

Action Items	Member/Staff Responsible
Gather Information for 2017 annual report	Allard
Draft 2017 Annual Report	McBee/Scanlan
Finalize & Mail letters to Groundwater Protection Overlay District (GWPOD)	Scanlan/Allard
Follow-up with the Water & Sewer Commission in regards to any additional comments they may have on the GWPOD	Scanlan
Review exemptions for agricultural use under MGL Chapter 40A Section 3	All
Obtain advice from the Department of Agricultural Resources on these types of uses	Scanlan
Follow up with Attorney General's office in regards to creating an additional commercial district	Scanlan
Create a survey seeking guidance from residents for marijuana bylaw	All

**HARVARD PLANNING BOARD
MEETING MINUTES
JANUARY 8, 2018
APPROVED: JANUARY 22, 2018**

Chair Erin McBee called the meeting to order at 7:05pm in the Hildreth House, 15 Elm Street under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

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

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner) and Matthew Flokos (Harvard Press),

Board Members Reports – Committee Activities

Catalina stated the Community Preservation Committee met prior to the holiday and approved the three articles for annual town meeting in the spring, which includes preserving the Town Clerk records, the Conservation Commission's continued efforts to manage invasive plant species on conservation land and the Municipal Affordable Housing Trust Fund.

Planner Report

Scanlan had previously sent population projections from Montachusett Regional Planning Commission. The projections show Harvard losing ten people from 2010 to 2020 (to 6,510) and increasing to 6,560 in 2030 and 6,700 by 2040. The latest estimates from the Census Bureau (2016) show a population of 6,570, which is more than the 2030 projection. Scanlan noted these counts include Devens and the Federal Medical Center. The Census estimate has a margin of error of +/- 39; thus, the Donahue 2020 projection is outside the margin of error of the Census estimate.

A comment letter based on the discussion from the previous meeting had been distributed to the members in regards to the Comprehensive Permit before the Zoning Board of Appeals along Ayer Road, known as Craftsman Village. There were no additional comments from the members.

Approve Invoice

Allard stated the following invoice has been received for inclusion on the next bill warrant.

- William Scanlan - \$2035.00

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

Approve Minutes

Nickerson made a motion to approve the minutes of December 18, 2017 as amended. Donahue seconded the motion. The vote was unanimously in favor of the motion.

ZBA Request for Comments – MCI Communications, north end of Depot Road

Scanlan stated he has no comments on the application before the ZBA, which is for an existing fiber optics long distance repeater site. The applicant had let the previous special permit lapse. Under Chapter 125-21, Permitted uses in the AR Districts, the ZBA is the permit granting authority.

Monetary Warrant Articles

The members discussed the Director of Planning position for fiscal year 2019. Based on the grading of the position this past fall the hiring range is \$66,168 - \$69,179. Maiore made a motion the board vote to create a full-time Director of Planning position. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Catalina made a motion to submit a warrant article to the Finance Committee in the amount of \$70,000 for the hiring of a full-time Director of Planning to start in fiscal year 2019. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

As for the Complete Streets article for sidewalk improvements in the Town Center, the Director of Public Works has opted to allocate the necessary funds from the Towns MGL Chapter 90 account for this project.

2017 Annual Report

The 2017 annual report is being drafted and will be available for approval at the January 22nd meeting.

2018 Protective Bylaw Amendments for Annual Town Meeting

- Ground Water Protection Overlay District
 - Letter ready to go to invite residents within the district to a public meeting on January 22nd
 - Scanlan will follow-up with the Water & Sewer Commission in regards to any additional comments they may have
 - Board of Health asked why the public water supplies at Devens were not included as well
 - Harvard can not legislate Devens
- Farm to Table Restaurants

This topic has split into two subtopics:

 1. Agritourism
 - Need to review exemptions for agricultural use under MGL Chapter 40A Section 3
 - Is such a restaurant considered an agricultural use? Need legal advice.
 - Some towns are regulating under zoning as a by-right provision
 - Received feedback from a local farmer that the 45 acre requirement is too large
 - Obtain advice from the Department of Agricultural Resources on these types of uses
 - Gaining the support of the Agricultural Advisory Committee is necessary
 2. Expansion of, or new, Commercial District

- Scanlan will follow up with Attorney Generals office in regards to creating an additional commercial district
 - Additional feed back includes questions as to why expand the commercial district when there is already vacant land in the commercial district? Answer – for the preservation of the view shed and have the control over the type of development that takes place in that location
 - A White paper with commonly asked questions should be developed
- **Recreational Marijuana**
- Draft regulations have been out since December
 - Statewide public hearings to begin in February
 - One statute that marries medical and recreational use
 - Consider how the Town wants to allow this use, by limiting the number (2 seemed reasonable), located in the commercial district, limit building size to 10,000 square feet, hours of operations 8-8, design guideline standards, residential setback from such places as Harvard Green (200 feet), noise, light, perceived general vagrancy, deliveries and trash pick-up on opposite side of residential
 - Create a survey seeking views from residents
 - Cultivation – need to specifically allow outdoor cultivation – Board prefers outdoors – need to review State regulations for this type of cultivation
 - Schools - no closer than 500 feet; towns can reduce that distance
 - Can you restrict the sale of eatables – doubtful
 - Restricted to the commercial district as a retail establishment
 - Host Community Agreement would be necessary, which is an agreement with Board of Selectmen
 - Selectmen can require an impact fee commensurate to the actual costs imposed by the project

Review Special Permit & Driveway Site Plan Approval – Dana Fairbanks, 133 Brown Road

The Board reviewed and signed the Special Permit and Driveway Site Plan approval for Dana Fairbanks at 133 Brown Road.

Adjournment

Maiore made a motion to adjourn the meeting at 9:00pm. Donahue seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____ Liz Allard, Clerk

DOCUMENTS & OTHER EXHIBITS

Planning Board Agenda, dated Monday January 8, 2018

Approve Invoice

- INVOICE – William Scanlan, Consulting Town Planner, dated December 15, 2017

Approve Minutes

- Draft minutes of December 18, 2017 as prepared by Liz Allard and amended by Bill Scanlan

Special Permit & Driveway Site Plan Approval – Dana Fairbanks, 133 Brown Road

- To: Marlene Kenney, Town Clerk, Decision on the Application of Dana Fairbanks for a shared (common) driveway special permit, 133 Brown Road, Harvard, MA, Assessor's Map 36, Parcel 95, dated January 8, 2018