

**HARVARD PLANNING BOARD  
MEETING MINUTES  
NOVEMBER 21, 2016  
APPROVED: DECEMBER 19, 2016**

Vice Chair Erin McBee called the meeting to order at 7:05pm in the Town Hall Meeting Room, 13 Ayer Road, under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

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

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), John Osborne (Harvard Press), Ron Ricci and Pam Brown

**Board Member Reports**

McBee and Catalina attended a site walk today on the Hildreth property with members of the Housing @ Hildreth House Committee to review the location of the proposed housing. There is a potential to locate the roadway close to the property line, with the housing facing the Hildreth House. Scanlan too was on the walk, and added the site has a lot of potential, but does have its constraints. Catalina stated the project may be able to stay off the fire station land.

Catalina stated the Community Preservation Committee delayed making any decisions for funding in FY2018, as they are waiting for information from Park & Recreation (P&R) Commission in regards to the rebuilding of the stone wall along Mass Ave. Catalina has previously spoken to P&R who were amenable to waiting on the rebuilding of the stonewall until the Planning Board determines what it is going to happen with sidewalk improvements in that area. Scanlan was requested to follow-up on the request to be on the Board of Selectmen agenda to discuss the Complete Streets program.

**Planner Report**

Scanlan stated the Conservation Commission voted to transfer land out of conservation for the Ayer Road Traffic Improvements. The next step was to determine if the land owner on which the Post Office operates would be agreeable to taking a portion of that land. The owner was agreeable, as long as the Post Office has no issues with it. The traffic consultant will be wrapping up his final report. The Board of Selectmen will determine what the next steps will be. This project is a ways away, but is moving forward.

The MassWorks Grant application was not funded this year. Scanlan will follow up on feedback from the State in regards to this application.

Scanlan stated a potential developer has expressed an interest in independent senior living on the Maxant parcel along Ayer Road.

Scanlan has been speaking with Montachusett Regional Transit Authority in regards to a commuter shuttle to the local train stations.

Scanlan stated he is completing the analysis of the Affordable Housing Plan, once complete he will circulate to the members.

**Approve Invoices**

Liz Allard stated the following invoices have been received for inclusion on the next bill warrant:

- Hamwey Engineering - \$180.00
- William Scanlan - \$2585.00

Nickerson made a motion to approve the above invoices. Graham seconded the motion. The vote was unanimously in favor of the motion.

**Meet the Candidate for Associate Member – Rich Maiore**

Rich Maiore was present to discuss his willingness to serve as the associate member of the Planning Board. Maiore served on the Economic Development Committee for five years and more recently the

Commercial Design Guidelines Task Force. Scanlan explained the role as an associate and the need to fill in when there is not a quorum. After a brief discussion Catalina made a motion to recommend Maiore to the Board of Selectmen for appointment as the Associate Member. Graham seconded the motion. The vote was unanimously in favor of the motion. The BOS will make this appointment at their December 6<sup>th</sup> meeting.

### **Comments on the Draft Proposed Town of Harvard Charter**

Members have reviewed the Charter as drafted and had a few comments they wish to make including the fact that the document seems to only detail the activities the Planning Board already does, there is no mention of a Town Planner, and no detail on how a committee is formed or how the government was to be structured. A letter will be drafted for approval at the next Planning Board meeting.

### **Discuss Commercial Design Guidelines Review Board**

Scanlan stated the Planning Board could create a subcommittee or Town Meeting could create a standing committee under a general bylaw. This review board would review a design proposal before it is submitted to the Planning Board. The review board would not make any firm decisions, just provide guideline advice. Catalina wants a member of the Planning Board and the Planner on this committee. Allard explained the difference between a subcommittee and a standing committee as she understands it from the Town Clerk. Allard will further seek guidance from the Town Clerk on how this group should be created. Scanlan will create a proposal for a design review board for the Planning Board's review at the next meeting.

### **Annual Town Meeting 2017 Bylaw Amendments**

#### Poor Farm Overlay District

Ron Ricci stated the Municipal Affordable Housing Trust Fund (MAHTF) is requesting the Planning Board (PB) create appropriate zoning to expand the possible residential uses of the Poor Farm property at 166 Littleton Road. Of the 28 acres of land; about 14-16 acres are buildable land. In an attempt to sell the property the MAHTF is trying to find ways to enhance the property. Ricci stated it would be helpful if a developer had other tools beyond those that currently exist to develop up to 19 units on the property. Catalina asked where the number come from. Ricci stated the MAHTF felt this was a number that would not overwhelm the area.

Catalina stated the PB is in the process of revising the Open Space and Conservation – Planned Residential Development section in order to make it more user friendly. Montachusett Regional Planning Commission (MRPC) will be back on December 5<sup>th</sup> to demonstrate how this type of development would apply to the Poor Farm. The PB is very interested in the ability to create smaller starter/down sizing homes for the community. Ricci stated this is what MAHTF is seeking as well; however they do not want to be the ones to design a project.

Scanlan was wondering if the development considered by the MAHTF would be age restricted. Ricci stated age restricting the parcel was not a consideration; however including an affordable aspect is key. The MAHTF is looking for action at the 2017 annual town meeting.

Pam Brown, a resident along Littleton Road, stated the initial plan for the property was for 12 units, which seemed acceptable to the neighborhood.

The PB will be able to further discuss this matter after MRPC makes its presentation on December 5<sup>th</sup>.

#### Natural Resource Zoning

As stated above the PB is waiting for information from MRPC; however Catalina thinks this type of development should be conducted with the issuance of a special permit. One of the stumbling blocks is not being able to restrict the size of the dwelling. Members question if zoning could require the lot to be in existence for a set amount of years prior to the development under this provision? Can you limit the number of units constructed annually? Scanlan will forward these questions to MRPC.

#### 125-30C Land Structure Relations - Height

Scanlan has spoken with the Building Commissioner who measures the height from the final grade to the highest point of the roof. Sometimes there is a problem when there is a walk-out basement, which he measures the height from the front of the house. The purpose of the bylaw language is to reduce the use of a flat roof. Members suggested including more language to clear up the way height is determined.

#### Marijuana Retail Facilities

A public forum is being held on December 15th, which both McBee and Catalina will attend. It will provide guidance to cities and towns in regards to the passage of Question 4. Scanlan suggested passing a moratorium at the annual town meeting to allow for regulations from the State. Members agreed.

#### **Appoint Representative to the Housing @ Hildreth House Committee**

After a very brief discussion, Catalina made a motion to recommend to the Board of Selectmen the appointment of Nickerson as the Planning Board representative to the Housing @ Hildreth House Committee. Graham seconded the motion. The vote was unanimously in favor of the motion.

#### **Request for Temporary Sign-off of Driveway at 190 Bolton Road**

Scanlan had forwarded to the members Fred Hamwey's opinion on the bylaw allowing the stone dust as the top coat of a special permit driveway. Hamwey also noted that this type of material has been used in the past. The Fire Chief wanted evidence it could support the heaviest fire truck. Scanlan has not received that info from the applicant.

Scanlan stated the Building Commissioner (BC) has previously issued temporary occupancy permits for various reasons. The BC suggested requiring a bond for work to be completed if the Board supported the request for the temporary occupancy permit before the top coat is applied. Catalina was concerned that the driveway would be unsafe in the interim. Scanlan thinks it should be ok, but will confirm with the driveway inspector.

#### **Approve Minutes**

Nickerson made a motion to approve the minutes of October 18, 2016 as amended. Graham seconded the motion. The vote was unanimously in favor of the motion amongst the members eligible to vote.

Catalina made a motion to approve the minutes of November 7, 2016 as amended. McBee seconded the motion. The vote was unanimous among the members eligible to vote on these minutes.

#### **FY18 Budget Questions from FinCom**

Allard explained the questions from the Finance Committee spurred concern from the Conservation Commission (ConCom) on the request for clerical assistance for the Land Use Boards and the establishment of a Town Planner position. The ConCom had discussed having the letter retracted. Members of the ConCom wanted to meet with McGuire Minar on November 28<sup>th</sup>, when she planned to be in the office to complete the FinCom questions, which are due November 29<sup>th</sup>. Allard spoke with Paul Willard, the chair of the ConCom, and Chris Tracey, the chair of the ZBA, today and suggested a meeting with the three land use boards on November 28<sup>th</sup> in order to discuss the future staffing of the office. Both Willard and Tracey agreed to the meeting. The Board of Health would also be included in this meeting, as they need to fill the clerical position. Planning Board members agreed this would be a useful meeting. Allard will arrange this meeting. Members reviewed question 2 with Allard in regards to the clerical position.

#### **Adjournment**

Nickerson made a motion to adjourn the meeting at 8:39pm. Graham seconded the motion. The vote was unanimously in favor of the motion.

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