

HARVARD ZONING BOARD OF APPEALS
MEETING MINUTES
July 12th, 2023
APPROVED FEBRUARY 21, 2014

Chair Christopher Tracey called the meeting to order, virtually in accordance with legislation S. 2475, an act relative to extending certain COVID-19 measures adopted during the Covid Pandemic state of emergency and under M.G.L. 40A and Code of the Town of Harvard Chapter 125.

Members Present: Chris Tracey, Michael Lawton, Steve Moeser, Barbara Romero (associate member)

Others Present: Frank O'Connor, Michael Giaimo (Attorney representing Verizon Wireless), Daniel Klasnick (Senior Counsel for Blue Sky), Alex Latham

7:30pm Continuation of Special Permit Hearing – William Ference at 247 Littleton County Road, Harvard. §125-3C Non-conforming structures other than one – and two-family dwellings and 125-3D Non-conforming uses, for Modification of a Special Permit.

Details found on Page 3

8:00pm Continuation of Special Permit Hearing – Latham at 200 Still River Road, §125-3B Non-conforming one- and two-family dwellings, and §135-25 Special rule applicable to one- and two-family dwellings.

Details found on Page 4

New Business:

Cellco Verizon Permit Discussion

Michael Giaimo, the representing attorney, addressed the Board about a previous special permit that had been filed in January of 2021 by Verizon Wireless. Michael Giaimo is addressing the Board in order to clarify a return to production on the plans after a two-year lapse in moving forward, now with Blue Sky, whom willing to pick up and aim to finish the project.

Frank O'Connor added that there was an amended note within the building permit that had already allowed an extension until December 29th, 2023. The building inspector that had written this amended note also clarified that construction on the property would have to start by this date or else it would not be extended. Michael Giaimo doesn't anticipate the plans being prolonged past this date and agrees that this set date is reasonable. Mr. Giaimo also hopes that the Board will have something in writing in order to alleviate the concerns of those involved in the construction.

Daniel Klasnick, the senior counsel for Blue Sky, pointed out their intentions. These include taking over the ground lease and permits from the previous owners (Verizon Wireless), finishing constructing the tower, having Verizon Wireless co-located, and the possibility of providing services to Dish and multiple other carriers to the town. Mr. Klasnick wanted the Board to know that they are wishing to move forward quickly with due diligence and respectfully hopes that the Board will agree that there was good cause for the initial delay.

Michael Lawton and Barbara Romero are in conflict and will not be able to vote on the matter. Steve Moeser and Chris Tracey agreed that they can sign a drafted letter stating that they are in agreement with the stated plans moving forward. The Board also plans to reconvene on August 2nd 2023 at 7:10pm to hold an official vote on the matter.

Pine Hill Village Cautionary Letter

The Board had previously talked about the possibility of sending a letter to the people of these properties outlining the condo associations responsibilities concerning maintenance and not infrastructure. While there is a draft of the letter already made in Frank O'Connor's office, The Board does not wish to send this to the property owner just yet and to wait until a later date if there is still an issue.

Future Meetings

The Zoning Board of Appeals agreed to the possibility of meeting on Tuesdays in September and October in order to avoid conflicts in each's schedule.

Minutes

The Board will discuss and vote on the previous minutes during the August 2nd 2023 meeting after having time to review them.

Adjournment

Motion: Steve Moeser made the motion to adjourn at 8:02pm

Seconded by Michael Lawton

Voted yes by: Chris Tracey, Steve Moeser, Michael Lawton

Harvard Zoning Board of Appeals

Special Permit Minutes

July 12^h 2023: 7:30pm

William Ference at 247 Littleton County Road

Continuation of Special Permit Hearing, Harvard. §125-3C Non-conforming structures other than one – and two-family dwellings and 125-3D Non-conforming uses, for Modification of a Special Permit.

Motion: Michael Lawton made the motion to continue the meeting on August 2nd, 2023 at 7:15pm

Seconded by Steve Moeser

Voted yes by: Chris Tracey, Steve Moeser, Michael Lawton

Approved unanimously

Harvard Zoning Board of Appeals

Special Permit Minutes

July 12^h 2023: 7:30pm

Latham at 200 Still River Road

Continuation of Special Permit Hearing – §125-3B Non-conforming one- and two-family dwellings, and §135-25 Special rule applicable to one- and two-family dwellings.

Alex Latham opened the meeting requesting to withdraw the application after realizations that the plans made are not currently working out as expected. Mr. Latham is hoping to figure out the property's concerns and hopes to meet back with the Board at a future date. Chair Christopher Tracey suggested the option to continue the meeting on August 2nd 2023 in order to give some time and see if there is a positive update on Mr. Latham's plans. Mr. Latham was open to this and agreed to this suggestion.

Motion: Michael Lawton made the motion to continue the meeting on August 2nd, 2023 at 7:05pm

Seconded by Steve Moeser

Voted yes by: Chris Tracey, Steve Moeser, Michael Lawton

Approved unanimously