

**HARVARD PLANNING BOARD  
MEETING MINUTES  
SEPTEMBER 19, 2016  
APPROVED: OCTOBER 18, 2016**

Chair Kara McGuire Minar called the meeting to order at 7:03pm in the Town Hall Meeting Room at 13 Ayer Road, under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Erin McBee and Michelle Catalina

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), John Osborne (Harvard Press), Connie Larrabee, Deb Thomson, Jack & Sue Guswa, Lucy Wallace (BOS), Fran & Rick Maiore, Carlene Phillips, Pam Frederick (COA), Glen Frederick, Sharon Briggs, Ron Ricci, Hank Fitek, Bonnie Heudorfer and Ken Swanton

**Board Member Reports**

Catalina stated the Community Preservation Committee is meeting this Wednesday.

McGuire Minar stated the Town Center Transportation Committee Report will be presented at the September 21<sup>st</sup> Montachusett Regional Planning Commission meeting; Scanlan will be attending.

**Planner Report**

Scanlan stated the EPA is offering free technical assistance to help overcome barriers to implementing smart growth development approaches. EPA offers five areas of assistance, including Green and Complete Streets. The application deadline is October 12<sup>th</sup>. Scanlan was asked to further look into process for additional discuss at the October 3<sup>rd</sup> meeting.

Scanlan stated Montachusett Regional Planning Commission's Hazard Mitigation plan for Harvard will before the Board of Selectmen tomorrow night for approval. The acceptance of this plan will make the Town eligible for mitigation grants.

**Policy for Providing Documents for Meetings**

McGuire Minar read the previous policy from 2013. McGuire Minar suggested if documents for a meeting are not received by noon the Thursday prior to a meeting, then the item will be stricken from the agenda; if supplied Monday at the meeting, the proponent will be thanked for attending and move the item to the next meeting. McBee suggested that be at the discretion of the chair. Catalina suggested having the discretion of the entire board, that way it is not on one individual. Members agreed the suggestion of adding the discretion of the Board. Allard will revise the policy for approval at the October 3<sup>rd</sup> meeting.

**Discuss Planning Representation on the Municipal Affordable Housing Trust**

As only excerpts of the original email were shared for this evening discussion, Catalina requested the entire email be sent to all of the members. McBee and Catalina both agreed having a Planning Board (PB) member as a member of the Municipal Affordable Housing Trust (MAHT) is a good idea. Scanlan was asked to draft a letter to the Board of Selectmen & the MAHT stating the PB would be pleased to have a member and would like to keep its role as the keeper the of Subsidized Housing Inventory as well as the Affordable Housing Plan. The draft letter will be reviewed and approved at the October 3<sup>rd</sup> meeting.

### **Board Communication Process**

Members discussed the importance of keeping all members in the loop of communications that take place outside of the typical meeting setting. The discussion touched on differing opinions on how the board communicates and the opinion of one member may not always agree with that of the entire board. (Note: This discussion was revisited later in the meeting)

### **Approve Modification of a Special Permit – T-Mobile Northeast, LLC, 60 Old Shirley Road**

Scanlan stated proof of a current bond has been received as required; therefore the decision can be approved and released. With no comments or questions, McBee made a motion to approve the Special Permit decision for T-Mobile Northeast, LLC as drafted. Catalina seconded the motion. The vote was unanimously in favor of the motion.

### **Approve Invoice**

Liz Allard stated the following invoice have been received for inclusion on the next bill warrant:

- William Scanlan - \$2310.00

McBee made a motion to approve the invoice for William Scanlan. Catalina seconded the motion. The vote was unanimously in favor of the motion.

### **Approve Minutes**

McBee made a motion to approve the minutes of June 20, and 27 and August 1, 2016 as amended. Catalina seconded the motion. The vote was unanimously in favor of the motion.

### **Town Center Transportation Committee Final Report**

McBee made a motion to approve the Town Center Traffic Study Report with the minor edits to Figure 24 as discussed this evening. McGuire Minar seconded the motion. The vote was unanimously in favor of the motion.

### **Commercial Design Guidelines**

Catalina stated the revised version of the design guidelines is a much better version. Minor edits to the development of sidewalks will need to be made in order to match the proposed bylaw for special town meeting. With not all members having an opportunity to review the revised document the approval was held off.

### **Protective Bylaw Amendments Hearing.** Opened at 7:45pm

### **Board Communication Process, Continued**

McGuire Minar stated Ken Swanton, chair of the Board of Selectmen, has requested that the Town Administrator Tim Bragan schedule a meeting with the key players in regards to the traffic circulation around Town Hall. This sparked an additional discussion in the matter of board communication as which point McGuire Minar read into the record a chain of emails she was a part of this summer in regards to the access road to the Hildreth House. Catalina thanked McGuire Minar for the information.

### **Adjournment**

Catalina made a motion to adjourn the meeting at 9:45pm. McBee seconded the motion. The vote was unanimously in favor of the motion.

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

## **Harvard Planning Board**

### **Protective Bylaw Amendment Hearings**

**September 19, 2016**

Chairwoman Kara McGuire Minar opened the hearing at 7:45pm in the Town Hall Meeting Room, 13 Ayer Road, under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Erin McBee and Michelle Catalina

**Others Present:** Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), John Osborne (Harvard Press), Connie Larrabee, Deb Thomson, Jack & Sue Guswa, Lucy Wallace, Fran & Rick Maiore, Carlene Phillips, Pam Frederick (COA), Glen Frederick, Sharon Briggs, Ron Ricci, Hank Fitek, Bonnie Heudorfer and Ken Swanton

#### **Amend Chapter 125 by adding new section 125-55 Hildreth House Overlay District**

Comments were received from Town Counsel this afternoon. Catalina would like to still include the area behind the fire station as part of the district; perhaps work into the deal that a better storage structure is placed in view of the Hildreth property. Scanlan explained having the area behind the fire station allows for the flexibility when developing the land; there may not be a need to use it in the end. Scanlan reminded the Board the Fire Chief needs the storage currently located at the rear of the property, so until there is an alternative for storage he is not agreeable to giving up the area.

Sue Guswa suggested six units per building may be too many, that perhaps three would be more desirable. Deb Thomas agrees and would like to see no more than four. Thomas again stressed the need for single level living. Scanlan stated there is a requirement within the bylaw for the master bedroom on the first floor. It was suggested a full bath on the first floor be included as well. Ken Swanton, stated there have been discussions about expanding the Fire Department – why take the only land they have available for housing? Ron Ricci asked why the overlay district was being defined as it is; the selling of the land will be up to the Board of Selectmen; the amount of detail in the bylaw should instead be reserved for the Request for Proposal (RFP) phase. Lucy Wallace followed up on Ricci's remarks about the RFP process. Wallace suggested restricting to four units as opposed to six units, but due to the limitations of the site, six might work. Wallace also questioned the limitation that only attached units are allowed since with the topography on site it may be possible to access second-story units at grade level. Ricci asked about conveying the need to make the appropriate improvements to the access of the site. It was suggested to reference 125-39 Site Standards within 125-55E(1).

Those in attendance agreed the proposed 2,000 square feet of individual land area per unit in 125-55E(2) is too much, however there was no agreement as to the right amount. 125-55G(6) requires further review and discussion. Ricci pointed out that under 125-55F, age restriction, the Board could be forcing a sale within two years when the market could be poor. Bonnie Huedorfer stated it was her opinion that there should be no restriction; you can age appeal a development to a specific generation. McGuire Minar explained the reasoning for 60 year restriction. Catalina recommended a 55 and older for 80% of the units. McGuire Minar envisioned the units to be for retirees and not those still within their working years at 55. Thomas agreed.

The capacity of water and sewer for the district was discussed as it is detailed in 125-55G(2). Further clarification of this matter will be needed prior to special town meeting as there were differing opinions on how the capacity is determined.

McGuire Minar noted parking has not been discussed; parking should be in close proximity to the unit. Ricci suggested a density bonus on this type of development, which should require 10% of the units are affordable. Catalina explained creating affordable units will decrease the value of the land and that there are a number of available affordable units in Town already. Catalina further explained the bylaw is targeted to those who are in Town and want to downsize, but don't qualify for affordable units. Heudorfer suggested other standards, such as moderately priced units. Heudorfer also noted that the density increase offsets the loss of revenue from lower prices for the affordable units.

Wallace stated creating an overlay district for this area could be a starting point for more districts that are similar, but suggested not mixing the affordable aspect here.

Connie Larrabee would not be amenable to voting for such a district if it requires the sale of a parcel of public land and not being age restricted.

Jack Guswa thought the original concept was to target moderate priced housing as opposed to affordable.

Heudorfer asked what the money from the sale of the land would be used for. It was stated the funds generated from the sale of the land would be used toward the additional renovation phases of the Hildreth House.

McGuire Minar thanks those in attendance for their input this evening and that further discussion will take place at the October 3<sup>rd</sup> meeting.

**Amend Section 125-39 Site Standards by adding new subsection G "Sidewalks"**

Scanlan discussed the comments received from the Building Commissioner in regards to sidewalks being ADA compliant. Language was suggested for addition to 125-39G(3). Additional language was added to 125-39G(1) as suggested in previous discussions. McBee made two separate motion to accept the language in 125-39G(1) and 125-39G(3). Catalina seconded both motions. The votes were unanimously in favor of the motions.

NOTE: The hearings were not continued to a specific date, time and location, therefore the hearing was re-advertised for the October 18<sup>th</sup> meeting of the Planning Board

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

## **DOCUMENTS & OTHER EXHIBITS**

### **Policy for Providing Documents for Meetings**

- Request for Proposed Protocol, excerpt from the 08.05.2013 Planning Board minutes
- Proposed Protocol for Document Submittal to \_PB\_2013\_JB.doc

### **Protective Bylaw Amendments Hearing**

Proposed Chapter 125-55 Hildreth House Overlay District Bylaw Amendment

- Hildreth House Overlay District\_08.30.2016\_Comments from.docx

Proposed Chapter 125-39G Sidewalks Bylaw Amendment

- Sidewalk Article\_ 8-30-2016\_markup.docx

### **Board Communication Process, Continued**

- Exchange of emails between July 12 and July 18, 2016, Subject: Harvard Town Center, original message from Kyle Burchard of GPR, Inc., to Bill Scanlan at 8:57am; last email from Bill Scanlan to Kara McGuire Minar at 11:03am