

**HARVARD PLANNING BOARD  
MEETING MINUTES  
MARCH 21, 2016  
APPROVED: AUGUST 1, 2016**

Vice Chair Erin McBee called the meeting to order at 7:01pm in the Hapgood Room at 7 Fairbank Street under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Don Graham, Erin McBee, Michelle Catalina and Fran Nickerson

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), John Osborn (Harvard Press), Tim Hatch, David Hopper, Daniel Klasnick, Thatcher Kezer and Ed Starzac

**MassDevelopment Zoning Amendment in the Devens Regional Enterprise Zone**

Thatcher Kezer and Ed Starzac, of Mass Development, were present to discuss the proposed zoning amendments for Devens. Kezer stated the proposed amendments are not the same as presented at super town meeting last year. The amendments are within the same general area. There was concern the last time that the amendment would allow for mixed use of the rezoned areas; this being the reason the amendments did not pass in Harvard. Kezer feels the proposed amendments are now much clearer than previously proposed.

McGuire Minar asked who Mass Development has spoken with since last special town meeting in regards to these amendments. McGuire Minar stated the Planning Board would have liked the opportunity to meet with Mass Development to discuss the proposal prior to the notification of the May 9<sup>th</sup> special town meeting date. Kezer explained that the Town of Shirley has not agreed to that date as of yet, so it is still tentative. If McGuire Minar understands the language within Chapter 498 correctly, that a May 9<sup>th</sup> meeting date would put Harvard in a pinch to have the required public hearings. Kezer stated the dates would work with the required public hearing dates; with one March 31<sup>st</sup> at Devens and the other on April 19<sup>th</sup> in Harvard. McGuire Minar would like to avoid the fire drill that tends to happen with zoning amendments for Devens.

Kezer stated the zoning amendments would create a single parcel in the Innovation and Technology Business zone that would be attractive to another bio-pharmaceutical entity. Kezer added there is only one other site in Massachusetts that would be suitable for this type of development and having to wait for the zoning to be in place makes the site less attractive to a potential business. McBee asked the size of the parcel if approved. Scanlan stated over 60 acres. Catalina asked about the height limit in that zone. Starzac stated the maximum height in that zone is 75 feet. Scanlan asked if the re-zoning of the residential district would have any effect on the cap for housing under Chapter 498. Starzac stated no. McGuire Minar asked about increasing the amount of the acreage to allow for more separation between the two zones. Starzac stated with the encouragement of Lucy Wallace, the district has been they extended it all the way to the US Fish & Wildlife land, with some of the land not being buildable due to slope.

McGuire Minar asked for more collaboration with the Town when these types of changes are being proposed. The Planning Board would like to be informed at the same time the Board of Selectmen are being informed of things such as zoning amendments. Both Kezer and Starzac were agreeable to the request.

Tim Hatch, a resident of Shirley, wondered why this is on the Harvard radar when it is not even been brought to the attention of the Town of Shirley. Hatch has been informed that Joint Boards of Selectmen have not met since June of last year. Hatch added no one in Shirley has had any discussion on this

matter as of yet. Kezer stated Shirley has stated they have a number of things on their plate currently and has asked that the May 9<sup>th</sup> date be reconsidered.

David Hopper, a member of Harvard's Municipal Affordable Housing Trust, stated the proposed amendments are an improvement from the previous version; it clarifies ambiguity, but does not address the concerns of implementation of affordable housing at Devens. Overall it will reduce the land available for housing, including affordable housing. Hopper suggested the zoning amendment be revised to include the language used last year for the Town of Shirley in regards to housing, i.e. require that 25% of the units be provided to households earning less than 80% of the Area Median Income.

McGuire Minar thanked those in attendance for attending this evening to discuss the matter. Once a final date for super town meeting is agreed upon, the Planning Board can arrange for the public hearings.

**Renewal of Special Permit Hearing – Sprint, 47 Poor Farm Road.** Opened at 7:51pm

**Protective Bylaw Amendment Hearing.** Opened at 7:54pm

### **Board Member Reports**

In regards to the Commercial Design Guidelines it was suggested a "Consider this" article be submitted to the Harvard Press in order to gain support for the bylaw amendments proposed for town meeting. With such a low turn-out at the public forum for the guidelines, it was also suggested to perhaps hold another public forum in September. A handout for annual town meeting, detailing good and bad development was suggested, along with including the PowerPoint© presentation on the website.

McBee stated the Town Center Transportation Committee members will be meeting next week to discuss the recommendations presented by Montachusett Regional Planning Commission from their last meeting.

### **Town Planner Report**

Scanlan stated the Master Plan Steering Committee will be holding the public hearing this Thursday to receive comments from the public on the final Master Plan. Members of the Planning Board are encouraged to attend.

### **Approve Invoices**

Allard stated the Board has received the following invoices for inclusion on the next bill warrant.

- William Scanlan - \$3000.00
- J&S Products - \$1011.18

Catalina made a motion to approve the above mentioned invoices. McBee seconded the motion. The vote was unanimously in favor of the motion.

### **Review & Sign Site Plan Decision – Alexander, 284 Ayer Road**

There were no comments or questions in regards to the Site Plan approval drafted for Davis Alexander at 284 Ayer Road. McBee made a motion to accept the decision as drafted. Catalina seconded the motion. The vote was unanimously in favor of the motion.

### **Approve Minutes**

Catalina Made a motion to accept the minutes of February 1, 2016 as amended. McBee seconded the motion. The vote was unanimously in favor of the motion, with McGuire and Nickerson abstaining from the vote.

### **Adjournment**

Graham made a motion to adjourn the meeting at 9:19pm. McBee seconded the motion. The vote was unanimously in favor of the motion.

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

**Harvard Planning Board**

**Renewal of Special Permit Hearing Meeting Minutes**

**Sprint, 45 Poor Farm Road**

**March 21, 2016**

Chair Kara McGuire Minar opened the hearing at 7:51pm in the Hapgood Room at 7 Fairbank Street under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Erin McBee, Don Graham, Michelle Catalina and Fran Nickerson

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner) and Dan Klasnick

Dan Klasnick, of Duval and Klasnick, was present to represent the applicant. Klasnick stated there are no requested changes to the facility; the applicant is seeking to extend the Special Permit another five years from the current expiration date of July 20, 2017. Scanlan would recommend incorporating the 2008 conditions into this extension. Scanlan stated the removal bond, as required by the Special Permit, is up to date. Scanlan noted the Zoning Board of Appeals granted a height variance for the tower last year. Klasnick understands that the work to extend the height of the tower has been done.

With no questions or comments, Catalina made a motion to grant the applicant a five year extension of the Special Permit to include the conditions detailed in the 2008 decision. Graham seconded the motion. The vote was unanimously in favor of the motion.

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

## Harvard Planning Board

### Protective Bylaw Amendment Hearing Minutes

March 21, 2016

Chair Kara McGuire Minar opened the hearing at 7:54 in the Hapgood Room at 7 Fairbank Street under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Erin McBee, Don Graham, Michelle Catalina and Fran Nickerson

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner) and Lou Russo

- **Amend 125-2, 125-13 & 125-52 to include Assisted Living Facility as an allowed use**  
Members discussed the need to include language within the provision that will require an analysis of the Town Services to be paid for by the applicant. In addition, the setbacks to any accessory structures were discussed, but no agreement on what they should be was made. Scanlan noted the Ayer Road Village-Special Permit allows the Planning Board the ability to be flexible on the setbacks.

Lou Russo, a resident, asked about cleaning up the language within 125-52I(2). Town Counsel will be asked his opinion on this matter.

- **Amend 125-30E(3) & (4), 125-39C(2) for development within the commercial district**  
Members agreed to strike second proposed amendment. It was requested Town Counsel review the proposed amendments for his comments before finalizing them.

Catalina made a motion to continue the hearing to March 31, 2016 at 7:30pm in the Hapgood Room at 7 Fairbank Street. Graham seconded the motion. The vote was unanimously in favor of the motion.

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