

**HARVARD PLANNING BOARD
MEETING MINUTES
February 26th, 2024
APPROVED MARCH 18, 2024**

Chair Richard Cabelus called the open meeting to order remotely at 7:00pm, pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023, which has suspended the requirement of the Open Meeting Law to have all meetings at publicly accessible locations and allowing all public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Members Present: Richard Cabelus, John McCormack, Doug Thornton, Stacia Donahue, Arielle Jennings, Richard Abt (associate member),

Others Present:

Frank O'Connor (Town Planner), Erin McBee, Patrick Killeen

Public Hearings:

7:15pm Public Hearing pursuant to Massachusetts General Laws Chapter 40A, Section 3A, to consider and receive comments from interested parties concerning proposed addition to Chapter 125 of the Code of the Town of Harvard the Protective Bylaw for a Multi-family overlay district. Potential updates to Draft Bylaw MBTA-3A Multi-family overlay district.

See Page 3 through page 4 for full details

Public Comment

Erin McBee noted that she had reached out to the League of Women Voters to see if they would be willing to host an information night about the MBTA Zoning to help with public outreach.

Old Business:

Proposed Town Center Overlay District and Town Center Action Plan

Richard Cabelus asked Frank O'Connor to invite Steve Nigzus to the upcoming meeting in March 2024 in order to hear his input on the matter.

2026 Master Planning steering committee & funding request

Richard Cabelus noted that Justin Brown is interested in joining the committee. Richard Cabelus also noted the possibility of Bonnie, the lead author of the Housing and Productions Plan may also have interest in this committee. Doug Thornton suggested the possibility of having the third member be someone from the Climate Initiative Committee. Stacia Donahue will reach out to see if anyone has interest there.

The Planning Board talked about the possibility of sending out a letter of interest to possible candidates that are suited/interested in joining this committee. Frank O'Connor will draft a copy of this letter for Richard Cabelus to look at and ultimately sign off on.

Discussion of Ayer Road Vision Plan & Form Based Code

The UTILE Group gave their online presentation on February 13th 2024 on the Harvard Cable TV broadcast. Frank O'Connor updated the Planning Board that they have been authorized to proceed with the form-based code for the Commercial District and that he is meeting with them tomorrow.

Standard Business:

Representatives & Liaisons Update

Arielle Jennings informed the Planning Board of discussions at the previous affordable housing trust meeting and the possibility of repurposing the Bromfield house for affordable housing

Invoice:

Motion: Stacia Donahue made the motion to approve the invoices as submitted:

- Beals + Thomas invoice #3241.05-2 Site Plan review 184 Ayer Rd \$2,372.50
- UTILE invoice #10453 Phase II Ayer Rd. Vision Plan \$19,908.75

Seconded by Arielle Jennings

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Minutes:

Motion: Stacia Donahue made the motion to approve the minutes from February 5th 2024 as amended.

Seconded by John McCormack

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Adjournment:

Motion: Stacia Donahue made the motion to adjourn the meeting at 9:45pm.

Seconded by Arielle Jennings

Voted yes by: Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Abstained by: John McCormack

Motion Passed

Harvard Planning Board

Special Public Hearing Minutes

February 26th, 2024: Meeting called to order at 7:29pm

7:15pm Public Hearing pursuant to Massachusetts General Laws Chapter 40A, Section 3A, to consider and receive comments from interested parties concerning proposed addition to Chapter 125 of the Code of the Town of Harvard the Protective Bylaw for a Multi-family overlay district. Potential updates to Draft Bylaw MBTA-3A Multi-family overlay district.

The Planning Board continued that ongoing Special Public Hearing by sharing a visual made by a member of the MRPC of the parcels being discussed. Frank O'Connor pointed out that the bordering wetlands have the possibility of growing in size due to rainfall. Doug Thornton noted the possibility of a change in the wetland line and questioned if this could be a problem in the future if the buffer zone shrinks too far before the plans have been completed. Frank O'Connor then shared his screen to show the current draft of the MBTA Bylaw. O'Connor informed the Planning Board that the Town Council looked at the draft and did not have any edits or suggestions before sending it to the Town Administrator.

Questions/Comments/Concerns:

Stacia Donahue shared comments from the Climate Initiative Committee.

- **Dimensional Standards:** The committee asked if the 30% minimum limit to open space potentially be larger. The Board discussed this and believed that this is a sufficient amount for open space. Arielle Jennings noted that the percentage should be increased if the Planning Board were to allow another floor to be added to the potential structure.
- **Renewable Energy Installations:** The committee wants to know why the state's climate goals are not as demanding as they expect them to be for 2030 and 2050. Frank O'Connor offered to reach out to EOHLC to receive a definitive answer.
- **Number of Electrical Charging Stations:** The committee does not see the state's requirement matching the climate plan goals of 2030.
- **Plantings:** the committee wanted to add the language that invasive ~~languages~~ species could not be added as well.
- **Buildings – Shared Outdoor Space:** The committee doesn't believe that this should be counted as open space. The Planning Board struck the final sentence saying "all open space shall count towards the projects minimum Open Space requirements"
- **Affordability Requirements:** The committee commented that the inequality of having gas usage in these areas should not be in the state's language.
- Patrick Killeen of Harvard Green questioned if these plans went to the Town Meeting for approval and would then worry about water and sewer, or will water and sewer be figured out before the Town Meeting. Richard Cabelus answered saying that the Planning Board does not have to work on this, leaving it for the developer to plan it out. Stacia Donahue clarified that the Town will not be building this, only zoning the area. The Planning Board also assured that they would have power to review

and make sure that any future planning must be approved in a special hearing if it cannot follow each section of the bylaw.

- Patrick Killeen also asked if the Friendly Crossways parcel is still being considered for the overlay district. John McCormack clarified that this parcel was not being considered.

Stacia Donahue asked if the bylaw has been sent out to all of the other boards yet and if that should be one of the upcoming steps for outreach. The Planning Board then spent some time discussing their previous additions to the document. Arielle Jennings believes that the Planning Board should think about changing or possibly striking Section-2 part-b. stating that:

“More than 120 units, but not to exceed 225 units, of which 25% of the additional units over the 120 units must be affordable at 80% AMI.”

Arielle Jennings has also offered to attend the Affordable Housing meeting coming up and to ask their opinion on this section of the bylaw. The action the Planning Board decided to take at this time was to merge part b into part c, changing the original language from part b to:

“Any units in excess of 120 units but not to exceed 225 units may be allocated as rental units, which 25% of the additional units over 120 units must be affordable at 80% AMI”

MRPC Monies

Stacia Donahue suggested using this money to take out an advertisement for the newspaper. Arielle Jennings also suggested creating an easy to read three-page document for the public that includes a visual of the parcel and any other information needed to let the public be informed properly. Richard Cabelus plans to work on the first draft for the piece to be public to the town newspaper.

Motion: Stacia Donahue made the motion to continue the Special Public Hearing for March 4th 2024 at 8:00pm

Seconded by John McCormack

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings
Passed unanimously