

Action Items	Member/Staff Responsible
Determine if funds can be held from Phase I of the Hildreth House for potential driveway demarcation	McBee
Obtain Town Counsel advice on access and frontage along Brown Road	Scanlan
Revise Brewery Bylaw	Scanlan
Submit funding request to CPIC for Master Plan implementation projects	Planning Board

**HARVARD PLANNING BOARD
MEETING MINUTES
MAY 22, 2017
APPROVED: JUNE 19, 2017**

Chair Erin McBee called the meeting to order at 7:03pm in the Town Hall, 13 Ayer Road, under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Erin McBee, Fran Nickerson and Rich Maiore

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Connie Larrabee (Town Hall & Hildreth House Building Committee), Tony Lopez (Sweeney Drywall), Bruce Ringwall (GPR, Inc.) and Dana Fairbanks

Review Driveway Plan for Hildreth House

McBee stated she had recently viewed the Hildreth House driveway with Rich Maiore, and Tim Kilhart, the Department of Public Works Director. Kilhart had indicated he would have worries about snow build up along a guardrail, which would reduce the width of the driveway during large or multiple snow events. Since the housing project on the Hildreth land is still in its infancy stage, McBee wondered if funding from Phase I of the Hildreth House renovations could be held back in order to allow for a determination as to what will be the best solution for the driveway with the development of housing on the property. In addition, the Fire Chief does not see a need for demarcation between the Hildreth House driveway and the driveway from the Fire Station to Town Hall.

After a brief discussion, Maiore made a motion to remove condition number 3 in the Site Plan Approval for the Hildreth House Renovations & Addition, dated May 23, 2016. Nickerson seconded the motion. The vote was unanimously in favor of the motion. McBee will follow up on the ability to hold back funds from Phase I of the Hildreth House, if during the housing site plan approval it is determined demarcation between the Hildreth House driveway and the Fire Station driveway needs to be completed.

Lot Access Request – Brown Road (Map 36 Parcel 95)

Bruce Ringwall, of GPR, Inc., and Dana Fairbanks, the owner of the parcel along Brown Road, were present. Ringwall stated the parcel had access frontage before the parcel was taken by the State for the construction of Interstate 495. When the taking took place the State provided a 40' easement across an existing lot for access and use of the lots. Ringwall explained there is an existing gravel way, which is twenty feet in width. McBee questioned Chapter 125-4B(1) of the Protective Bylaw, which states access frontage of at least fifty feet.

Ringwall stated he is seeking approval from the Planning Board that the private way (the easement) is adequate for the lots (there is an additional lot beyond Fairbanks) and the access is suitable for frontage. Members agreed advice needs to be sought from Town Counsel on this matter. Scanlan will request Town Counsel advice from the Town Administrator.

Review Conceptual Plan – 202 Ayer Road

McBee and Scanlan met with the chair of the Zoning Board of Appeals (ZBA) last week to discuss his thought process on the matter. The ZBA chair believed storage and warehousing was an allowed use, and thought the proposal from Sweeny Drywall would only require site plan approval from the Planning Board (PB). However, the ZBA chair agreed that if Sweeney Drywall is a continuation of the previous non-conforming use a special permit from the ZBA is required under Chapter 125-3D(2), as well as site plan approval from the PB.

Ringwall requested additional explanation as to why a special permit would be required. Scanlan stated the current use of the property, which includes exterior storage of materials and equipment, is similar to the former use, which Town Meeting repealed in 2004; therefore, the new use is also non-conforming. Non-conforming uses may be extended, altered or otherwise changed by special permit authorized by the ZBA.

Approve Use Chart as a Guidance Document

Maiore made a motion to accept the Use Regulation Schedule as a guidance document to Chapter 125 Protective Bylaw. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Bylaw Amendment for Special Town Meeting

Breweries – Scanlan had distributed a memo detailing the types of brewery licenses available in Massachusetts. The Planning Board would like to include wineries, distilleries and breweries, with distilleries being the process of making hard cider. Members were also agreeable to the sale of products made on site, tastings and other promotional products being sold on site. Members agreed to limit the size of such a business to 10,000 square feet (the current maximum building size in the bylaw) or 10,000 barrels of product. Tasting rooms can include food, but not full pours of beverages made on site for consumption. The use would be allowed within the commercial district only and be authorized by the Planning Board. Scanlan will make the appropriate changes as discussed this evening for further review at the June 5th meeting.

Approve Letter re: Scenic Road

Nickerson made a motion to approve the letter to Tony Shaw, dated May 22, 2017, as amended. Maiore seconded the motion. The vote was unanimously in favor of the motion.

Subdivision Application

Maiore made a motion to approve the Subdivision of Land Form B Application of Approval of a Preliminary Plan. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Comments on Draft Town of Harvard Charter

McBee had previously discussed concerns of the Planning Board with Charter Commission member Rick Maiore. Those concerns have been sent in writing to the Commission by McBee as well.

Master Plan Implementation – Applying to CPIC for Funding

Allard explained the Capital Improvements and Planning Committee (CPIC) requests applications for any funding necessary within a five-year period, therefore funding needed to implement goals within the

Master Plan should be submitted this fall. Nickerson made a motion authorizing an application be submitted to CPIC for funding of the proposed goals within the Master Plan. Maiore seconded the motion. The vote was unanimously in favor of the motion.

Municipal Affordable Housing Trust Request for Representative

McBee stated the Municipal Affordable Housing Trust is still interested in having a member of the Planning Board on the board. Members agreed to wait until there is a full complement of the Planning Board before choosing a representative.

Montachusett Regional Planning Commission Appointment

Nickerson made a motion to appoint McBee as the Planning Board representative to the Montachusett Regional Planning Commission for the Town of Harvard. Maiore seconded the motion. The vote was unanimously in favor of the motion.

Board Members Reports

Maiore is still seeking input from the former members of the design committee to determine if they are willing to serve on the review board.

Nickerson stated the committee for the Housing @ Hildreth House recently reviewed a revised plan for the site that included a reduction in the number of houses and detailed a location for the storage shed used by the Fire Department. The Committee will attend the June 19th Planning Board meeting to obtain a preliminary site plan approval.

Planner Report

Scanlan stated the Small Communities grant he had applied for requires the Town to have an active grant application for the Land Acquisition for Natural Diversity or Parkland Acquisition and Renovations for Communities grants. The Town currently has neither therefore the Planning Board is not eligible for the Small Communities grant.

Scanlan stated the Housing Production Plan has been approved by the Department of Housing and Community Development. The letter from the Board of Selectmen stating they have approved the plan as drafted will be required. Scanlan has drafted the letter and will obtain the required signature.

Approve Invoice

Allard stated the following invoice has been received for inclusion on the next bill warrant.

- William Scanlan - \$2420.00

Maiore made a motion to approve the above mentioned invoice. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Approve Minutes

Maiore made a motion to approve the minutes of May 4, 10, & 15, 2017. Nickerson seconded the motion. The vote was unanimously in favor of the motion for those members eligible to vote.

Adjournment

Maiore made a motion to adjourn the meeting at 8:56pm.

Signed: _____ Liz Allard, Clerk

DOCUMENTS & OTHER EXHIBITS

Planning Board Agenda, dated Monday May 22, 2017

Review Driveway Plan for Hildreth House

- Site Plan Renovations & Addition to the Hildreth House, prepared by LLB Architects and GPR, Inc., plan C2.0 SKC-6, dated 5/23/2017
- Email from Jack Guswa, Subject: Roadway Plans for May 15 PB Meeting, dated May 9, 2017

Lot Access Request – Brown Road (Map 36 Parcel 95)

- Letter from GPR, Inc. re: Lot Access Discussion, Brown Road, Harvard, MA, GPR Project No. 00136, prepared by Brice Ringwall, dated April 26, 2017
- Exhibit 1 – The Commonwealth of Massachusetts, Department of Public Works, Layout No. 5282 and Order of Taking, dated February 3, 1960
- Exhibit 2 – Plans, Massachusetts Comm of Dept Public Works, Brown Road, Harvard, Route 495 Harvard, Stow Road, Harvard, Zink Road,, Harvard, Book 00268, Page 56, dated 11/30/1962
- Exhibit 3 – Deed, Book 23037 page 366, dated September 25, 2000
- Exhibit 4 – Deed, Book 13188, page 164, dated Jan 9, 91
- Exhibit 5 – Plan of Land in Harvard, MA, prepared by Stanley Dillis, October 2001
- Exhibit 6 – Plan of Land in Harvard, MA for Stephen J./Deborah J. Daman, prepared by County Land Survey, Inc., drawing 960315-1, dated November 14, 1997
- Exhibit 7 – Plan of Land in Harvard, Massachusetts, prepared for Stephen J. Daman, prepared by Ducharme & Wheeler, dated December 26, 2004
- Letter from the Harvard Planning Board to Gabe Vellante, Inspector of Buildings/Zoning Enforcement Officer, RE: Sheehan, 24 Cove Road, dated December 15, 2009
- Email from Bruce Ringwall, Subject: RE:RE: Fwd (2): Request for Town Counsel, dated June 1, 2017 (includes response from Town Counsel, Mark J. Lanza, dated May 31, 2017)
- Raymond C. Bateman & others vs. Board of Appeals of Georgetown, 56 Mass. App. Ct. 236, June 13, 2002 – October 9, 2002, Essex County

Review Conceptual Plan – 202 Ayer Road

- Existing Condition plan, 202 Ayer Road, Harvard, MA 01451; prepared for Sweeny Drywall; prepared by GPR, Inc., dated April 6, 2017
- Board of Selectmen Approval of Site Plan, dated January 20, 2004
- Zoning Board of Appeals decision dated September 11, 2001, Fairbanks Construction, 202 Ayer Road, Case#6-SP-2001, granted, recorded at the Worcester Registry of Deeds Book 25063, page 325
- Zoning Board of Appeals decision, dated May 12, 1998, Dana Fairbanks, Case#03-SP-1998, granted

Approve Use Chart as a Guidance Document

- Use Regulations Schedule, draft October 2016

Bylaw Amendment for Special Town Meeting

- Memo to the Planning Board from Bill Scanlan, Town Planner, dated May 4, 2017, Subject: Regulation of Breweries

Approve Letter re: Scenic Road

- Planning Board letter to Tony Shaw, RE: Activity on a Scenic Road, Cruft Lane, dated May 22, 2017

Subdivision Application

- Subdivision of Land, Town of Harvard Form B, Application for Approval of a Preliminary Plan

Approve Invoice

- INVOICE – William Scanlan, Consulting Planner, dated May 12, 2017

Approve Minutes

- Harvard Planning Board Meeting Minutes, prepared by Liz Allard, dated May 4 ,10 & 15, 2017 as revised by Bill Scanlan