

**HARVARD PLANNING BOARD  
MEETING MINUTES  
NOVEMBER 15, 2021  
APPROVED: DECEMBER 6, 2021**

Chair Justin Brown called the meeting to order at 7:03pm 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, Doug Thornton and Jefferson Burson (Associate Member)

**Others Present:** Christopher Ryan (Director of Community & Economic Development), Liz Allard (Land Use Administrator), Valerie Hurley (Harvard Press), Michael Maglothin, Timothy Greene and Eve Wittenberg

**Public Comment**

There were no comments from the public this evening

**Spring Annual Town Meeting, 2022 - Open Space Residential Development (OSRD)**

➤ **Dimensions and Design Requirements Presentation**

- Three types of OSRD ownership:
  - Condominiums with Exclusive Use Area
  - Condominium
  - Hybrid Planned Development
- Two Types of OSRD Projects:
  - Residential Village Development
  - Residential Infill Development
- General Use Types:
  - Open Space – 50% of total parcel size
  - Civic/Institutional
  - Residential Types I through III
- Dimensional criteria provide minimums and/or maximums for:
  - Lot or Exclusive Use Area Size – need to be large enough to provide private space for occupant, but not so large to defeat the village cluster objective, which would provide the following:
    - Residential Type 1 (Single-family or Two-family homes) - 4,000 to 30,000 sf
    - Residential Type 2 (Town Houses) - Minimum 500 sf/unit
    - Residential Type 3 (Multifamily) - Minimum 350 sf/unit
- Front, Side, and Rear Setbacks
  - Residential Type 1
    - Front Yard Setback minimum 10'
    - Side Yard Setback minimum 8'
    - Rear Yard Setback minimum 25' unless a rear garage is provided
  - Residential Type 2
    - Front Yard Setback minimum 5' (or build to line if adjacent to proposed sidewalk)
    - Side Yard Setback ranges from 10' to 50' for project exterior lines
    - Rear Yard Setback ranges from 30' to 50' for project exterior lines
  - Residential Type 3

- ☐ Front Yard Setback minimum 5' (or build to line if adjacent to proposed sidewalk)
- ☐ Side Yard Setback ranges from 20' to 50' for project exterior lines
- ☐ Rear Yard Setback ranges from 30' to 50' for project exterior lines

- Frontage
  - Residential Type I – Ranges from 36' to 75'
  - Residential Type II – Ranges from 16' to 30'
  - Residential Type III – Ranges from 10' to 20'

- Relation to Project Type

- Comments on Proposed Draft
  - Why By-Right?
    - Suggested by Randall Arndt, as it is an improvement to the conventional subdivision, which are by-right
    - Workshop of 2020 had participant asking why not by-right
    - Tighten it up enough to make sure Planning Board is comfortable with all of the decisions
  - Purpose #4 – is there information available to back this statement up?
    - Arndt has case study – Ryan will provide

**Renewal and Modification of a Special Permit & Driveway Site Plan Approval – Sprint Spectrum Realty Company, LLC, 47 Poor Farm Road.** Opened at 7:36pm (see page 4 for complete details)

#### **Spring Annual Town Meeting, 2022 - Open Space Residential Development (OSRD), continued**

- Review schedule:
  - Final language by end of January (want members comfortable with language prior to opening the hearings)
  - Website has been continuously updated
  - Dropbox with additional materials for the members knowledge
  - Develop Frequently Asked Questions handout
  - Stakeholder meetings:
    - Other Planners around the Commonwealth
    - Designers and developers
    - Planner coffees
    - Open house a week or two before Tow Meeting to discuss the elements of the bylaw
- Comments on Proposed Draft, continued discussion of By-Right versus Special Permit process.

#### **Board Member Reports**

- Representatives & Liaisons Updates
  - *Open Space Committee* (OSC) – Cook explained OSC was requested to provide a map to Parks & Recreation Commission including protected municipal lands. OSC agreed 5-1 to do so, with the disclaimer that OSC does not support use of Conservation land for active recreation. Peter Dorward provided a valiant effort on why that information should not be including at the OSC meeting and at a recent meeting with the Conservation Commission. Cook stated Dorward has done a great job of navigating between the two Commissions.
  - *Harvard/Devens Jurisdictional Committee* (HDJC) – Cabelus stated the rezoning of Vicksburg Square is being batted around, but seems to be going nowhere. He can't see how anything will pass a super town meeting. A lot has stalled out at Devens. Ryan explained the stakeholders, which includes the three towns (Harvard, Ayer & Shirley), MassDevelopment, and the business owners and residents within Devens. The 6<sup>th</sup> stakeholder was added, making Devens leverage better as they continue to develop. Within his report Ryan made a recommendation to have a Planning Board representative

and the chair of the HDJC discuss these issues and determine whether it should be taken up at a HDJC meeting or discussed with Town officials. Cabelus volunteered to have this discussion with the chair of HDJC. Thornton wants to be certain the result of that meeting is reported back out to the Planning Board and how Planning Board can help.

- *Montachusett Regional Planning Commission (MRPC)* – Donahue stated at the monthly meeting they discussed American Rescue Plan Act of 2021 in regard to the funding being provided to the state and local communities; lots of fear on how to manage the paperwork and funds. MRPC is hiring an individual to handle this task. Additionally, no one wants to talk about Devens.
- *Transportation Advisory Committee (TAC)* – Mass Trails Grant is moving forward, focusing on the Parks & Recreation trail from Depot Road to Lancaster County Road. Also talking about a bigger range to Old Mill Road and connecting to Devens. A meeting on November 17<sup>th</sup> is planned to discuss the District Local Technical Assistance grant public meeting for the town-wide transportation goals with a climate lens.
- *Community Preservation Committee* – Meeting this week to review all of the applications. The general consensus is to invest in what the Town already owns as opposed to buying more stuff
- *Community Resiliency Working Group (CRWG)* – Meeting with Select Board tomorrow night to request CRWG be a standing committee as opposed to a subcommittee of the Planning Board. CRGW is planning and all-board meeting in February to discuss roles and responsibilities under the Town Resolution
- *Ayer Road Visioning Plan* – The two received proposals have been interviewed; currently checking references for both; and both are in the running at this point. Will review with the Select Board at their December 7<sup>th</sup> meeting.

- Community Matters - None this evening

#### **Director's Report**

Reorganization of the Land Use Boards – job descriptions were graded last week. The two administrative positions did not grade out as Ryan had hoped; he will revise and re-submitting to the Personnel Board.

#### **Approve Minutes**

Donahue made a motion to approve the minutes of November 1, 2021 as drafted. Thornton 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.

#### **Adjournment**

Donahue made a motion to adjourn the meeting at 9:10pm. Thornton 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 November 15, 2021
- Director of Community and Economic Development UPDATE, November 15, 2021
- DRAFT OPEN SPACE RESIDENTIAL DESIGN (OSRD) DEVELOPMENT BYLAW Session 6 – Dimensions, Design, and November 1, 2021
- T-Mobile Site Number: 4WL1746A BU#881554 Poor Farm Road, Harvard, Existing 115' -6" Monopole Plan set, prepared by Crown Castle, 9/24/2021

## **Harvard Planning Board**

### **Renewal and Modification of a Special Permit & Driveway Site Plan Approval**

#### **Sprint Spectrum Realty Company, LLC, 47 Poor Farm Road**

**November 15, 2021**

The public hearing was opened at 7:36pm by Chair Justin Brown 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, Doug Thornton and Jefferson Burson (Associate Member)

**Others Present:** Christopher Ryan (Director of Community & Economic Development), Liz Allard (Land Use Administrator), Valerie Hurley (Harvard Press) Michael Maglothin, Timothy Greene and Eve Wittenberg

This hearing is for the Renewal and Modification of a Special Permit & Driveway Site Plan Approval filed on behalf of Sprint Spectrum Realty Company, LLC for the replacement of six antennas and addition of three antennae for new network service upgrade with associated equipment, fiber and coax conduits at 47 Poor Farm Road, Harvard.

Timothy Greene stated the existing cell tower is disguised as a tree with Sprint/T-Mobile equipment at 101' on the tower. The application details the removal and replacement of equipment on the tower, which will be painted as necessary to camouflage the equipment. Equipment currently at the 79' mark will be removed and merged with that at the 100' mark. Sprint/T-Mobile has been a tenant on the tower since it was constructed. Ryan stated he reviewed the prior approval and would recommend maintaining the relevant conditions as detailed within his report. Staff did not have the ability to review the technical aspects of the application; that information would require an outside consultant.

Donahue noted the plan indicated the removal of the camouflage; she wants to make sure it goes back up once the new equipment is replaced. Greene assured her the camouflage will be reinstalled. Ryan asked if the ground mounted equipment would be replaced within the same existing location. Greene stated it would. When asked Greene stated the work was to be completed within a two- to three-week period. When asked about the exercising of the generator, Greene stated the generator is most likely does not belong to Sprint or T-Mobiles, but most likely is owned by Verizon. Greene will confirm that and remove "add generator" on the plan.

There were no comments from the public.

With a few items to be addressed, Donahue made a motion to continue the hearing to 7:45pm on December 6, 2021. 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