

**HARVARD ZONING BOARD OF APPEALS
MEETING MINUTES
JUNE 12, 2019
APPROVED: JULY 10, 2019**

Chair Chris Tracey called the meeting to order at 7:11pm in the Town Hall, 13 Ayer Road, Harvard under the Zoning Act Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Chris Tracey, Steve Moeser, Theodore Maxant and Michael Lawton

Others Present: Liz Allard (LUB Admin), Mark O'Hagan (Weston Development), Sotir Papalilo (Weston Development), Andrew Perry (Harvard Fire Department), Peter Cricones (Pine Hill Village, LLC), Carla Page (Pine Hill Village, LLC), Andrea Juchartz and Chris Durham

Continuation of a Comprehensive Permit Hearing – Craftsman Village Harvard, LLC, Ayer Road (Map 2 Parcels 7.1 and 7.2). Opened at 7:11pm (see page 2 for complete details)

Final Plan Review – Pine Hill Village, Stow Road (Map 36 Parcel 85 & 86.1)

Peter Cricones and Carla Page were present to discuss the final plans for the Pine Hill Village development with the Board. Mr. Cricones submitted a lighting plan along with details on the lights that direct light in a downward direction, which limits the scatter of light. Steve Moeser noted the exterior lighting on the structures has an exposed light bulb; therefore they are not directing light in a downward direction. Additional floor plans will need to be submitted for all of the types of structures to be constructed.

The Board will need to review all of the conditions within the comprehensive permit to determine if all of the conditions have been met. Mr. Cricones stated he would be seeking to waive condition 3.10.f. at this time, but will submit the necessary plans with the application for a building permit and waive 3.10.m. Definitive Subdivision Plan, as the lots will not be further subdivided. Mr. Cricones also noted he would be seeking an extension to the comprehensive permit.

Chris Tracey stated the Board would be working in conjunction with the Conservation Commission to engage a site monitor for the project as allowed for under condition 3.19 of the comprehensive permit. This discussion will continue at the July 10, 2019 meeting of the Board.

Approve Minutes

Steve Moeser made a motion to approve the minutes of May 29 and June 5, 2019 as drafted. Theodore Maxant seconded the motion. The vote was unanimously in favor of the motion.

Approve Invoice

Steve Moeser made a motion to approve the invoice for Ducharme & Dillis in the amount of \$300.00. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

At 8:37pm Theodore Maxant made a motion to adjourn the meeting. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____ Liz Allard, Clerk

Zoning Board of Appeals

Continuation of a Comprehensive Permit Hearing Meeting Minutes

Craftsman Village, Harvard, LLC, Ayer Road (Map 2 Parcels 7.1 and 7.2)

June 12, 2019

The hearing was opened at 7:11pm by Chair Chris Tracey in the Hildreth House, 15 Elm Street, Harvard under the Zoning Act, MGL Chapter 40B and the Code of the Town of Harvard, Protective Bylaw, Chapter 125-46F Comprehensive Permits.

Members Present: Chris Tracey, Steve Moeser, Theodore Maxant and Michael Lawton

Others Present: Liz Allard (LUB Admin), Mark O'Hagan (Weston Development), Sotir Papalilo (Weston Development) and Andrew Perry (Harvard Fire Department)

This hearing was continued from June 5, 2019 for a Comprehensive Permit filed on behalf of Craftsman Village, Harvard, LLC for the creation of eighteen two-bed-room cottage-style units, consisting of five affordable units along Ayer Road, Harvard.

Mark O'Hagan submitted additional material to the Board including a draft of the 20' easement for pedestrian access only, which will require approval from the Department of Environmental Protection (DEP); plans detailing the turning radius for a 40' ladder truck as requested by the Harvard Fire Department (HFD), along with a response to fire suppression questions. Mr. O'Hagan stated the Protective Bylaw Chapter 125-39E Fire Protection allows for a hydrant within 1,000 feet of each building as a suitable supply for fire suppression. The HFD is referencing Chapter 130 Subdivision Control, which requires a fire pond or cistern. Lt. Andrew Perry stated the HFD is requiring a 30,000 gallon cistern be installed or a fire pond with similar capacity, with a dry hydrant. Lt. Perry further stated HFD does not maintain the hydrant located in Ayer and would have to close the road in order to use that hydrant in the event of a fire at this location. Mr. O'Hagan noted the hydrant in question will be located in front of a fueling station that is under development in Ayer, which he would assume will be completely functional once that project is complete. Lt. Perry stated as a housing development Craftsman Village should be in place for decades to come, whereas the fueling station could go out of business and the hydrant abandon as it is at the end of the line. Advice from Town Counsel shall be sought as to which provision is the correct one to be applied in this case.

Mr. O'Hagan stated he had met with the Conservation Commission (ConCom) recently, which resulted in the relocation of a few wetland flags, with no impacts to the development as proposed. With the DEP issuing its comments to the ConCom, the Order of Conditions (OOC) will be issued July 1, 2019. Liz Allard explained as part of the OOC she has revised the Stormwater Operation & Maintenance Plan to include additional information as to the value of the stormwater facilities and their perpetual upkeep. This prompted a discussion about having specific conditions within the comprehensive permit that will require every home buyer to sign an affidavit of receipt of long-term maintenance agreements.

Mr. O'Hagan stated the Board of Health (BOH) has received the Operation & Maintenance Plan for the wastewater systems for their review; this too will be incorporated into the condominium association documents. As a previous orchard site the BOH is seeking additional soil testing. Mr. O'Hagan requested this requirement be a condition of the comprehensive permit. The Board recommended this testing be done as soon as possible as it could come at a cost that the applicant is not able incur. Mr. O'Hagan agreed to accelerate that process. Septic system design plans have been submitted to the BOH.

The easement for drainage, screening and fencing with the neighbor to the south has been accepted by the current owner, as well as the soon-to-be new owner.

The final review letter from Ducharme & Dillis Civil Design Group has several recommendations that Mr. O'Hagan is agreeable to. Comments received from the Planning Board in regards to the waivers were straight forward and will be shared with the Director of Community & Economic Development.

With more details to be worked out Mr. O'Hagan agreed to continue the hearing.

Steve Moeser made a motion to continue the hearing to August 21, 2019 at 7:00pm in the Hildreth House at 15 Elm Street. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

DOCUMENTS & OTHER EXHIBITS

Town of Harvard, Zoning Board of Appeals Agenda, dated June 12, 2019

Continuation of a Comprehensive Permit Hearing – Craftsman Village Harvard, LLC, Ayer Road (Map 2 Parcels 7.1 and 7.2)

- Pedestrian Access Plan, dated 6-12-19
- WDG response to Harvard Fire Department letter dated 03/28/2018
- WDG response to Harvard Fire Department letter dated 5/29/2019
- Fire Truck Turning Overlay dated 6-4-19
- Chapter 125 Protective Bylaw, Article VI, Intensity of Use, §125-39 Site Standards, June 12, 2019
- Email to Mark O'Hagan from CERO_NOI@MassMail.state.ma.us , Subject: MassDEP NOI File Number, dated June 11, 2019
- WDG response to Harvard Board of Health letter dated June 5, 2019
- Craftsman Village Harvard Septic System Operation and Maintenance Plan, dated June 12, 2019
- Signed Agreement between WDG and Jeremy Blanchard, including Exhibits A & B, Grant of Easement and Consent to Easement, dated May 21, 2019
- WDG response to Ducharme & Dillis Civil Design Group, Inc., dated May 28, 2019
- Nuvo Lighting 60/5605Drexel Single Light 10" Wide Landscape Single Head Post Light with Frosted Glass Shade, undated
- WDG response to Director's Report to ZBA, undated

Final Plan Review – Pine Hill Village, Stow Road (Map 36 Parcel 85 & 86.1)

- Untitled document detailing the dwellings to be build in each of the three phases, received June 12, 2019
- Pine Hill Village 2 car detached garage drawings, received June 12, 2019
- Exterior Lighting Plan, dated February 15, 2018
- Designers Fountain 31336-BZ Bayport-DS Post Lanterns, Bronze and Modern Outdoor Direct Burial Post Light Pole Black Cast Aluminum 84" for Post Garden Yard – John Timberland, received June 12, 2019
- Regal Solar Light with GS Solar LED Bulb, Instruction Manual, Models: GS-300F, received June 12, 2019
- Architectural Plans for "The Wellesley", "The Half House", "The Tavern", "The Lexington", "The Wayland", "Greek Revival Three Family", "The Concord", "The Bedford", and "The Barn", received June 12, 2019

Approve Minutes

- DRAFT HARVARD ZONING BOARD OF APPEALS MEETING MINUTES MAY 29, 2019, prepared by Liz Allard
- DRAFT HARVARD ZONING BOARD OF APPEALS MEETING MINUTES JUNE 5, 2019, prepared by Liz Allard

Approve Invoice

- Ducharme & Dillis Civil Design Group, Inc., Invoice# 11446, dated 6/10/2019 Project Address: Ayer Rd Harvard, MA