# Select Board Minutes
# Wednesday, February 15, 2023
# 1:30pm

The Select Board Regular Meeting was held virtually in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A. S.20.

**Select Board participants:**
Rich Maiore, Erin McBee, Kara Minar, Charles Oliver, Don Ludwig
**Town Department attendees:**
Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro, and Executive Assistant Julie Doucet

**Proposed Ayer Road Smart Growth Overlay District**
Town Administrator Tim Bragan explained in accordance with Harvard's Protective Bylaw (Chapter 125, section 50) and Massachusetts General Law (Chapter 40A Section 5), the Select Board must vote within 14 days to send any proposed zoning changes to the Planning Board. He confirmed this is just a required procedural vote by the Board and does not infer endorsement by the Select Board. Planning Board liaison Erin McBee noted the Planning Board process will require public hearings along with seeking feedback from all relevant town departments. Bragan said he has begun this process by holding a meeting with town side department heads such as Fire and EMS. He added the school department has contacted the state for assistance with their population growth formula.

By a roll call, Ludwig – aye, McBee – aye, Minar – abstain, Oliver – aye, Maiore – aye, the board voted to submit the smart growth overlay district to the Planning Board. (4-1)

Kara Minar would have preferred vetting the proposal before it is sent to the Planning Board therefore, she decided to abstain from the vote.

**Public Communication**
Steve Moeser, Park Lane, asked the Select Board to be cautionary based on materials provided. He noticed the proposed bylaw as written does not represent what the plan shows. Moeser serves as a member on the Permanent Building Committee and Zoning Board of Appeals.

Stu Sklar, Scott Road, said if indeed the motion today is not taking a stand passing it along is the right thing to do and allow the Planning Board to take this proposed bylaw from the developer under a microscope.

Marc Sevigny, Shaker Road, asked if the Planning Board receives this do they have to take the required action or can they reject without a public vote. He was questioning what act means.

Tim Bragan noted zoning articles require a 2/3rds vote to adopt or change. Rich Maiore said with the Planning Board process and town meeting there will be multiple times for the public/town departments to learn and debate the proposal.

**Executive Session per MGL Ch. 30A, s. 21(a)3**
By a roll call vote, Minar–aye, Oliver – aye, McBee– aye, Ludwig – aye, Maiore – aye, the board voted unanimously to enter executive session at 2:00pm as per MGL 30A Sec. 21.3 To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. The Board will reconvene into open session only to adjourn.

The meeting was adjourned at 3:15pm.