

**HARVARD PLANNING BOARD  
MEETING MINUTES  
JANUARY 11, 2021  
APPROVED: APRIL 26, 2021**

Chair Justin Brown called the meeting to order at 7:04pm 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, Jane Biering, Gwen Leonard and Becca Kelley (Associate Member)

**Others Present:** Christopher Ryan (Director of Community and Economic Development), Liz Allard (Land Use Administrator), Matthew Flokos (Harvard Press), Beth Williams (Council on Aging), Christopher Swiniarski (Cellco Attorney), Keith Vellante (Verizon Real Estate), David Tivan, Roseanne Saalfeld, Greg & Barbara Romero, Jim Saalfeld

**2020 Annual Report**

Ryan has begun drafting the 2020 annual report for the Planning Board, which details the progress over the year and what the Board has completed in 2020. Ryan encouraged Board members to provide him with any items they would want included in the report. The report is due on January 25<sup>th</sup>; Ryan asked any additional items should be submitted by next Monday. Include a comparison of applications received this year as opposed to last year to detail the increase in activity. Nickerson requested information in regards to affordable housing be added to the report.

**Approve Minutes**

Donahue made a motion to approve the minutes of September 14, 2020 as amended. Biering seconded the vote. The vote was unanimously in favor of the motion by roll call, Brown, aye; Donahue, aye; Nickerson, aye; Biering, aye; and Leonard, aye.

**Continuation of a Special Permit & Site Plan Approval Hearing – Cellco Partnership d/b/a Verizon Wireless, 12 Woodchuck Hill Road.** Opened at 7:31pm (see page 3 for complete details)

**Board Member Reports**

- Representatives & Liaisons Update
  - **Historic Commission** – Donahue reported the Historic Commission is seeking input on a use for the Shaker Herb House on Shaker Road
  - **Municipal Affordable Housing Trust (MAHT)**– Nickerson stated their next meeting conflicts with the Planning Board meeting; recommended a note be sent to the MAHT asking they avoid such a conflict
  - **Transportation Advisory Committee** – The Select Board has approved the charter for the TAC; additional volunteers are being sought; Donahue is willing to be the Planning Board representative, but if someone else is interested she is welcome to allow them to do so; Ryan is hoping to get going in February; this committee will be an advisory committee to the Planning Board and Select Board
  - **Montachusett Regional Planning Commission** – Donahue reported MRPC still has funds available from the State for small business grants; she will meet with Ryan to discuss a potential opportunity to update trails from town center to the playing fields on Lancaster County Road as there may be grant funding available to do so; there are also some who are seeking to make a trail connection between the end of Old Mill Road and Devens; Harvard Conservation Trust and Sudbury Valley Trustees are seeking support letter on their trail grant application, which is requesting supplies for volunteers; they are willing to support our application(s) as well; District Local Technical Assistance grants have been opened with two funding rounds; Ryan has sent out some suggested ideas.

- **Open Space Committee (OSC)**– Ryan reported the OSC is trying to have the Town provide additional services for the existing GIS; it was suggested they team up with the Historic Commission to get the appropriate layers on the Town GIS.
- Community Matters
  - **Harvard Press Articles** –Brown had provided an outline on how the Planning Board could interact with the Harvard Press in regards to submitting different types of articles; members were in agreement with the outline as drafted
  - **Harvard Nextdoor** - Kelley stated she posted the Visual Preference Survey was available, which was received with a negative response
  - **Proposed Citizen Bylaw** – Maps provided detail the overlay district as just the Hazel property at 150 Ayer Road; Brown is uncomfortable with this bylaw only being for this one property; Ryan stated it would not be considered spot zoning if it is of greater public good according to their representation; Ryan provided two court cases and they feel they can raise their point to these cases; Ryan reminded them of political challenge as it being one lot; Planning Board members were in agreement that they were not amenable to posting an informal meeting on the Planning Board page of the website; Ryan stated what they are proposing could be better by reviewing the rural life bylaw drafted last year; again the question of reaching out to the abutters by the Hazel's was raised.

#### **Director's Update**

Updates were addressed under other items on the agenda this evening

#### **Chapter 125-57 Senior Residential Development Bylaw**

- Review Schedule
  - Ryan reviewed a proposed schedule which included a recommendation for a phased approach over the next three town meetings
  - Easier to amend existing bylaws as opposed to drafting new language
  - Development shall have to follow age friendly design if a specific type of development, such as open space design, is to be considered
  - Design guidelines – Sudbury and Weston have good set
  - Nickerson raised concern having a committee in Town specifying what these houses look like for seniors; Ryan assured her it was not going to be very restrictive.
- Updates:
  - Possible Article in the Harvard Press re: Senior Housing Types
  - Visual Preference Survey
  - Focus Groups

#### **Adjournment**

Donahue made a motion to adjourn the meeting at 10:08pm. Nickerson seconded the motion. The vote was unanimously in favor of the motion by roll call, Brown, aye; Donahue, aye; Nickerson, aye; Biering, aye; and Leonard, aye.

Signed: \_\_\_\_\_ Liz Allard, Clerk

#### **EXHIBITS & OTHER DOCUMENTS**

- Harvard Planning Board Agenda January 11, 2021
- Draft Harvard Planning Board Meeting Minutes, September 14, 2020 prepared by Liz Allard
- Planning Board Interaction with *The Harvard Press*, January 6, 2021
- Senior Housing Initiative Town of Harvard Planning Board January 2021

## **Harvard Planning Board**

### **Continuation of a Special Permit & Site Plan Approval Meeting Minutes**

#### **Cellco Partnership d/b/a Verizon Wireless, 12 Woodchuck Hill Road**

**January 11, 2021**

The public hearing was opened at 7:31pm 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 (Cellco Attorney), Keith Vellante (Radio Frequency Engineer), David Tivan, Roseanne Saalfeld, Greg & Barbara Romero, Rick Maiore, Robin Carlaw and Maureen Reitman

This hearing was continued from January 4, 2021 filed on behalf of Cellco Partnership to allow for a replacement wireless communications tower at 12 Woodchuck Hill Road, Harvard.

Attorney Christopher Swiniarski stated the Zoning Board of Appeals (ZBA) granted a Section 6 finding under Mass General Law Chapter 40A, along with the extension of the Special Permit. The tower height has been reduced to 125' from 160'. With the previous Special Permit being extended by the ZBA, a Special Permit from the Planning Board under 125-27 of the Protective Bylaw is no longer necessary. Site Plan approval will still be required from the Planning Board. Attorney Swiniarski stated he will be submitting a request to withdraw the Special Permit, most likely before the next meeting, but is waiting for the appeal period to end on the ZBA decision.

Attorney Swiniarski will submit a revised photo simulation at the 125' height and officially submit the site plans to the Planning Board, which have been submitted to ZBA for the decision. Christopher Ryan requested if there are any aspects of the site plan requirements that waivers are being sought, they must be done in writing. Brown requested an updated narrative. Ryan stated screening and camouflaging will be evaluated with the surrounding residents in mind. Attorney Swiniarski stated he is willing to work with the Board on camouflage and screening of the site; he encouraged the Board and members of the public to view the existing tower from different vantage points to be certain we can come to an agreement to the necessary camouflage. Ryan stated advice from Isotrope, the peer consultant, will be obtained in regards to the bond. Attorney Swiniarski stated he is willing to extend the hearing to January 25, 2021.

Greg and Barbara Romero, abutters to the site, thanked the Planning Board and ZBA for how they handled themselves during this process. Thankful for the consideration on the height, but wanted to note the base of the proposed tower is multiple times larger than the existing tower. The Romero's are interested in looking at how the screening, maintenance, generator noise and EPA compliances will be worked out. The placement of screening could be problematic as the structure is proposed right up to the driveway to the rental property at 12 Woodchuck Hill Road; screening on the opposite of the existing driveway could be problematic. Romero will provide these concerns and others in writing to the Planning Board.

Roseanne Saalfeld, an abutter, thanked Ryan for bringing up abutter concerns. Would like a model or photo simulation of the proposed base and questioned the ability to enforce maintenance; she too will send comments in writing.

Donahue made a motion to continue the public hearing to January 25, 2021 at 7:45pm. Nickerson seconded the motion. The vote was unanimously in favor of the motion by roll call, Brown, aye; Donahue, aye; Nickerson, aye; Biering, aye; and Leonard, aye.

Signed: \_\_\_\_\_ Liz Allard, Clerk