BOX 756  
HARVARD, MA 01451

Parcel Number: 013-086-000-000  
CAMA Number: 013-086-000-000  
Property Address: 114 LITTLETON RD

Mailing Address: COLLINS, DENNIS J & NATASHA F  
114 LITTLETON RD  
HARVARD, MA 01451

Parcel Number: 013-088-000-000  
CAMA Number: 013-088-000-000  
Property Address: 108 LITTLETON RD

Mailing Address: KAUSHIK DAS  
108 LITTLETON RD  
HARVARD, MA 01451

Parcel Number: 013-089-000-000  
CAMA Number: 013-089-000-000  
Property Address: 5 ORCHARD HL

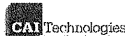
Mailing Address: PIRN, AADU  
PO BOX 27  
HARVARD, MA 01451

Parcel Number: 013-090-000-000  
CAMA Number: 013-090-000-000  
Property Address: 7 ORCHARD HL

Mailing Address: RYAN, KEVIN  
7 ORCHARD HL  
HARVARD, MA 01451

Parcel Number: 018-002-001-000  
CAMA Number: 018-002-001-000  
Property Address: 136 LITTLETON RD

Mailing Address: WEISER, HEINZ & WEI SHUI  
PO BOX 665  
HARVARD, MA 01451



www.cai-tech.com

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9/19/2023

Page 1 of 1



BRANNEN, ROBERT C & ELAIN  
138 LITTLETON RD  
HARVARD, MA 01451

COLLINS, DENNIS J & NATAS  
114 LITTLETON RD  
HARVARD, MA 01451

DANIELS, DAVID W & DIANE  
PO BOX 756  
HARVARD, MA 01451

KAUSHIK DAS  
108 LITTLETON RD  
HARVARD, MA 01451

PIRN, AADU  
PO BOX 27  
HARVARD, MA 01451

RYAN, KEVIN  
7 ORCHARD HL  
HARVARD, MA 01451

SHAW MARK  
8 CRUFT LN  
HARVARD, MA 01451

SHAW, JOSEPH ANTHONY  
195 PROSPECT HILL RD  
HARVARD, MA 01451

WEISER, HEINZ & WEI SHUI  
PO BOX 665  
HARVARD, MA 01451

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				
CLARK, GRAHAM & PAVLIK, ELIZABE  110 LITTLETON RD  HARVARD MA 01451		9 Sloped	5 Well	3 Med Traffic		Description	Code	Appraised	Assessed	125  HARVARD, MA  <b>VISION</b>
		5 Steep	6 Septic	6 Paved		RESIDNTL	1010	360,700	360,700	
						T Two Way				
<b>SUPPLEMENTAL DATA</b>						RES LAND	1010	250,300	250,300	
Alt Prcl ID 1250130008700000 House Col BROWN STAINED Field Chec						RES OB	1010	1,700	1,700	
GIS ID M_194355_917828						Total		612,700	612,700	
Assoc Pid#										

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)									
CLARK, GRAHAM & PAVLIK, ELIZABETH C		48229	0262	12-07-2011	U	V	360,000	1N	Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
KAEGBEIN, DEBORAH L & BRADLEY, DEN		9612	0300	07-17-1986	U	V	1	1F	2022	1010	278,500	2021	1010	269,100	2020	1010	248,500
KAEGBEIN, DEBORAH L		7677	0041	02-09-1983	U	V	0			1010	236,600		1010	236,600		1010	236,600
KAEGBEIN, DEBORAH L & CAMPBELL, RO		7236	0022	05-22-1981	U	V	0			1010	1,400		1010	1,400		1010	1,400
Total									516,500		Total		507,100		Total		486,500

EXEMPTIONS			OTHER ASSESSMENTS						
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int	
Total								0.00	

ASSESSING NEIGHBORHOOD				
Nbhd	Nbhd Name	B	Tracing	Batch
1				

NOTES	
LOT 10 CODED "N" SELLERS UNDER DURESS 2011 SALES QUEST LOT TOPO/STEEP HILL 5/18/12 PER BUYER BROKER LOTS OF CONS: NEEDED UPDT THROUGHOUT, NO LNDSCP VSTEEP LOT, COMM DV & WAS ON MKT LONGTM SELLERS JUST BOUGHT A COND @ TRAILRIDGE	

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
15-132	08-17-2015	RF	Roofing	62,780	06-14-2016	100		STRIP & REROOF	06-14-2016	BB	X	O	M	Maintenance/Buld Perm
15-013	01-26-2015	HA	HVAC	15,000	06-14-2016	100		INSTL GEOTHERMAL HVAAC	08-09-2011	DH	X		C	Cyclical Insp
13-004	01-28-2013	WN	Window	5,400		100		REPL 2 DOORS	06-24-1998	CLT	C	M	R	Reval
12-173	09-10-2012	RS	Residential	4,000	10-15-2012	100	10-15-2012	WOODSTOVE						

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	1.500	AC 225,000.00	0.73807	P	1.00	30	1.000		1.0000		249,100
1	1010	Single Fam	AR		0.080	AC 15,000.00	1.00000	0	1.00		1.000		1.0000		1,200
Total Card Land Units					1.58	AC	Parcel Total Land Area					1.58	Total Land Value		250,300

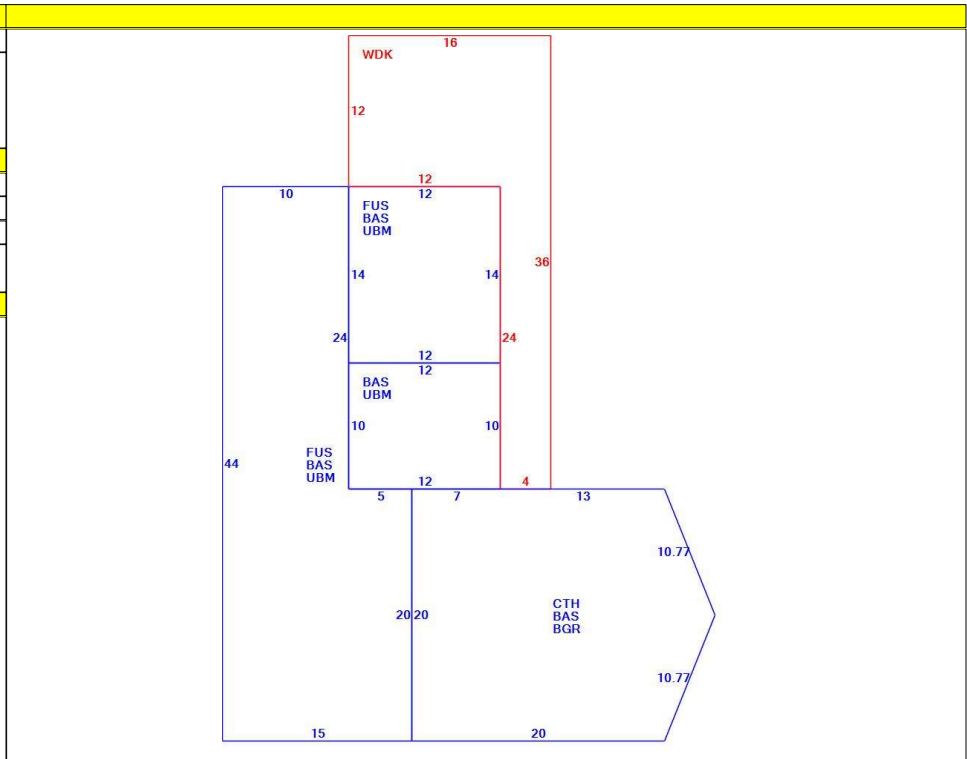
AS of January 1, 2022

This signature acknowledges a visit by a Data Collector or Assessor

**APPRAISED VALUE SUMMARY**

Appraised Bldg. Value (Card) 360,700  
 Appraised Xf (B) Value (Bldg) 0  
 Appraised Ob (B) Value (Bldg) 1,700  
 Appraised Land Value (Bldg) 250,300  
 Special Land Value 0  
 Total Appraised Parcel Value 612,700  
 Valuation Method C  
 Total Appraised Parcel Value 612,700

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	07	Modern/Contemp			
Model	01	Residential			
Grade:	05	Good			
Stories:	2.00				
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	05	Drywall			
Interior Wall 2					
Interior Flr 1	14	Carpet			
Interior Flr 2					
Heat Fuel	04	Electric			
Heat Type:	23	Geothermal			
AC Type:	01	None			
Total Bedrooms	03	3 Bedrooms			
Total Bthrms:	2				
Total Half Baths	1				
Total Xtra Fixtrs	0				
Total Rooms:	7				
Bath Style:	05	Semi-Modern			
Kitchen Style:	01	Old Style			
# of Kitchens	1				
Fireplaces	1				
<b>CONDO DATA</b>					
Parcel Id		C		Owne	
			B	S	
Adjust Type	Code	Description	Factor%		
Condo Flr					
Condo Unit					
<b>COST / MARKET VALUATION</b>					
Building Value New		439,847			
Year Built		1986			
Effective Year Built					
Depreciation Code		A			
Remodel Rating					
Year Remodeled					
Depreciation %		18			
Functional Obsol					
External Obsol					
Trend Factor		1.000			
Condition					
Condition %					
Percent Good		82			
RCNLD		360,700			
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	2014		95		0.00	1,700

**BUILDING SUB-AREA SUMMARY SECTION**

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,268	1,268	1,268	176.03	223,200
BGR	Bsmt Garage	0	440	110	44.01	19,363
CTH	Cathedral Ceiling	0	440	44	17.60	7,745
FUS	Upper Story, Finished	708	708	708	176.03	124,626
UBM	Basement, Unfinished	0	828	166	35.29	29,220
WDK	Deck, Wood	0	288	43	26.28	7,569
<b>Ttl Gross Liv / Lease Area</b>		<b>1,976</b>	<b>3,972</b>	<b>2,339</b>		<b>411,723</b>



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

# Certified Plot Plan

110 Littleton Road Harvard, Mass.

STREET TOWN

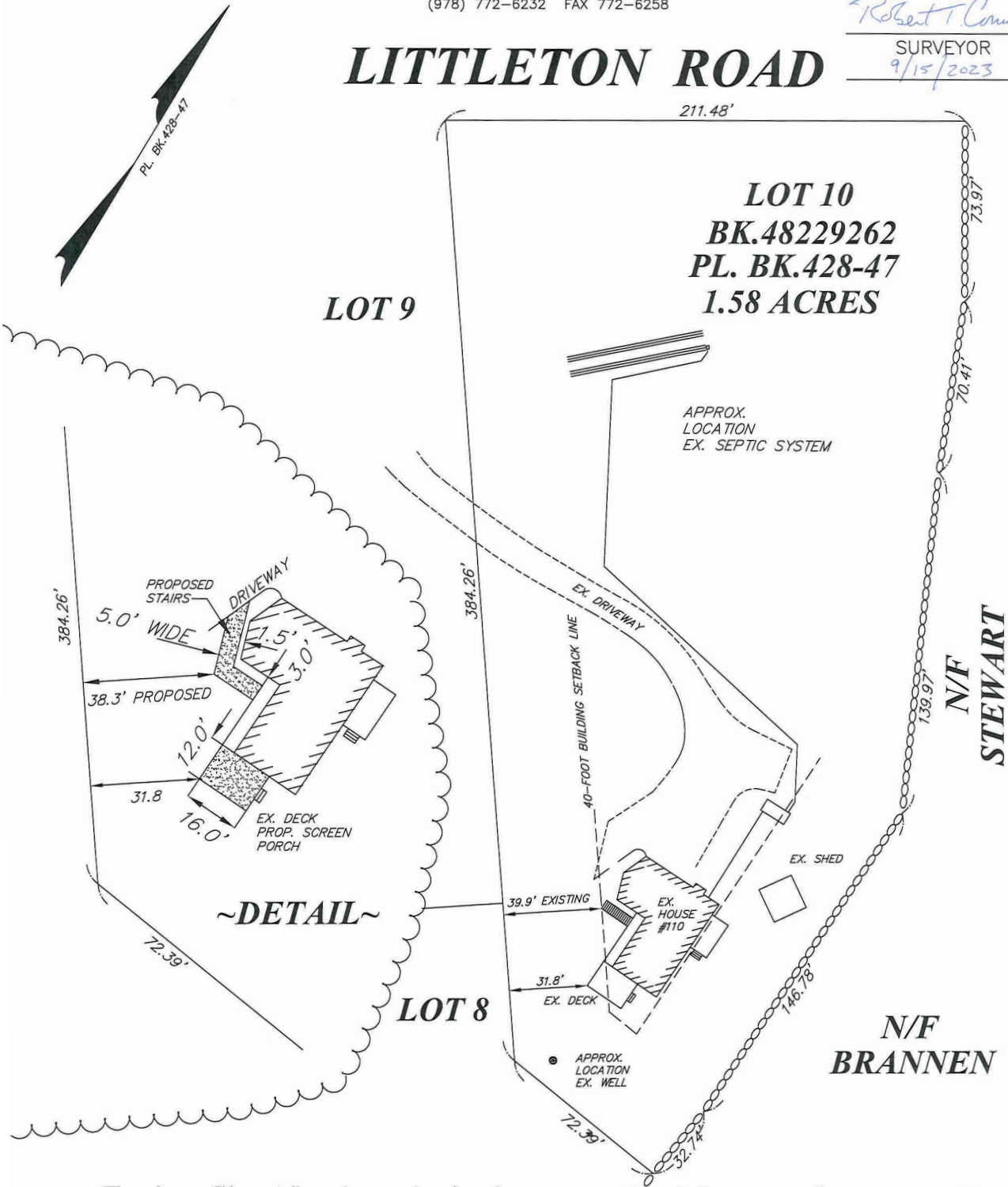
**David E. Ross Associates, Inc.**

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



*Robert T. Conway*  
SURVEYOR  
9/15/2023

## LITTLETON ROAD



**Zoning Classification: Agriculture-Residential**

**Scale: 1"=40'**

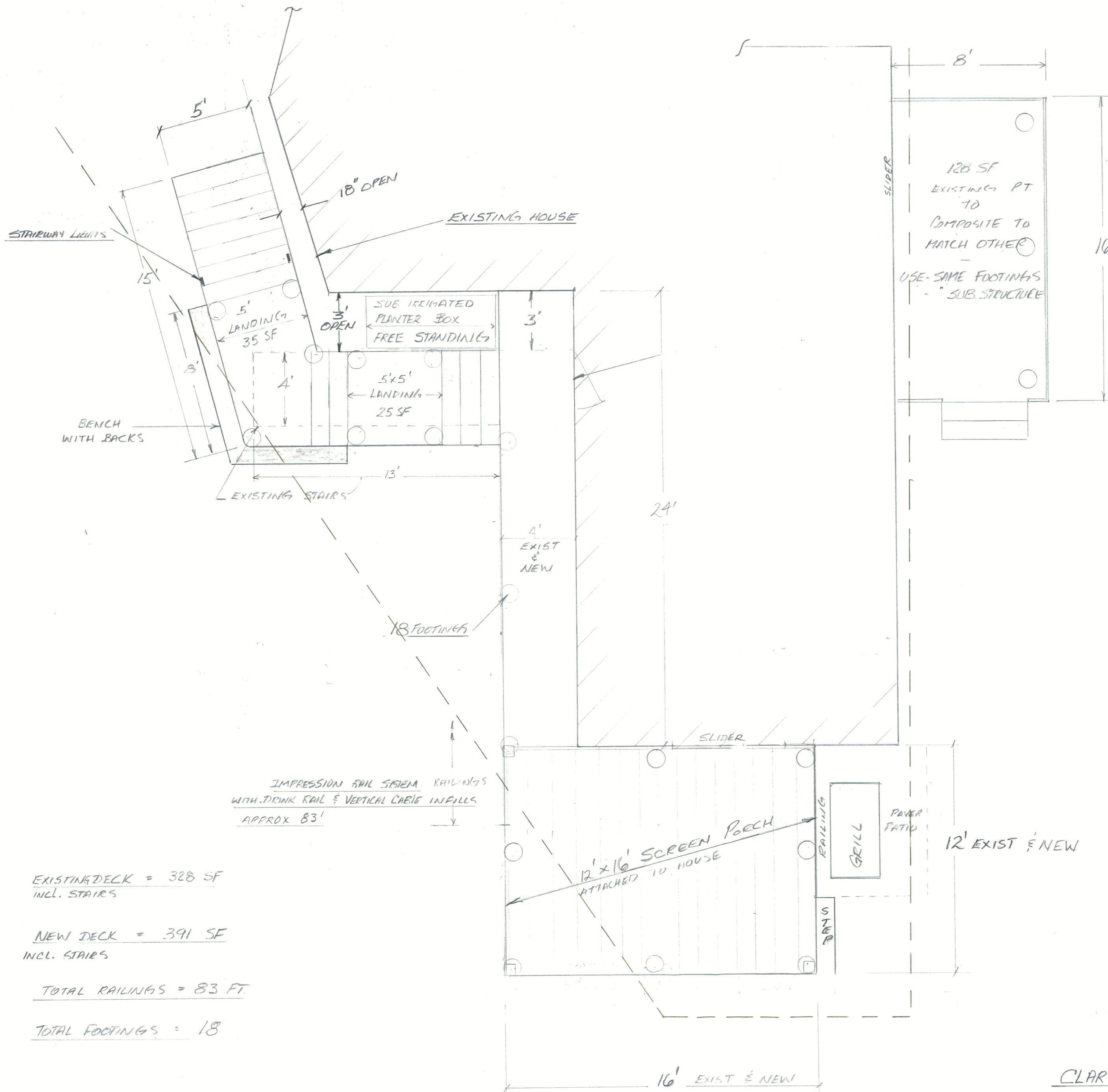
I certify that the existing house and proposed stairs & screen porch are located on the lot as shown.

I further certify that the existing house and proposed stairs & screen porch are located within Flood Zone "X" (unshaded) per Flood Insurance Rate Map (FIRM) for the Town of Harvard, Community Panel No.250308 0314 E dated July 4, 2011.

REFERENCES: **Job #34409,NB846-4**

PLAN NO. **S-15281**





EXISTING DECK = 328 SF  
INCL. STAIRS

NEW DECK = 391 SF  
INCL. STAIRS

TOTAL RAILINGS = 83 FT

TOTAL FOOTINGS = 18

SETBACKS:

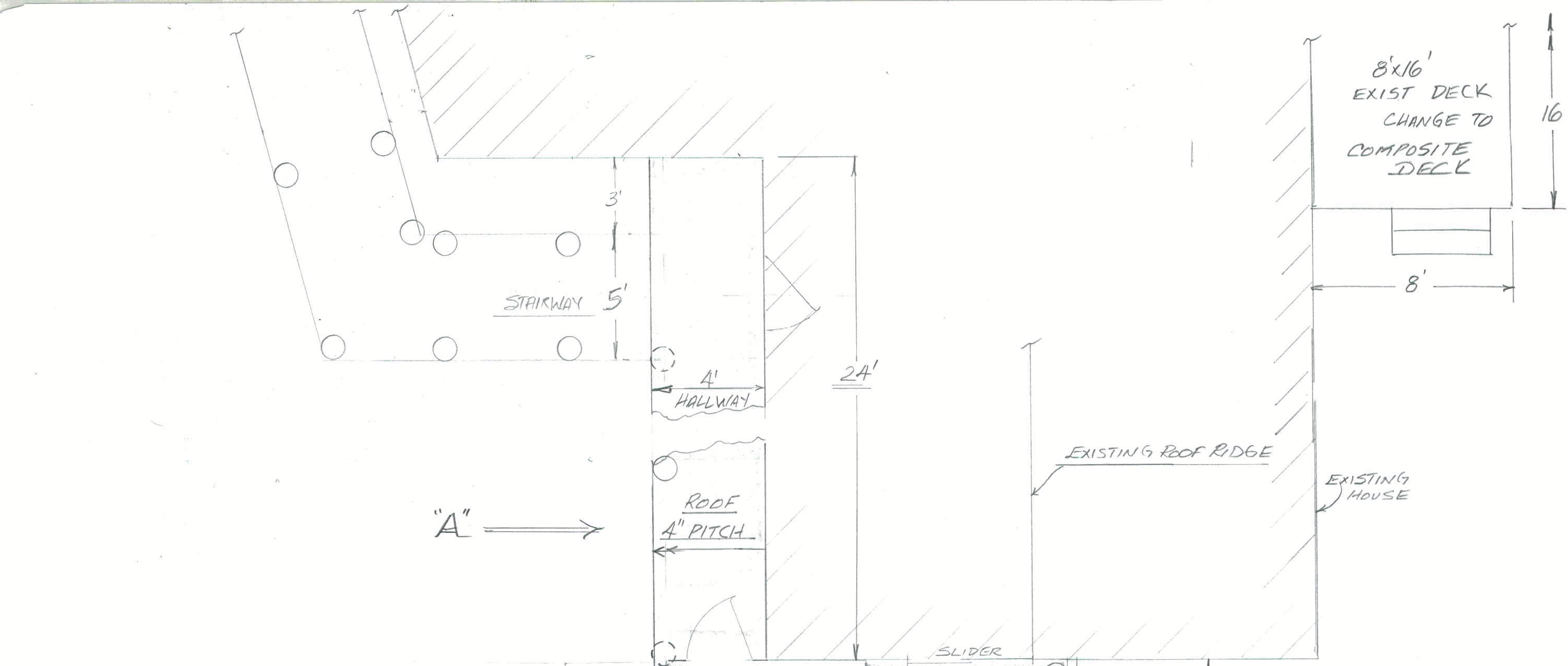
FRONT - 40'  
SIDE - 40'  
REAR - 40'

CLARK RESIDENCE  
110 LITTLETON Rd - HARVARD



SCALE 1/4" = 1'

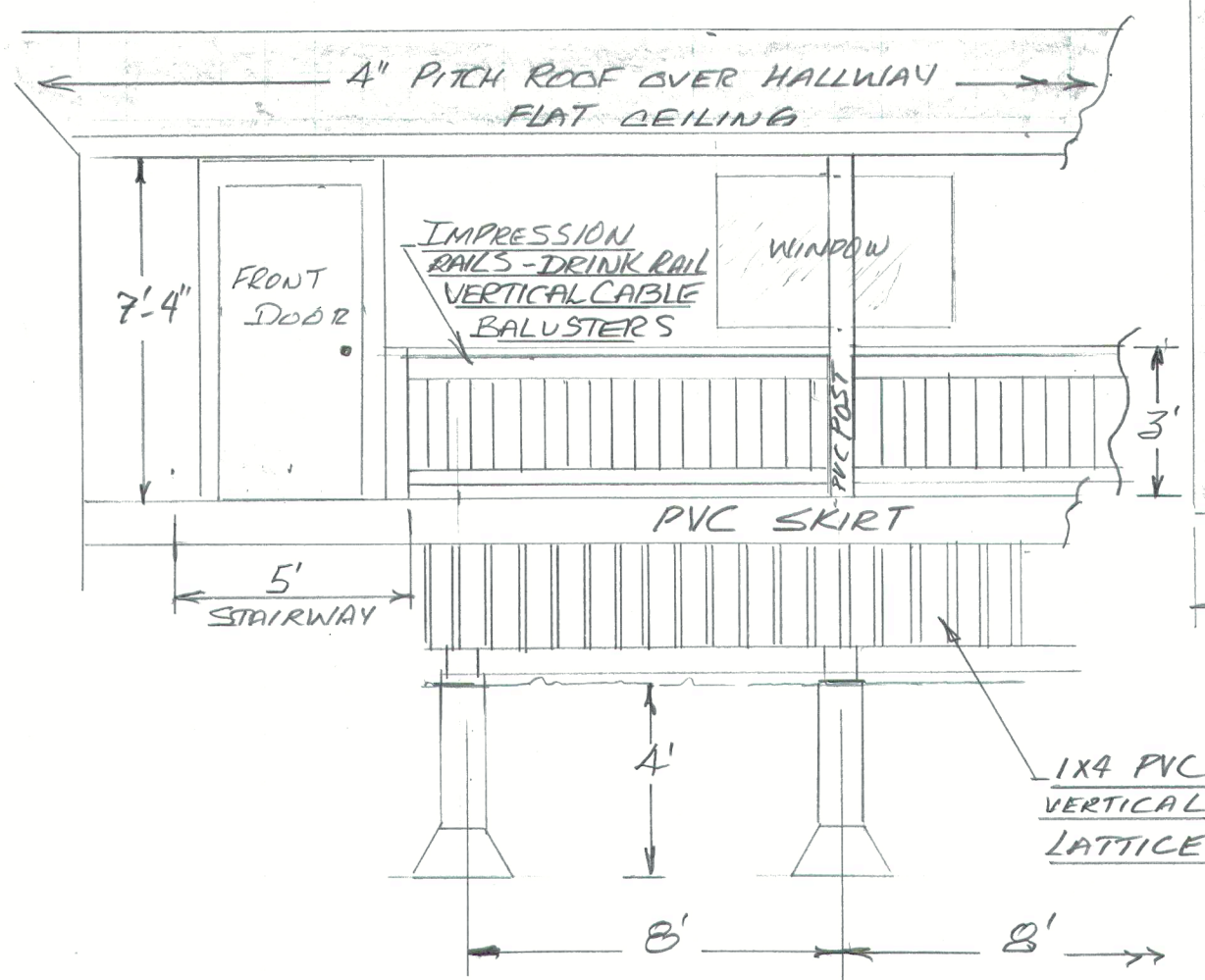




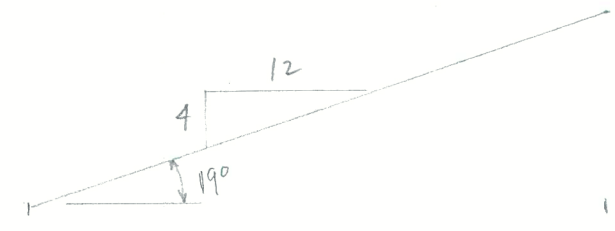
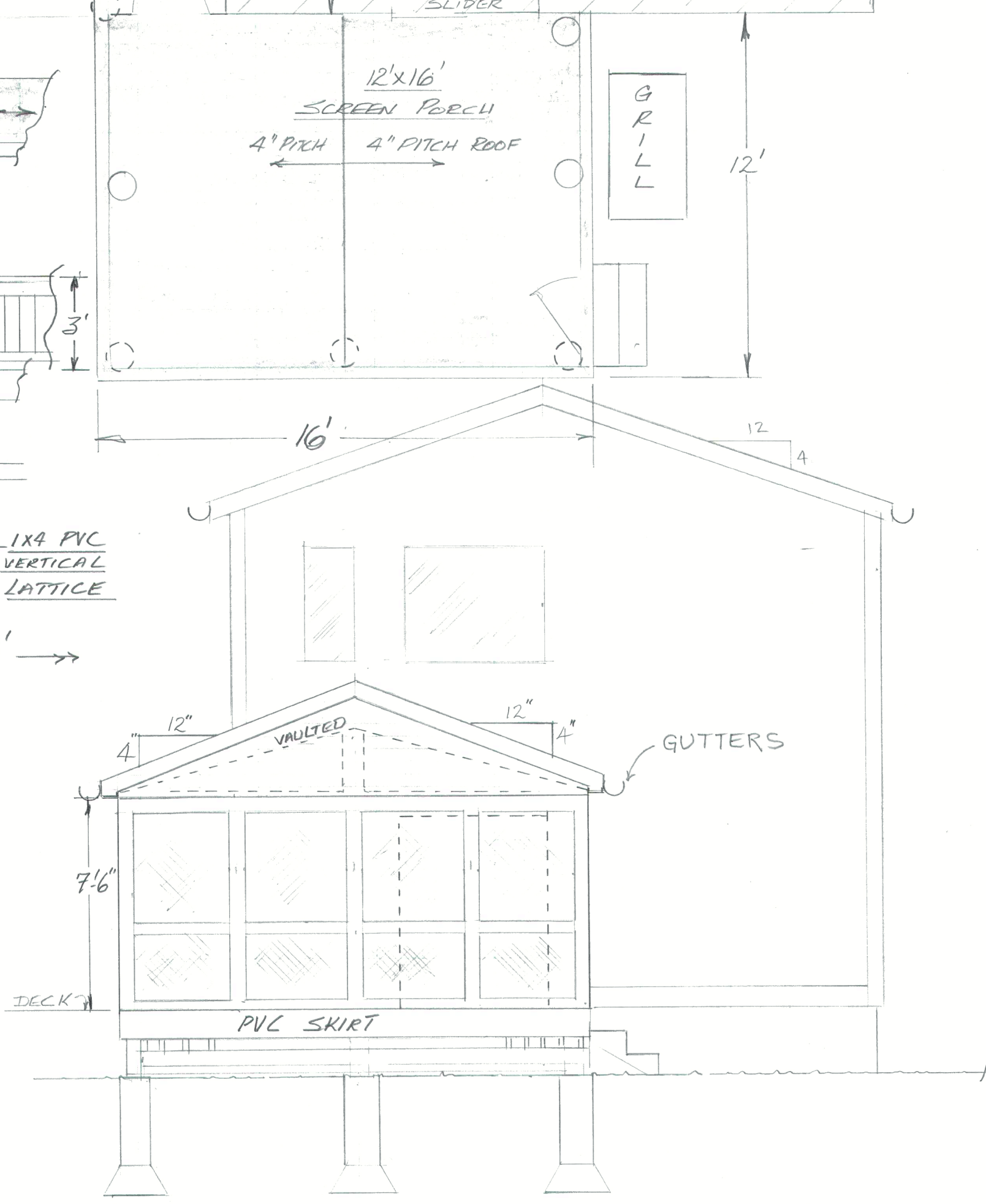
CLARK RESIDENCE  
110 LITTLETON RD HARVARD

SPECIFICATIONS:

- VAULTED SCREEN PORCH CEILING - T&G CEDAR & HALLWAY CEILING. FLAT
- 4 RECESS LIGHTS IN PORCH & HALLWAY
- 3 ELECTRICAL OUTLETS IN PORCH
- FAN
- INSIDE PORCH HOUSE WALL, JH SIDING SAME AS HOUSE
- GUTTERS ON SCREEN PORCH & HALLWAY ROOF
- EXTEND 4" PITCH SCREEN PORCH ROOF ALONG 4' WIDE HALLWAY
- VERTICAL PVC LATTICE AROUND SCREEN PORCH & HALLWAY
- IMPRESSION RAILS / DRINK RAIL, VERTICAL CABLE BALUSTERS



VIEW "A"



Town of Harvard  
 Zoning Board of Appeals  
 13 Ayer Road  
 Harvard, MA 01451  
 Frank O'Connor, Jr.

 Invoice number 3241.03-2  
 Date 09/29/2023

 Project **3241.03**  
**The Village at Robin Lane**  
**Old Mill Road at Ayer Road**  
**Harvard, MA**

FOR PROFESSIONAL SERVICES RENDERED: this period through September 29, 2023

Services to undertake a peer review of The village at Robin lane (Old Mill Road at Ayer Road) Comprehensive Permit application. During this period we: began to review and compile our supplemental review of the revised submitted materials, and coordinated with the Town as necessary. Also included is the initial traffic peer review prepared and issued by VAI dated September 12, 2023.

<b>Review Letter</b>	Hours	Amount
Senior Professional Staff II	0.50	117.50
Administrative Staff I	0.75	60.00
Review Letter subtotal		177.50
<b>Traffic Review Allowance</b>	Hours	Amount
Senior Professional Staff I	0.50	130.00
Senior Professional Staff V	0.25	43.75
Traffic Review Allowance subtotal		173.75
<b>Hearing</b>	Hours	Amount
Senior Professional Staff V	0.25	43.75
<b>Supplemental Review Allowance</b>	Hours	Amount
Senior Professional Staff III	0.25	51.25
Senior Professional Staff V	6.25	1,093.75
Senior Professional Staff VI	3.00	480.00
Supplemental Review Allowance subtotal		1,625.00
<b>Reimbursable Expenses</b>		Amount
Vanasse & Associates, Inc.		1,479.18
		Invoice total <b>3,499.18</b>

 By: Stacy H. Minihane  
 Stacy H. Minihane  
 Principal