

Action Items	Member/Staff Responsible
Research change in driveway widths within the bylaw, why they were changed and how other communities are dealing with this in regards to the national fire code requirement of 20' widths	Scanlan
Review files for Bolton Road Common Driveway	Allard
Draft letter to all boards & committees re: bylaw amendments	Allard
Review & Comment on Planner job description	All
Review Dimensional Table	All

HARVARD PLANNING BOARD
MEETING MINUTES
JULY 10, 2017
Approved: August 7, 2017

Chair Erin McBee called the meeting to order at 7:04pm in the Town Hall, 13 Ayer Road, under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Erin McBee, Fran Nickerson, Michelle Catalina and Stacia Donahue

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Ben Osgood (TTI Environmental), Lucy Wallace (BOS/H@HHC), Eric Ward, Rick Maiore (H@HHC), Rick Sicard (Harvard Fire Dept.), Ray Lyons, Bill Kerns, Neil Gorman (Ross Associates) and Bruce Nickerson

Continuation of the Preliminary Site Plan Review with Housing @ Hildreth House Committee

Ben Osgood, from TTI Environmental, stated comments from various sources in Town have been addressed on the revised plan including landscaping, a pull off for mail pick-up, increasing the turning radius into the property, and a property line change to accommodate the sidewalk on the Hildreth property. The total land area for this property will be 3.17 acres. The plan includes ledge profile for prospective buyer, along with the driveway profile. Sewer and water have also been shown on the plan and will most likely require blasting at the time of installation.

The Fire Chief, Rick Sicard, was present and stated the 90' radius at the cul-de-sac can accommodate a fire truck, but a 100' radius on the cul-de-sac would be ideal. This can be addressed during site plan review with the developer. Sicard also stated if the units are to have a sprinkler system then the beehives along the driveway would not need to be moved in order to achieve the required 20' width per national fire codes. The roadway will remain private and under the control of the home owners association. Scanlan stated the plan over all meets the requirements of the Protective Bylaw.

Rick Maiore stated at this point the Housing @ Hildreth House Committee is seeking preliminary site plan approval from the Planning Board. Catalina made a motion to endorse the plan set entitled "Preliminary Design Submittal 11 & 15 Elm Street, Harvard, MA 01451, Submission date: June 15, 2017, prepared for: Town of Harvard, Hildreth House Housing Overlay District", which includes 13 sheets, Project 17-004, prepared by TTI Environmental, Inc., dated 2017-06-15, which meets the requirements of Chapter 125-55 of the Code of Harvard, with the condition that the turning radius of the cul-de-sac shall be approved by the Fire Chief. Donahue seconded the motion. The vote was unanimously in favor of the motion.

Approve Invoices

Allard stated the following invoices have been received for inclusion on the next bill warrant.

- William Scanlan - \$3075.00
- Harvard Press - \$43.00
- MRPC - \$1742.82

Catalina made a motion to approve the above mentioned invoices. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Approval Not Required – Kerns – 112 Bolton Road

After a brief discussion, Catalina made a motion to endorse the Plan of Land in Harvard, Mass., owned by William D. Kerns & Sharon B. Kerns, prepared by David E. Ross Associates, Job No. 31740, Plan No. L-13214, dated June, 2017. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Planner Report

Scanlan stated he is working on the MassWorks application for the Town Center and has set a meeting with interested parties for 10am next Tuesday, July 18th. The Engineering Corporation (TEC) will be assisting with the plan and associated costs. The primary plan will focus on pedestrian improvements within the town center.

The signed contract for prioritization plan in the amount of \$30,000 has been submitted, which will focus on town center and Ayer Road.

The District Local Technical Assistance grant for the Water Protection Plan has been signed and submitted to Montachusett Regional Planning Commission.

The State has not yet settled on regulations for recreational marijuana. The House version gives greater control for local towns, which can not be more restrictive than the medical marijuana regulations.

Board Members Reports – Committee Activities

There were no Board member reports this evening.

Review Goals from Planning Board Retreat

The following goals have been achieved by the Planning Board since the spring retreat:

- Housing Production Plan has been approved by the State;
- Use Chart has been approved as a guidance document;
- Submitted grant application under Conservation Assistance for Small Communities for the financial analysis of Open Space & Conservation – Planned Residential Development;
- Prepared Bylaw amendment to allow Breweries as a use in the Commercial District; and
- Members have been appointed to the Design Review Board under the Commercial Design Guidelines.

The members agreed to present the Brewery Bylaw at the Special Town Meeting this fall.

The members agreed to present the following Bylaw amendments at the 2018 Annual Town Meeting:

- Chapter 125-35 Open Space & Conservation – Planned Residential Development;
- Farm to Table Restaurants; and
- Recreational Marijuana.

McBee stated she is concerned with the new fire code that requires driveway widths at 20' and the Protective Bylaw not being consistent with that requirement. Scanlan was asked to determine when the driveway widths were increased to the current 16', any explanation as to why that was changed and check with other communities to see if they are grappling with this matter.

The members did not complete the review of all the goals and agreed to do so at the next meeting.

Continuation of the Informal Discussion RE: Common Driveway – 112 Bolton Road

Neil Gorman, of Ross Associates, was present to represent Bill Kerns, who was also present. As requested, Scanlan has reviewed the Protective Bylaw in regards to the requirements for common driveways and has determined the issues for the Board to decide include:

1. Whether a fourth lot may be added at all.
2. Whether the fourth lot triggers a need to bring the non-conforming common driveway into conformance with the bylaw's width requirements.
3. Whether the 20-foot width now required by the Fire Code applies here.

Gorman stated there is no plan to extend the existing driveway, but rather add another branch to a house lot off the existing driveway. Gorman has spoken with the Fire Chief who has reviewed the site and is seeking further guidance from the State Fire Marshall. Catalina's understanding of the bylaw is that you can not add a shared driveway if the driveway existed prior to 1995. Members pondered whether or not a variance from the Zoning Board of Appeals would be necessary. Gorman asked if a variance is required would driveway site plan review still be needed. Members were uncertain and would need Town Counsel advice. Previous Special Permits will need to be reviewed to determine when the extension to the Silman/Clark lot was approved.

Review 2018 Annual Town Meeting Bylaw Amendments Schedule

As previously stated under "Review Goals from Planning Board Retreat" above, the members agreed to present a Brewery Bylaw at the special town meeting this fall. In addition, the members agreed to present an amendment to Chapter 125.18.1 accessory apartment use, by eliminating the requirement for the primary structure to be established as a single-family residence at least five-years prior to the date of the application for the special permit, in fall . Public hearing will be scheduled for the September meetings for these amendments.

Bylaw amendments for the 2018 annual town meeting were detailed above under "Review Goals from Planning Board Retreat". A request for suggested bylaw amendments will be sent to all boards and committees in September. Allard will draft a notification for the members to approve prior to sending. Informal discussion should begin by November, but definitely no later than December. Catalina is drafting language to put on Nextdoor Harvard, which will provide guidance to residents on how to find information and provide feedback on the amendments.

Review Town Planner Job Description

Catalina had prepared a general job description for the Board members to review. Catalina may add community development to the description as this is a role many in Town are seeking to have created. Catalina has requested feedback from the members on this draft.

ZBA Request for Comments

The Board received the following applications from the ZBA for comments:

- Special Permit, 202 Ayer Road
- Variance, Brown Road (Map 36 Parcel 95)

Scanlan stated the application for 202 Ayer Road is an improvement as to what is there now. Members requested additional screening from abutting properties. In addition, the site will not require design review under the guidelines, but will require Site Plan approval and the addition of sidewalks.

Scanlan stated the Brown Road variance is for a zero frontage, which will also require a special permit for a common driveway, which will be needed to access this lot and the existing cell tower lot, as well as the lot beyond the lot in question.

Bylaw Amendment for Special Town Meeting – Breweries

The Board made minor amendments to the draft bylaw for breweries. McBee will be meeting with the Board of Health tomorrow to obtain their feedback on the bylaw as it relates to water, septic and food service.

Review Dimensional Table

Members agreed to review this document the next meeting.

Adjournment

Donahue made a motion to adjourn the meeting at 9:21pm. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____ Liz Allard, Clerk

DOCUMENTS & OTHER EXHIBITS

Planning Board Agenda, dated Monday July 10, 2017

Preliminary Site Plan Review with Housing @ Hildreth House Committee

- Preliminary Design Submittal 11 & 15 Elm Street, Harvard, MA 01451; Submission date: June 15, 2017, prepared for: Town of Harvard, Hildreth House Housing Overlay District, 13 sheets, Project 17-004, prepared by TTI Environmental, Inc., dated 2017-06-15
- Application to the Harvard Planning Board, received by Town Clerk June 15, 2017

Approval Not Required – Kerns, 112 Bolton Road

- Plan of Land in Harvard, Mass., owned by William D. Kerns & Sharon B. Kerns, prepared by David E. Ross Associates, Job No. 31740, Plan No. L-13214, dated June, 2017

Review Goals from Planning Board Retreat

- Harvard Planning Board Strategic Planning Session Meeting Minutes, April 24, 2017

Informal Discussion re: Common Driveway - 140 Bolton Road

- Letter to the Planning Board Re: Additional Lot to an Existing Common Driveway, 112 Bolton Road, Harvard, MA, D.E.R.A. Project #31740, prepared by Neil T. Gorman, Project Manager
- Attachment A: Town of Harvard Assessor Map 27, with Parcels 42, 43 and 60.1 highlighted
- Attachment B: Land Court Document #41750, dated Mar 23 1988
- Attachment C: Land Court Document #67738, dated Jul 16 1998
- Attachment D: Land Court Document #67742, dated Jul 16 1998
- Site Plan, Plan of Land in Harvard, MA prepared for William Kerns, Job No. 13038, Plan No. L-7156, prepared by David E. Ross Associates, Inc., dated October 2001
- Sewage Disposal System Plan, Lot 1 Tahanto Trail, Map 27, Parcel 43 (Portion of), Harvard, MA, designed for William Kerns, Job No. 13038, Plan No. L-5732, prepared by David E. Ross Associates, Inc., dated 12-3-01
- Conceptual Site Plan (Not for Construction), Williams Kerns, 106, 112 & 114 Bolton Road & Proposed Lot 1 Tahanto trail, Harvard, MA, Job No. 31740, Plan No. L-13142, prepared by David E. Ross Associates, Inc., dated June 2017

Approve Invoice

- INVOICE – William Scanlan, Consulting Planner, dated June 30, 2017
- The Harvard Press Invoice#6517, dated 6/26/2017
- MRPC Invoice, dated July 6, 2017

Review Town Planner Job Description

- Director of Planning Town of Harvard, MA, undated

Bylaw Amendment for Special Town Meeting – Breweries

- Draft Zoning Amendment for Breweries, Cideries and Wineries, dated June 20, 2017