

**HARVARD ZONING BOARD OF APPEALS  
MEETING MINUTES  
SEPTEMBER 20, 2017  
APPROVED: NOVEMBER 8, 2017**

Chairman Chris Tracey called the meeting to order at 7:30pm in the Hildreth House, 15 Elm Street, under the Zoning Act Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Chris Tracey, Theodore Maxant and Michael Lawton

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Mary Ann Boynton, John Boynton, Robert Kody (Envision Homes Inc.), Carol Hoffman and Allen Hoffman

**Special Permit Hearing – Mary Ann Boynton, 12 Peninsula Road.** Opened at 7:31pm

**Special Permit Hearing – Marianne E. Rogers 53 Turner Lane.** Opened at 7:45pm

**Approve Minutes**

Theodore Maxant made a motion to approve the minutes of July 18 and 26, 2017 as drafted. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

**Adjournment**

At 7:48pm Theodore Maxant made a motion to adjourn the meeting. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

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

## **Zoning Board of Appeals**

### **Special Permit Hearing Meeting Minutes**

#### **Mary Ann Boynton, 12 Peninsula Road**

**September 20, 2017**

The hearing was opened at 7:31pm by Chairman Chris Tracey in the Hildreth House, 15 Elm Street, under the Zoning Act, MGL Chapter 40A and the Code of the Town of Harvard, Protective Bylaw, Chapter 125-11

**Members Present:** Chris Tracey, Theodore Maxant and Michael Lawton

**Others Present:** Liz Allard (LUB Admin), Dan Wolfe (Ross Assoc.), Mary Ann Boynton, John Boynton, Robert Kody (Envision Homes Inc.), Carol Hoffman and Allen Hoffman

This hearing is for a Special Permit filed on behalf of Mary Ann Boynton for the conversion from seasonal to year-round use at 12 Peninsula Road, Harvard.

Theodore Maxant made a motion to waive the reading of the legal notice. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

Dan Wolfe, President Ross Associates, was present to represent the applicant, Mary Ann Boynton, who was also present. Mr. Wolfe stated the existing structure will be demolished and a new two-bedroom dwelling will be constructed. The lot is pre-existing non-conforming at 1.2 acres, but both the existing and proposed structure is conforming to the setbacks under the Protective Bylaw. The Special Permit sought this evening is simply for the conversion of the dwelling from seasonal to year-round residence.

There was a brief discussion on the fundamentals of having to file an application for conversion from seasonal to year-round residence on a dwelling that will be demolished and replaced with another dwelling. All agreed this is the best way to avoid any issues that may arise when obtaining a building permit.

Mr. Wolfe explained a new septic system will be installed, with all approvals from the Board of Health received. Small sections of the activity will be within the Conservation Commissions jurisdiction of 200' from Bare Hill Pond. An Order of Conditions from the Commission will be issued shortly. The existing gravel driveway will remain as gravel.

Linda and Allen Hoffman, owners of 21 Peninsula Road, spoke in support of the application.

Chris Tracey read letters received from other Boards and Committees into the record.

With no further questions or comments, Michael Lawton made a motion to close the evidentiary portion of the hearing. Theodore Maxant seconded the motion. The vote was unanimously in favor of the motion.

Theodore Maxant made a motion to issue a Special Permit to Mary Ann Boynton for the conversion of season residence to year round at 12 Peninsula Road with the condition that the use of phosphate fertilizers (liquid or solid) shall be prohibited on the site. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

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

## **Zoning Board of Appeals**

### **Special Permit Hearing Meeting Minutes**

**Marianne E. Rogers, 53 Turner Lane**

**September 20, 2017**

The hearing was opened at 7:45pm by Chairman Chris Tracey in the Hildreth House, 15 Elm Street, under the Zoning Act, MGL Chapter 40A and the Code of the Town of Harvard, Protective Bylaw, Chapter 125-11

**Members Present:** Chris Tracey, Theodore Maxant and Michael Lawton

**Others Present:** Liz Allard (LUB Admin)

This hearing is for a Special Permit filed on behalf of Marianne Rogers for the conversion of the dwelling from seasonal to year-round use at 53 Turner Lane, Harvard.

At the applicant's representative request Theodore Maxant made a motion to continue the hearing to November 8, 2017 at 7:30pm in the Town Hall, 13 Ayer Road, Harvard. Michael Lawton seconded the motion. The vote was unanimously in favor of the motion.

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

## **DOCUMENTS & OTHER EXHIBITS**

### **Town of Harvard, Zoning Board of Appeals Agenda, dated September 20, 2017**

#### **Special Permit Hearing – Mary Ann Boynton, 12 Peninsula Road**

- Sewage Disposal System Plan, designed for Mary Ann Boynton, 12 Peninsula Road Harvard, MA, prepared by David E. Ross Associates, Inc., Job No. 31904, Plan L-13245, dated 8/17/17
- Architectural drawings of the proposed dwelling, Boynton Residence, 12 Peninsula Road Harvard, MA 01451, sheets 1 -6, prepared by Envision Homes, dated 8/14/2017
- Letter from the Conservation Commission, dated September 14, 2017
- Letter from the Bare Hill Pond Watershed Management Committee, dated August 30, 2017
- Email from Rick Sicard, Fire Chief, dated August 22, 2017
- Memorandum from the Board of the Health, dated September 14, 2017

#### **Special Permit Haring – Marianne Rogers, 53 Turner Lane**

- Letter from Amanda E. Risch, Fletcher Tilton, PC, dated September 14, 2017

#### **Approve Minutes**

- Draft minutes of July 18 and 26, 2017 prepared by Liz Allard