

**HARVARD PLANNING BOARD  
MEETING MINUTES  
JULY 19, 2021  
APPROVED: AUGUST 2, 2021**

Chair Justin Brown called the meeting to order at 7:06pm virtually pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency and signed into law on June 16, 2021, under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

**Members Present:** Justin Brown, Stacia Donahue, Richard Cabelus, Brian Cook and Doug Thornton and Jefferson Burson (Associate Member)

**Others Present:** Liz Allard (Land Use Administrator)

**Public Comment**

There was no public comment this evening.

**Board Member Reports**

**• Representatives & Liaisons Update**

- **Ayer Road Vision Plan** – Brown reported although the requested \$300,000 for this project was not approved at the Spring Annual Town Meeting, the Select Board has voted to provide \$45,000 from the Ran Toul Trust account to develop Phase 1 of this project. This Phase will develop a market analysis for the commercial district and provide what the next phases should entail, which will allow for the public to provide feedback. Ryan is in the process of drafting the Request for Proposals (RFP). Burson wanted to be certain the deliverables are clear within the RFP.
- **Park & Recreation (P&R) Commission- Pump Track** – Donahue reported a meeting of stakeholders was held last Monday. The feedback from that meeting indicated there has not been enough public input and a process should be followed to obtain that feedback. P&R is meeting this evening and will be discussing the matter further. Brown had previously mentioned Donahue and himself, along with staff will be meeting with the chair of the Climate Resiliency Working Group (CRWG) to discuss recent responses to this project under the guise of CRWG.
- **Montachusett Regional Planning Commission (MRPC)** - Donahue stated she briefly attended the most recent meeting of MRPC and reported they are working on the deliverable for the two District Local Technical Assistance grants awarded to Harvard. The two grants are for Transportation Plan project, which is intended to take Harvard's existing transportation element from the 2016 Master Plan and update it through a climate change lens and assisting the Agricultural Advisory Commission to find a way to provide staff in order to begin working on their goals and objectives spelled out in multiple plans.
- **Transportation Advisory Committee (TAC)** – Donahue stated the Transportation Improvement Project (TIP), through the Mass Department of Transportation (DOT), to repave Ayer Road from the Ayer town line to Route 2 is scheduled for 2026. The This timeframe will work well with the Ayer Road Redevelopment Plan, since the TIP project is currently at the 25% phase, in allowing for additional infrastructure to be installed prior to re-paving. Mass DOT has provided comments to the consultant, The Engineering Company, and TEC has provided additional comments. Those comments suggest traffic calming measures be included throughout the corridor. Once Mass DOT has provided their comments a public hearing will be held to allow for feedback from the community; possible late August, earlier September.
- **Climate Resiliency Working Group (CRWG)** – Burson stated the outreach committee will be undertaking website improvements by launching Mass Energize in mid-August and the planning development committee will be meeting next week.

• **Community Matters** – None

**Approve Minutes**

Donahue made a motion to approve the minutes of May 26, June 7 and 21 and July 12, 2021 as amended. Cabelus seconded the motion. The vote was unanimously in favor of the motion by roll call vote with Donahue; aye; Cabelus; aye; Thornton, aye; and Brown, aye; Cook; abstained.

**Fall Town Meeting, October 16, 2021, Bylaw Amendments**

- **Erosion Control – Add new section 125-58 – Review Minor & Major Permit Need**
  - In general, the Board feels the provision is confusing in its current format; Allard will work with Donahue to revise into a smoother flowing document.
  - In determining the 25% slope in 125-58B(3)(a) needs refinement.
  - Cabelus shared the Town of Weston’s explanation of major and minor permit, which was amenable to the Board.
  - Define “significant erosion”.
  - Revised 125-58-b2(a) to “Not Required”.
- **Scenic Roads – Amend Chapter 90 – Review Enforcement amendments**
  - “Appeals” has been moved to the end of the provision.
  - Within 90-6 Enforcement “...in consent with the Planning Board.”, under section A was removed, along with “...with continued progression toward a good faith effort for restoration.”, in section F.
  - The language within 90-6D will be re-word to detail the filing of a complaint with the local courts, as opposed to the Town’s Chief of Police criminally prosecuting violations of said provision.

**Spring Town Meeting, 2022**

- **Open Space Residential Development (OSRD) – Amend Chapter 125-35 – All about Open Space**
  - In Ryan’s absence, Brown presented the following:
    - Brown explained conventional zoning verses Open Space Residential Development, where the OSRD provides the same number of housing units, but provides for open space, trails, preservation special features and less roadway.
    - OSRD provides village like areas, diversity of housing opportunities and a reduced financial impact to the Town.
    - The current provision, Open Space Conservation – Planned Residential Development (125-35), requires a special permit, whereas the proposed revised provision would allow development by-right.
    - Conventional development may cost a developer less, as well as being less time consuming, but OSRD has a higher rate of return for a developer. Cook was concerned with by-right development; would require some type of oversight to be reviewed before allowing development to move forward. Cook was comfortable with 3-4 housing units being allowed by-right, but large-scale developments will need more checks and balances. Cabelus agreed.
    - Key definitions include Open Space, Primary Resource Protection Area (PRPA) and Secondary Resource Protection Area. 50% of a development remains in open space with PRPA’s (i.e. wetlands and steep slopes) not included, and is preserved in perpetuity. Use of the open space can be either open to the public or reserved for the homeowners only.
    - This type of development is part of the long-range planning detailed within the 2016 Master Plan and Open Space and Recreation Plan.
    - The Board discussed concerns over the types of buyers for this type of development; some may see this as an investment opportunity for rental units; a balance between growing the Town in a responsible way.
    - New Board members were encouraged to review the Town’s Housing Production Plan.

**Adjournment**

Donahue made a motion to adjourn the meeting at 9:18pm. Cabelus seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cabelus, aye; Cook, aye; Thornton, aye; and Brown; aye.

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

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

- Planning Board Agenda July 19, 2021
- Article XX: Amend Protective Bylaw Chapter 125 - §125-58 Erosion Control
- Article XX: Amend Scenic Roads Bylaw Chapter 90
- Town of Harvard Draft OSRD Bylaw Review Session 3 – Current Bylaw Part 1: Administrative, Part 2: It's All About the Open Space