

**HARVARD PLANNING BOARD
MEETING MINUTES
December 18th, 2023
APPROVED JANUARY 22, 2024**

Chair Richard Cabelus called the open meeting to order remotely at 7:00pm, pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023, which has suspended the requirement of the Open Meeting Law to have all meetings at publicly accessible locations and allowing all public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Members Present: Richard Cabelus, John McCormack, Doug Thornton, Stacia Donahue, Arielle Jennings and Richard Abt (Associate member)

Others Present:

Frank O'Connor (Town Planner), Dan Wolfe, Erin McBee, Bonnie Heudorfer

Public Hearings:

7:10pm Continuation of Public Hearing 184 Ayer Road Request for approval of Site Plan Review with a Special Permit at 184 Ayer Road by CS Bailey Landscape, Inc. or other relief as appropriate under M.G.L Chapter 40A, and the "Code of the Town of Harvard" as amended, in the Protective Bylaw Chapter 125-38 and 125-13(T) with Erosion Control Major Permit §125-58E(3)(b).

See full details on Page 4

7:30pm Request for approval of Site Plan Review with a Special Permit at 266 Ayer Road by Jim Burns Engines, Inc. or other relief as appropriate under M.G.L Chapter 40A, and the "Code of the Town of Harvard" as amended, in the Protective Bylaw Chapter 125-23B and 125-14F Permitted uses in C Districts.

See full details on Page 5

8:15pm Public Hearing pursuant to Massachusetts General Laws Chapter 40A, Section 3A, to consider and receive comments from interested parties concerning proposed addition to Chapter 125 of the Code of the Town of Harvard, the Protective Bylaw to designate a multi-family overlay district.

See full details on Page 6 through Page 7

Old Business:

MBTA-3A survey

Frank O'Connor shared his screen to show the results of the survey after 429 votes were tallied. The survey showed Option-A was the most favored first choice as well as most popular second choice. Option-A was also the most strongly favored from the parcel list. Frank O'Connor has not received any feedback on why the Option B and particularly Option C was not desired by the voters.

Arielle Jennings suggested the idea of re-distributing the survey, but now adding all the specific details that make each parcel a unique choice to consider for the voters.

Stacia Donahue mentioned the possibility of another parcel that could be considered if additional funding was provided. The parcel is located on Plot 52 on Littleton Road towards Route 2. Stacia Donahue added

that the reason funding would be needed is because the Planning Board would need someone to calculate if the parcel complies with the MBTA bylaw.

Master Planning for 2026

The Planning Board discussed creating a small steering committee in order to reach out to all town boards and committees to make sure each area of the Master Plan is addressed. The purpose of this is to create a better understanding of what areas will need to be looked into and how much time must be dedicated for each going forward. Richard Cabelus added his belief that the Select Board might be the best group to lead the direction of this steering committee. Richard Cabelus also suggested meeting with the Select Board at their next meeting of January 2024 to share the Planning Board's excel sheet and discuss further at that time. Erin McBee confirmed this and agrees that this is a good idea.

UTILE C-District project update

Frank O'Connor had recently met with the UTILE group and received the first draft of their plan. Frank O'Connor liked the initial plan and how these phases were arranged. The plans will be worked on more and are expected to be ready for the next meeting with the Planning Board on January 22nd 2024.

New Business:

Update of Housing Production Plan & Subsidized Housing Inventory

Arielle Jennings started the conversation on the topic of the final draft for the Housing Production Plan. She will be presenting to the Select Board in hopes that the Select Board's Chair will send a letter saying it has been approved by both the Select Board and the Planning Board. Arielle Jennings quickly shared her screen to show the strategies, timeline, and which board/committee is responsible for these plans as well as the more detailed goals for each strategy.

Motion: Stacia Donahue made the motion to approve the Housing Production Plan as amended.

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Review tentative 2024 Planning Board meeting dates

Frank O'Connor shared his screen to show the schedule for the 2024 Planning Board dates. There were no current conflicts with the dates chosen.

Application requesting Erosion Control Major Permit §125-58E(3)(b)(1) for construction of a new dwelling by Peter & Heather Ofsthun at 37 Glenview Dr.

Dan Wolfe addressed the Planning board on behalf of the owners of the property. The applicants are proposing to build a new single family house along with a new septic system and driveway for this home. The plan also includes to add a swale for water runoff and erosion control in order to help alleviate the concerns of a neighbor. Stacia Donahue asked is if the Conservation Agent had taken a look at the plans. The Conservation Agent has taken a look at this and has given nine individual items needed to be addressed. Dan Wolfe has seen these nine items and is in agreement with these.

Motion: Stacia Donahue made the motion to approve the major erosion control application for Glenview Drive as submitted by the Town's Conservation Agent

Seconded by John McCormack

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Standard Business:

Community Matters

Stacia Donahue informed the Planning Board that the Town has one consistent daily rider on the MBTA shuttle. John McCormack believes the COA and Town Hall should designate some parking spots to commuters that will use the shuttle service. Frank O'Connor has talked to these groups and other potential groups and has not received any interested contributors.

Invoice:

Motion: Arielle Jennings made the motion to approve the Utile invoice for \$4,205.00.

Seconded by John McCormack

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Adjournment:

Motion: Stacia Donahue made the motion to adjourn the meeting at 10:27pm.

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Harvard Planning Board

Special Public Hearing Minutes

December 18th 2023: Meeting called to order at 7:10pm

184 Ayer Road by CS Bailey Landscape, Inc

Continuation of Public Hearing: Request for approval of Site Plan Review with a Special Permit or other relief as appropriate under M.G.L Chapter 40A, and the “Code of the Town of Harvard” as amended, in the Protective Bylaw Chapter 125-38 and 125-13(T) with Erosion Control Major Permit §125-58E(3)(b).

The Special Public Hearing continued but did not have a representative present for the applicant. John McCormack started the discussion with a comment on the Storm Water Management Plan. He would like clarification on who is responsible for these plans and why each section has been filled with “To Be Determined.” Frank O’Connor will relay this to the applicant. Erin McBee added some clarification on the request for some signage added in close proximity of Route 2. She believes that this is in the purview of the Planning Board but has asked Frank O’Connor to clarify this with the police chief in order to help the applicant meet the requirements as easily as possible. John McCormack asked who would be paying for the signs recommended for this plan. Frank O’Connor will talk with the Town Administrator to get some clarification on this matter.

Motion: Stacia Donahue made the motion to continue the Special Public Hearing for January 8th 2024 at 7:15pm

Seconded by John McCormack

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Harvard Planning Board

Special Public Hearing Minutes

December 18th 2023: Meeting called to order at 7:30pm

266 Ayer Road by Jim Burns Engines, Inc.

Request for approval of Site Plan Review with a Special Permit or other relief as appropriate under M.G.L Chapter 40A, and the “Code of the Town of Harvard” as amended, in the Protective Bylaw Chapter 125-23B and 125-14F Permitted uses in C-Districts.

Jim Burns and Dan Wolfe addressed the Planning Board to request the approval of Jim Burns’ site plan. Jim Burns has recently taken over the building from its previous owner and intends to run his business at this location. This business focuses on engine building and will be completing the same daily tasks that had occurred under the previous owner. Mr. Burns is the only employee for this business and Frank O’Connor has added that the business takes up both a small number of space and will create only a minimal amount of traffic.

Motion: John McCormack made the motion to approve the application for the Special Permit at 266 Ayer Road and the site plan review.

Seconded by Stacia Donahue

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Motion: John McCormack made the motion to close the Special Permit Hearing.

Seconded by Stacia Donahue

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously

Harvard Planning Board

Special Public Hearing Minutes

December 18th 2023: Meeting called to order at 8:16pm

Public Hearing pursuant to Massachusetts General Laws Chapter 40A, Section 3A, to consider and receive comments from interested parties concerning proposed addition to Chapter 125 of the Code of the Town of Harvard, the Protective Bylaw to designate a multi-family overlay district.

Richard Cabelus started the Special Public Hearing to clarify that the Planning Board has until the end of 2025 to comply with the state mandate. Richard Cabelus explained the main tasks needed to be completed are crafting the language of the bylaw and identify the location or locations to place the 113 units of multi-family housing. Stacia Donahue also added that everything the Planning Board decides upon must be approved by the EOHLC and it is preferred that it is approved by the EOHLC before being brought to the official town meeting. Frank O'Connor added that the Town Administrator would like to see this plan on the warrant for the Spring Town Meeting in April 2024.

Questions/Comments/Concerns

- Bonnie Heudorfer of 338 Stow Road commented that this should be seen by the Town as a positive opportunity that helps the Town's goals to create housing diversity through this new bylaw.
- Lou Russo spoke on the behalf of the potential building plans for the parcel nearest to Route 2. The developer interested in that parcel has stated that up to 249 units can be built on this parcel and looks to be viable to all town and state mandates.
- Richard Cabelus asked the Planning Board if there are any criteria the Planning Board should add in addition to the original requirements of the state.
John McCormack does not believe that the Planning Board should add more requirements to the criteria so there can be more diverse opportunities and the possibility of more parcels being eventually being developed.
Arielle Jennings and Stacia Donahue are thinking more along the lines of finding the best way to have the bylaw pass in the Town Meeting and doing what's best for this.

Potential Funding for Outside Consultants

Stacia Donahue is hoping for funding in order to get some help from outside consultants. Stacia Donahue shared her screen to show the large amount of information she and Frank O'Connor have been working with throughout their time looking for compliance from the state.

Bylaw wordsmithing:

The Planning Board revisited the Town's bylaw for the MBTA Overlay District and John McCormack quickly read through the document and the changes made in during the past meeting. The Planning Board plans to revisit the document one section at a time to better adjust the text to the Town's needs. Bonnie Heudorfer asked if the document was on the Town website and available for the public. Frank O'Connor will make sure that this is provided.

The Planning Board is weighing the options based on the following categories: Feasibility, aligning with Town goals, open space and conservation, and community input.

Motion: Stacia Donahue made the motion to continue the Special Public Hearing for January 8th 2024 at 7:30pm

Seconded by Doug Thornton

Voted yes by: John McCormack, Doug Thornton, Stacia Donahue, Richard Cabelus, Arielle Jennings

Passed unanimously