

**HARVARD PLANNING BOARD  
MEETING MINUTES  
JANUARY 25, 2021  
APPROVED: MAY 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, Gwen Leonard, Jane Biering and Rebecca Kelley (Associate Member)

**Others Present:** Christopher Ryan (Director of Community and Economic Development), Liz Allard (Land Use Administrator), John Hume (Montachusett Regional Planning Commission), Beth Williams (Council on Aging), Zenia Kotval, Jason Stanton (Montachusett Regional Planning Commission), John Mullin (Mullin Associates), Matt Flokos (Harvard Press), Christopher Swinarski (McLane Middleton, Attorney for Verizon Wireless), David Tivnan (SAI Group, LLC), Barbara & Gregory Romero, Rick Maiore, Roseanne Saalfeld and Robin Carlaw

**Montachusett Planning Commission Presentation: Fiscal Impact Assessment at Build-out for Harvard**

John Hume, Planning & Development Director for Montachusett Regional Planning Commission (MRPC), provided an overview of the process taken to develop the Fiscal Impact Assessment at Build-out for Harvard. Phase 1 consisted of the build -out analysis, which was completed in-house at MRPC. In Phase 2 MRPC engaged Mullin Associates to develop a fiscal impact based on the build-out. Hume noted this process was fully funded by the State's District Local Technical Assistance (DLTA) program. Hume encourage Harvard to apply for the upcoming round of DLTA funding. Jason Stanton, GIS Director for MRPC, detailed the process in Phase 1. Biering asked for clarification on the developable land. Stanton stated there are three types: vacant land, land containing a single-family on greater than an acre and half parcel and unrestricted farm land.

John Mullin, of Mullin Associates, overviewed the Phase 2 process, which included an executive summary to the Fiscal Impact Assessment at Build-out for Harvard. According to the MRPC Buildout Assessment, Harvard could see another 4,028 new homes and approximately 782,000 square feet of new commercial development could potentially be built in Town based on the current zoning and land use patterns. The 4,000+ additional homes would come with additional capital improvements costs for public works, especially if development triggered the need to move from volunteer services to professional services or triggered new school construction and capital costs. While the Town does not foresee this level of new construction, the Buildout suggests that it is technically possible. The Town does not expect to see much new commercial growth. Commercial development rarely puts a fiscal strain on communities as there are no direct school costs associated with development. In most communities, residential development does not yield positive fiscal impacts due to the costs associated with educating school aged children. However, this is not accurate for Harvard due to the high market value of residential homes.

Biering suggested that this conclusion is incorrect, since the MRPC model assumed that the mix of occupants in new homes (that is, the ratio of families with children to families without children) would mirror the town's current mix, but new homes will most likely be occupied almost exclusively by families with children. Since the average single-family property tax bill in Harvard is about \$12,000, and the average school cost per child is about \$17,000, it would be a stretch to conclude that Harvard is, in fact, different from other communities in this regard.

As long as development keeps pace with infrastructure investments, fiscal issues need not be a major concern for the Town of Harvard. However, if the town was to experience tremendous growth pressures, in either residential or commercial development, that would trigger major capital costs such as new water and sewer facilities, additional professional fire and police services or new school buildings, the fiscal

landscape is likely to change. The build out analysis indicates that the current zoning and land use can accommodate significantly more development. For residential real estate, the buildout indicates 2.4 times more homes than currently exist, and the value of commercial development could potentially double. Development of this scale would not only drastically change the character of the community; it would most certainly require additional infrastructure and services. It is essential that the town continue to carefully plan for its future including a well-articulated and funded capital improvements program, become watchful of regional trends, and monitor the impacts of growth on Devens. Furthermore, the Town should carefully monitor future developments, in conjunction with infrastructure and service needs, to ensure a secure fiscal position.

The excel spread sheet can be adjusted for different tax rates as it is interactive. Stanton will share maps with Ryan.

**Continuation of a Special Permit Site Plan Approval Hearing – Cellco Partnership d/b/a Verizon Wireless, 12 Woodchuck Hill Road.** Opened at 7:45pm. (see page 4 for complete details)

**Recommendation to Select Board for the Planning Board Representation to the Transportation Advisory Committee**

Leonard made a motion to recommend to the Select Board the appointment of Stacia Donahue as the Planning Board representative to the Transportation Advisory Committee. 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.

**Zoning Board of Appeals Request for Comments – 53 Turner Lane**

Ryan will forward his comments as written in his report.

**Board Member Reports**

**Board Member Reports**

- **Representatives & Liaison Reports**

- *Community Preservation Committee* – After a brief discussion in regards to the Parks & Recreation Commission application for site assessments Biering made a motion to recommend the funds be placed in reserve for the purchase of land for recreation purposes. Leonard seconded the motion. The vote by roll was 4-1; Donahue, nay; Nickerson, aye; Leonard, aye; Biering, Aye; and Brown, aye.

- **Community Matters**

None

**Director's Update**

Covered under other items this evening

**Approve Minutes – September 21, 2020**

Biering made a motion to accept the minutes of September 21, 2020 as amended. Donahue 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.

**2020 Annual Report**

Biering made a motion to submit the annual report as written by Ryan. 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.

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

- **Review Schedule**
- **Bylaw Strategy for Annual Town Meeting (see Ryan's report)**
  - Ryan recommends combining the Accessory apartment use §125-18.1 and the Affordable accessory apartment §125-18.2 to create a new senior provision for accessory apartments

○ **Updates:**

- **Highlight General Survey Results** - a full report will be provided on 2/1/2021
- **Focus Groups**
  - Leonard stated the Senior group was great fun and deep dive into the emotional response of what they are seeking. Leonard feels good about those outcomes. Currently the group for this week only has three participants. Leonard will circle back with other seniors.
  - Ryan has submitted a request on the MassPlanner list serve for any planners that may be interested in partaking in a focus group
- **Visual Preference Survey**
  - Ryan setting up 1-on-1 conversations with developers

**Adjournment**

Donahue made a motion to adjourn the meeting at 10:15pm. 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, Clerk

**EXHIBITS & OTHER DOCUMENTS**

- Planning Board Agenda January 25, 2021
- Director of Community and Economic Development Update, January 25, 2021
- FISCAL IMPACT ASSESSMENT AT BUILDOUT FOR HARVARD, MASSACHUSETTS, Draft for Discussion Purposes, December 11, 2020
- Site Plan, Drawing No.:C02, Verizon, Harvard 3 MA, 12 Woodchuck Hill Road Harvard, MA 01451, VZW Location Code: 263427, CEA Project No.: 96210.376, prepared by Chappell Engineering Associates, LLC, revision date 12/30/2020
- Part Site Plan, Drawing no.: A, Verizon, Harvard 3 MA, 12 Woodchuck Hill Road Harvard, MA 01451, VZW Location Code: 263427, CEA Project No.: 96210.376, prepared by Chappell Engineering Associates, LLC, revision date 12/30/2020

## **Harvard Planning Board**

### **Continuation of a Special Permit and Site Plan Approval Hearing**

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

**January 25, 2021**

The public hearing was opened at 7:57pm 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), Liz Allard (Land Use Administrator), Christopher Swiniarski (McLane Middleton, Attorney for Verizon Wireless), David Tivnan (SAI Group, LLC), Barbara & Gregory Romero, Rick Maiore, Roseanne Saalfeld and Robin Carlaw

Donahue made a motion to accept the request to withdraw the Special Permit application without prejudice. 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.

Attorney Chris Swiniarski detailed the revised site plans with a new monopole at 125', proposed fencing, generator, electrical equipment and the removal of twelve trees in total, with seven within the fenced in equipment area. Brown confirmed the fencing would include slates for security reasons. When asked about additional co-locators Attorney Swiniarski stated he could not be certain how many additional would be on the tower, however each co-locator would require approximately 10 feet of space and with the cell tower being only 125 feet he is not certain that others would want to be lower than 105'. There is availability for four co-locator's equipment on the ground. Attorney Swiniarski can't this evening recommend the reduction of the size of the equipment area by 25', which may not make that much of a difference.

Leonard asked in which direction will the access gate be for the equipment area. Attorney Swiniarski stated facing the Romero's property due to the location of the existing driveway. Donahue asked if the additional co-locators would have their own generators and propane tanks. Attorney Swiniarski stated not necessarily, as not everyone uses propane and/or generators. When asked Attorney Swiniarski stated generators would be exercised 20 – 30 minutes weekly, which can be regulated as to when this occurs in the decision.

Ryan's report includes suggested language similar to that of the previously issued Special Permit. Attorney Swiniarski stated he is willing to work with the Board, but he does not want the applicant to be held to all of the Special Permit criteria. Ryan stated if some aspects of the Special Permit are not included the applicant would have the ability to construct the cell tower as it sees fit. Ryan's report as it pertains to site plan approval was reviewed.

In regards to the removal of trees, Attorney Swiniarski stated he would review with the design team to determine if the number of trees to be removed can be reduced. The trees within the equipment area will be required to be removed for safety reasons; others may be too tall or at risk to the cell tower. The transformer is property of the utility company and can't be located within the locked equipment area. The final location is up to the utility company; should it change the Planning Board will be notified. Attorney Swiniarski is agreeable to the planting of arborvitae for screening. Brown suggested the replanting of trees on the property to replace those being removed to assist in providing additional screening.

Attorney Swiniarski stated there is no plan to improve the existing driveway. Attorney Swiniarski is unfamiliar with a bionic tower as suggested in Ryan's report, but indicated fake tree towers are the worst things, as it makes the cell tower stand out more. There are no plans for additional lighting beyond that of a single fixture within the equipment area to be used when service is being provided. Attorney Swiniarski is not amenable to installing the utilities underground. Ryan suggested "No Trespassing" signs at the driveway access and property lines. Ryan will seek advice from Isotrope, peer consultant, on the amount of the removal bond.

Greg Romero, an abutter, offered the Planning Board the ability to review the site from his property to get a better perspective of the necessary screening. Romero is curious to know if the cell tower could be shifted to the east; why the trees along the driveway need to be removed; could the access gate be on the south side of the equipment area.

Roseanne Saalfield, an abutter, is shocked that it is still unclear if any other co-locators will be on the cell tower; has a professional landscape plan been prepared; her heart is broken and disappointed by the property owner.

Donahue made a motion to continue the hearing to February 1, 2021 at 8:00pm. Biering 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, Clerk