

**HARVARD PLANNING BOARD
MEETING MINUTES
JUNE 15, 2020
APPROVED: AUGUST 17, 2020**

Chair McBee called the meeting to order at 7:00pm virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

Members Present: Erin McBee, Justin Brown, Fran Nickerson, Stacia Donahue and Jarrett Rushmore

Others Present: Christopher Ryan (Director of Community and Economic Development), Gwen Leonard, Jane Biering, Matt Flokos (Harvard Press), Dan Wolfe (Ross Associates, Inc.) Nicholas Pauling (GPR, Inc.), Scott Patterson and Brad Taylor

Approval Not Required – Aldrich/Harvard Conservation Trust – 168 Bolton Road/Lot 2 West Bare Hill Road

Dan Wolfe, of Ross Associates, Inc., was present to represent the applicants. Mr. Wolfe explained Lot 2 has been purchased for the purpose of preserving it as open space. The plan before the Planning Board allows for linkage between West Bare Hill and Bolton Road, with minor adjustments to the existing lot lines. After a brief discussion, Donahue made a motion to endorse the "Plan of Land in Harvard, Mass.", prepared for Harvard Conservation Trust, Job No. 33299, Plan No. L-14068, prepared by David E. Ross Associates, Inc., dated June, 2020. Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; and McBee, aye.

ZBA Request for Comments – 12 Woodchuck Hill Road

Ryan explained the application before the ZBA is for a Variance request only. The existing 120' lattice tower will be reconstructed as a 160' monopole. Under Chapter 125-27 of the Protective Bylaw a wireless communication tower is limited to 75'. The Applicant's narrative claims that relief is needed; peer review should be sought for this application. The Planning Board would want to see significant proof that the request for a Variance is justified by great improvement to existing coverage versus the visual impact there will be from a tower at this height.

Continuation of a Special Permit and Site Plan Review Hearing – Scott Patterson, 256 Ayer Rd. Opened at 7:36pm (See page 3 for complete details)

Special Permit and Site Plan Review Hearing – Daniel & Anne Ferguson, 39 Glenview Drive. Opened at 8:34pm (See page 5 for complete details)

Discuss Annual Retreat Dates

The Board agreed to hold the annual retreat on July 11, 2020 via ZOOM.

Board Member Reports – Committee Activities

Members were reminded to register for the Ayer Road meeting on June 22nd, which is being held virtually. Questions can be submitted in advance until noon on the 22nd.

McBee stated there is a new grant available for Safe Routes to School; she will follow up on that grant.

There are two separate developers looking at 320 Ayer Road for an affordable housing project.

The Board discussed Park & Recreation's warrant article for Town meeting in regard to the management of lands under their purview. The Board was neither for, nor against, this article.

The Ayer Road economic impact study was discussed in regard to withdrawing the article at Town Meeting due to recent financial concerns. After a brief discussion, the Board determined to let the citizens of Harvard decide whether or not to fund this study. McBee will present the article at Town Meeting if Ryan is unavailable to do so.

Director's Update

Ryan stated the Board needs to start focusing on Bylaw amendments in order to have them ready for the fall town meeting. Montachusett Regional Planning Commission needs assistance to understand the water district within the Protective Bylaw. McBee will discuss this further with Ryan to determine how this can be resolved.

Approve Invoice

Rushmore made a motion to approve the Harvard Press invoice in the amount of \$60.00. Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; Rushmore, aye; and McBee, aye.

Adjournment

At 9:30pm Rushmore made a motion to adjourn the meeting. Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Brown, aye; Donahue, aye; Nickerson, aye; Rushmore, aye; and McBee, aye.

Signed: _____

Liz Allard,
Land Use Administrator/
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Planning Board Agenda June 15, 2020
- Director of Community and Economic Development Update, June 15, 2020
- Plan of Land in Harvard, Mass., prepared for Harvard Conservation Trust, Job No. 33299, Plan No. L-14068, prepared by David E. Ross Associates, Inc., dated June, 2020
- Special Permit Large Scale Commercial Uses, Site Plan & Construction Details, 256 Ayer Road, Harvard, MA, prepared for 256 Ayer Road, LLC, 11 Spring Street, Lunenburg, MA 01462, JOB 181090, prepared by GPR, Inc., dated 6/9/20
- 256 Ayer Road / Potential Residential Garage Representation, prepared by GPR, Inc., undated
- Sewage Disposal System, prepared for Daniel & Anne Ferguson, Glenview Drive, Harvard, MA., Job No. 33067, Plan No. L-14024, prepared by David E. Ross Associates, Inc., dated March 2020
- Harvard Press Invoice#8055, dated 4/30/2020

Harvard Planning Board

Special Permit & Site Plan Approval Meeting Minutes

Scott Patterson, 256 Ayer Road

June 15, 2020

The public hearing was opened at 7:36pm by Chair Erin McBee under MGL Chapter 40A the Zoning Act and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

Members Present: Erin McBee, Justin Brown, Fran Nickerson, Stacia Donahue and Jarrett Rushmore

Others Present: Christopher Ryan (Director of Community and Economic Development), Matt Flokos (Harvard Press), Nicholas Pauling (GPR, Inc.) and Scott Patterson

This hearing was continued from June 1, 2020 for a Special Permit and Site Plan Approval filed on behalf of Scott Patterson for the operation of an indoor athletic facility as allowed by Chapter 125-14D commercial entertainment and recreation at 256 Ayer Road, Harvard.

Nicholas Pauling, of GPR, Inc., was present to represent the applicant, Scott Patterson, who was also present. Both Ryan and Pauling provided an update to the Board on the items requested at the previous meeting, which included the addition of landscaping, the removal of the tandem parking, and a photo of the potential garage. Ryan has spoken to the Department of Public Works in regards to the sidewalks; DPW does not want to add sidewalks at this point; wait until there is more information about the Ayer Road project. The applicant will however need to file with DPW for residential driveway connection permit. A discussion in regards to need for sidewalks, as stated in Chapter 125-39G was had.

Brown made a motion to close the hearing and issue a Special Permit and Site Plan Approval to Scott Patterson for the operation of an indoor athletic facility as allowed by Chapter 125-14D commercial entertainment and recreation, at 256 Ayer Road, with the following conditions:

- Adherence to all standard conditions of approval for site plans.
- That the applicant offers the Town a payment-in-lieu, rather than providing the 6' concrete sidewalk specified in the Section 125-39G(1) on a cost per linear foot of \$15.13 and on a 5' width. In this case, a payment would translate to \$4000 to be deposited in an escrow account dedicated to this site or on the opposite side to be determined at the 75% design phase of the Ayer Road project.
- That the applicant be prohibited from tandem parking spaces on the property.
- That the applicant provides an as-built site plan upon completion of project prior to final inspection.
- That the applicant seeks and receives a driveway permit from DPW.
- That if any commercial scale waste receptacle is deemed necessary in the future, that the applicant submit plans for the receptacle to the Planning Board for approval.

Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Donahue, aye; Nickerson, aye; Brown, aye, Rushmore, aye; and McBee, aye.

Signed: _____
Liz Allard,
Land Use Administrator/
Conservation Agent

Harvard Planning Board

Special Permit & Site Plan Approval Meeting Minutes

Daniel & Anne Ferguson, 39 Glenview Drive

June 15, 2020

The public hearing was opened at 8:34pm by Chair Erin McBee under MGL Chapter 40A the Zoning Act and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A §20.

Members Present: Erin McBee, Justin Brown, Fran Nickerson, Stacia Donahue and Jarrett Rushmore

Others Present: Christopher Ryan (Director of Community and Economic Development), Matt Flokos (Harvard Press), Dan Wolfe (Ross Associates, Inc.) and Brad Taylor

This hearing is for a Special Permit and Site Plan Approval filed on behalf of Daniel & Anne Ferguson for the creation of a hammerhead lot at 39 Glenview Drive, Harvard

Dan Wolfe, of Ross Associates, Inc., was present to represent the applicants. Wolfe reviewed the plans, which have been revised since the application was submitted; originally submitted as a Type 3 (125-29E) lot specific to cul-de-sac, revised to a Type 2 (125-29D) lot. Nickerson stated concerns over the location of the driveway. The abutter, Brad Taylor, had concerns about his well and stormwater off. Wolfe explained that stormwater flows to the west on the property away from his property. Taylor disliked the location of the driveway, he felt it was too close to his lot and would be very visible as their lot is wide open. Wolfe stated when the lot is sold for development the final driveway layout might be different, but there's no requirement for it to be different than proposed.

Donahue made a motion to close the hearing and issue a Special Permit and Site Plan Approval to Daniel & Anne Ferguson for the creation of a hammerhead lot at 39 Glenview Drive. Rushmore seconded the motion. The vote was unanimously in favor of the motion by a roll call, Donahue, aye; Nickerson, aye; Brown, aye, Rushmore, aye; and McBee, aye.

Signed: _____
Liz Allard,
Land Use Administrator/
Conservation Agent