

**HARVARD PLANNING BOARD
MEETING MINUTES
AUGUST 17, 2020
APPROVED: DECEMBER 7, 2020**

Chair Brown 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: Justin Brown, Fran Nickerson, Stacia Donahue, Gwen Leonard, Jane Biering and Rebecca Kelley (Associate Member)

Others Present: Christopher Ryan (Director of Community and Economic Development), Christopher Swiniarski (McLane Middleton, Attorney for Verizon Wireless), David Tivnan (SAI Group, LLC), Keith Vellante (Verizon Real Estate), Matt Flokos (Harvard Press), Peter Deng, Grant Maclean (Chestnut Tree & Landscape), Greg and Barbra Romero, Jim & Rosanne Saalfeld, Neil Gorman (David Ross Assoc.), Chris Tracey (ZBA, Chair), Rich Maiore, Beth Williams (Council on Aging) and Michael Ames

Informal Discussion - Proposed Common Driveway Design, Lot 6 Littleton Road (Map 13 parcel 28.3)

Neil Gorman, of Ross Associates, Inc., was present representing Peter Deng, who was also present. Gorman explained Lot 6 is the last remaining lot from the original Poor Farm property that is owned by Deng. The discussion for this evening is in regards to the potential to create a shared driveway for up to four house lots on the Lot 6 and a portion of land at 214 Littleton Road owned by the Corbett's. The preliminary design details a shared driveway which is problematic because of a wetland at the roadway and the existing topography. As designed the driveway will have grades greater than 8% to the rear portion of the Corbett land. The grade would reach 9.5% near the top of the property and a small section would be as high as 11%. A variance would be needed because the driveway would exceed 8% in some areas. Gorman is seeking support from the Planning Board as the need for a variance from the Zoning Board of Appeals is due to the existing topography of the land. Brown has concerns with the driveway in the winter months. Donahue definitely would want Harvard Fire Department input before the applicant goes much further with design. Leonard noted that Conservation Commission needs to review the significant wetlands and the steepness of the driveway and associated erosion. Nickerson questioned if any of the lots would be affordable. Gorman stated they have not discussed that as of yet. Nickerson stated she would be far more positive about this if one of these lots was affordable. Ryan shares Donahue's opinion about the Fire Department; is the thought to be a mini-subdivision? Gorman stated no there was suitable frontage along Littleton Road for basic lot and hammerhead lots. Biering asked about the available land area on the Corbett property. Gorman stated the Corbett property is about 25 acres in which they are using about 10 acres currently; Deng would be seeking to use about eight acres of the Corbett land. Gorman stated he has spoken with Conservation Commission who had similar concerns with the steep slopes and runoff.

Deng shared a preliminary plan showing a possible 14' cut into the ground that would be needed to keep the driveway at an 8% grade. Gorman noted that the water table is very high and maintaining an 8% grade does not work as the water will seep out in the spring. Brown stated part of your request for a variance is the hydrology. Gorman stated that was correct. Nickerson asked what the price of lots would be. Deng anticipates market rate single-family dwellings. Nickerson strongly urged the property owner to make one of the lots an affordable-rate home. Deng agreed to take a look at that opportunity as things progress.

Special Permit and Site Plan Review Hearing – Cellco Partnership d/b/a Verizon Wireless, 12 Woodchuck Hill Road. Opened at 7:30pm (See page 3 for complete details)

Special Permit and Site Plan Review Hearing – Grant Maclean d/b/a Chestnut Tree & Landscape, 320 Ayer Road Opened at 7:09pm (See page 4 for complete details)

Draft Senior Residential Development Bylaw

As it currently stands the Planning Board would be submitting two new bylaws for the Fall Town Meeting, §129-58 Senior Residential Development Bylaw and §125-59, Senior Inclusionary Housing. The reason for the split is to make the contentions point, that being affordable housing, its own bylaw in hopes of getting one of the two proposed bylaws passed. Ryan noted that text is long, but he's hoping that the Board will have feedback for him on section by section basis. Nickerson noted the affordable housing component is going to be problematic, as seniors are leaving Harvard. Ryan has noted that the affordability component has been addressed by having low and moderate level availability. Final language for the warrant is due on September 18th; leaving the Board with only one meeting to finalize the language. The legal notice will need to be submitted tomorrow in order to move these bylaws forward.

Ryan has arranged for a September 8th Housing Forum with Council on Aging at 4:00pm. Hoping that positive feedback from that meeting will help the Board make a decision as whether or not to move forward with these bylaws. Nickerson volunteered to be a part of the Senior Housing Subcommittee, which will meet at 8:00am on Thursdays starting August 20th on the porch of Hildreth House. Ryan requested comments back from Board members before Thursday's meeting with the Senior Housing Subcommittee.

Leonard stated she has a wish to see the Bromfield House converted into senior housing as it location is ideal. Ryan suggested the Planning Board submit a proclamation to the Select Board. Leonard will draft the proclamation.

Approve Minutes

Donahue made a motion to approve the minutes of June 15, 2020 as amended. Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Donahue, aye; Nickerson, aye; Leonard, aye; Biering, Aye; and Brown, aye.

Transportation Committee Charter - Feedback from Other Boards/Committees

Ryan stated the establishment of this committee has received support form all that he has shared the charter with. Ryan is ready to submit the charter to the Select Board. Donahue is willing to provide support at the Select Board meeting.

These Items were passed over this evening:

- Board Member Reports – Committee Activities
- Director's Update

Adjournment

At 9:54pm Donahue made a motion to adjourn the meeting. Nickerson seconded the motion. The vote was unanimously in favor of the motion by a roll call, Donahue, aye; Nickerson, aye; Leonard, aye; Biering, Aye; and Brown, aye.

Signed: _____

Liz Allard,
Land Use Administrator/
Conservation Agent

**Harvard Planning Board
Special Permit & Site Plan Approval Meeting Minutes
Cellco Partnership d/b/a Verizon Wireless, 12 Woodchuck Hill Road
August 17, 2020**

The public hearing was opened at 7:30pm by Chair Justin Brown 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: Justin Brown, Fran Nickerson, Stacia Donahue, Gwen Leonard, Jane Biering and Rebecca Kelley (Associate Member)

Others Present: Christopher Ryan (Director of Community and Economic Development), Matt Flokos (Harvard Press), Christopher Swiniarski (McLane Middleton, Attorney for Cellco Partnership), David Tivnan (SAI Group, LLC), James Saalfeld, Margaret Nessler, Peter Dorward, Chris Tracey (ZBA, Chair), Keith Vellante (Verizon Real Estate), Matt Flokos (Harvard Press), Greg and Barbra Romero, Rosanne Saalfeld, Rich Maiore and Michael Ames

This hearing is for a Special Permit and Site Plan Approval filed on behalf of Cellco Partnership d/b/a Verizon Wireless to allow for a replacement wireless communications tower at 12 Woodchuck Hill Road, Harvard.

Attorney Christopher Swiniarski representing Cellco Partnership, was present to discuss the application before the Planning Board for a Special Permit under §125-27 of the Protective Bylaw. Swiniarski detailed the maps within tab 7 of the application, which included existing and approved coverage, additional coverage with proposed site, existing and approved sector footprints, proposed site sector footprints, area terrain map, and the siting of the tower on the ridge line. Swiniarski detailed the Federal laws that allow for wireless communications towers. Swiniarski stated talks with the Town over the past seven years in regards to a suitable municipal site for a tower have been turned down. Swiniarski detailed the mock-up of the balloon trial as shown on tab 5 of the application. Swiniarski detailed the two-variances needed from the Zoning Board of Appeals, for height and setback.

The Planning Board had numerous questions, some that need to be answered by Cellco, Town Counsel, and/or Town Administrator. Ryan will follow up with Town Counsel and the Town Administrator.

Chris Tracey, Chair of the Zoning Board of Appeals, stated he would like to collectively work with Planning Board when the report comes back from the consultant, Isotrope, by having a joint meeting in September. Tracey noted that a distributed network for wireless communications has worked in a few locations. Swiniarski stated that is not really a good viable option for Harvard.

Donahue made a motion to continue the hearing to September 14, 2020 at 8:00pm. Biering seconded the motion. The vote was unanimous in favor of the motion by roll call, Donahue, aye; Nickerson, aye; Leonard, aye; Biering, Aye; and Brown, aye.

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

**Harvard Planning Board
Special Permit & Site Plan Approval Meeting Minutes
Grant Maclean d/b/a Chestnut Tree & Landscape, 320 Ayer Road
August 17, 2020**

The public hearing was opened at 8:09pm by Chair Justin Brown 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: Justin Brown, Fran Nickerson, Stacia Donahue, Gwen Leonard, Jane Biering and Rebecca Kelley (Associate Member)

Others Present: Christopher Ryan (Director of Community and Economic Development), Matt Flokos (Harvard Press), Grant Maclean (Chestnut Tree & Landscape and Nicholas Deane

This hearing is for a Special Permit and Site Plan Approval filed on behalf of Grant Maclean d/b/a Chestnut Tree & Landscape for the operation of a landscaping business as allowed by Chapter 125-13 medium-scale commercial use at 320 Ayer Road, Harvard.

Grant Maclean described his intent to use of the property for the storage of landscape equipment. Maclean does not plan to store materials on the site. Biering noted that her son just accepted a part time job with Maclean's landscaping company, pointing out the possibility of perceived conflict of interest. Donahue asked if any temporary tents or structures will be used or if any signage will be installed. Maclean stated he is not planning on signs or temporary structure. All equipment is suitable for outdoor storage. Biering asked if the wetlands area will be marked in some way so the drivers know not to park there. Maclean will be marking the buffer zone so they don't end up near the pond or in the overgrowth area. Biering asked what 'temporary' meant as stated in the application. Maclean stated he intends to use the site for a year or two; he is working to find a permanent location. Ryan noted that a waiver from the application requirements would need to be submitted.

Donahue moved to approve application for the above referenced application with the condition of submission of waivers request as reviewed and approved by the Director of Community and Economic Development, Christopher Ryan, and the demarcation of the parking area per the Conservation Commission direction that no activity shall be within 200' of the pond or 100' of the bordering vegetated wetland without the proper permit of the Conservation Commission and the applicant come before the Planning Board again if the time extends beyond two years. Nickerson seconded the motion.

Biering made a motion to amend Donahue's the motion by adding the word request. Leonard seconded the motion. Nickerson made a motion for an additional amendment to add the name of the application. Biering seconded the motion. The amendments were unanimously approved by roll call Donahue, aye; Nickerson, aye; Leonard, aye; Biering, Aye; and Brown, aye. The original motion was voted on unanimously by roll call Donahue, aye; Nickerson, aye; Leonard, aye; Biering, Aye; and Brown, aye. Donahue made a motion to close the hearing. Nickerson seconded the motion. The vote was unanimously in favor by roll call Donahue, aye; Nickerson, aye; Leonard, aye; Biering, Aye; and Brown, aye.

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