

**HARVARD ZONING BOARD OF APPEALS
MEETING MINUTES
AUGUST 21, 2019
APPROVED: OCTOBER 9, 2019**

Chair Chris Tracey called the meeting to order at 7:01pm in the Town Hall, 13 Ayer Road, Harvard under the Zoning Act Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Chris Tracey, Steve Moeser, Theodore Maxant, Orville Dodson and Michael Lawton

Others Present: Liz Allard (LUB Admin), Steve Nigzus, Sotir Papalilo (Weston Development Group), Mark O'Hagan (Weston Development Group), Jamie Schwadel ([RE] Architect), Ashley Owens ([RE] Architect), and Matt Corbett

Continuation of a Comprehensive Permit Hearing – Craftsman Village Harvard, LLC, Ayer Road (Map 2 Parcels 7.1 and 7.2). Open at 7:02pm (see page 2 for complete details)

Special Permit Hearing – Ashley Owens & Jamie Schwadel, 166 Littleton Road. Opened at 7:30pm (see page 3 for complete details)

Informal Discussion with Lou Russo Re: 200 Ayer Road
Lou Russo was unavailable this evening

Approve Minutes

Steve Moeser made a motion to approve the minutes of July 10, 2019 as drafted. Orville Dodson seconded the motion. The vote was unanimously in favor of the motion.

Approve Invoice

Steve Moeser made a motion to approve the invoice for Nitsch Engineering in the amount of \$750.00. Theodore Maxant Seconded the motion. The vote was unanimously in favor of the motion.

Approve Proposal for Site Monitoring Pine Hill Village

After discussing the site monitoring proposals Steve Moeser made a motion to accept the proposal of Nitsch Engineering, require the applicant to pay 50% of the quoted amount up front, with two additional payments of 25% at the appropriate times within the first year of the development and the proposal is rewritten to address it to both the chair of the Zoning Board of Appeals and the Conservation Commission, as well as to be signed by both chairs. Theodore Maxant seconded the motion. The vote was unanimously in favor of the motion.

The ZBA requested a revised proforma be submitted for the file as well. Liz Allard will confirm with Town Counsel that this document can be requested.

Adjournment

At 8:27pm Orville Dodson made a motion to adjourn the meeting. Steve Moeser seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____ Liz Allard, Clerk

Zoning Board of Appeals

Continuation of Comprehensive Permit Hearing Minutes

Craftsman Village Harvard, LLC, Ayer Road (Map 2 Parcels 7.1 and 7.2)

August 21, 2019

The hearing was opened at 7:02pm by Chair Chris Tracey in the Town Hall Meeting Room, 13 Ayer Road, Harvard under the Zoning Act, MGL Chapter 40B and the Code of the Town of Harvard, Protective Bylaw, Chapter 125-46F Comprehensive Permits.

Members Present: Chris Tracey, Steve Moeser, Theodore Maxant, Orville Dodson and Michael Lawton

Others Present: Liz Allard (LUB Admin), Mark O'Hagan (Weston Development Group) and Sotir Papalilo (Weston Development Group)

This hearing was continued from June 12, 2019 on a Comprehensive Permit filed on behalf of Craftsman Village Harvard, LLC for the creation of eighteen two-bedroom cottage-style units, consisting of five affordable units along Ayer Road (Map 2 Parcels 7.1 and 7.2), Harvard.

Mark O'Hagan stated the plan to connect to the existing fire hydrant just over the Harvard town line in Ayer has not changes as far as they are concerned. With concerns raised by the Fire Department as to the maintenance of this hydrant the Board requested written confirmation from the Town of Ayer that the hydrant is and will continue to be fully functional. When asked, Mr. O'Hagan confirmed the units proposed around the cul-de-sac are with 1000' of said hydrant. The Board indicated a performance bond will be required as part of the comprehensive permit. Mr. O'Hagan requested the approvals required for the public water supply be a condition of the comprehensive permit, along with soil testing requirements.

The Board anticipates having a draft decision by the next meeting, at which they will vote on waivers requested and finalize the plans.

Steve Moeser made a motion to continue the hearing to October 9, 2019 at 7:00pm in the Town Hall, 13 Ayer Road. 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 Minutes

Ashley Owens & Jamie Schwadel, 166 Littleton Road

August 21, 2019

The hearing was opened at 7:30pm by Chair Chris Tracey in the Town Hall Meeting Room, 13 Ayer Road, Harvard under the Zoning Act, MGL Chapter 40A and the Code of the Town of Harvard, Protective Bylaw, Chapter 125-46 Special Permits.

Members Present: Steve Moeser, Orville Dodson and Michael Lawton

Others Present: Liz Allard (LUB Admin), Steve Nigzus, Jamie Schwadel ([RE] Architect), Ashley Owens ([RE] Architect), and Matt Corbett

This hearing is for a Special Permit filed by Ashley Owens & Jamie Schwadel for an increase of the non-conforming use of structure by adding an additional unit to the existing three-unit structure at 166 Littleton Road, Harvard.

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

Ashley Owens and Jamie Schwadel were present to discuss their application to increase the use of 166 Littleton Road from a three-unit use to a four-unit use. Ms. Owens stated the structure had been used as a three-family for a number of years and as the new owners, she and Jamie Schwadel are seeking to convert the large attic area into another unit. By doing so it makes the over all project to preserve the building, know as the Poor Farm, feasible. Although the structure will require a lot of work, the intent is to keep the same look and features the house has to offer. The existing addition is in disrepair and will be replaced with four-car garage. The existing parking and driveway will remain gravel. Concerns with fire protection were discussed. The applicants have had the plans reviewed by a code consultant to ensure all safety issues have been addressed.

The Board discussed the comments received in the Director's report in regards to Chapter 125-10, Conversion for multiple residence and Chapter 125-9 Multiple residence use, which requires site plan approval. Board agreed these are factors that do not affect the issuance of the Special Permit.

Steve Nigzus, the realtor for this property, stated he is delighted that the property has been purchased by individuals who want to preserve the property.

Matt Corbett, an abutter, stated he is in support of the application.

Steve Moeser 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 close the hearing and issue a Special Permit to allow the increase of the pre-existing non-conforming use of the structure at 166 Littleton Road from a three-unit use to four-unit use and to allow the Chair to sign the decision on behalf of the Board. Steve Moeser 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 August 21, 2019

Special Permit Hearing – Ashley Owens & Jamie Schwadel, 166 Littleton Road

- Architectural Site Plans, Poor Farm, 166 Littleton Road, Harvard, MA, A004, A010, A010A, A040, A041, A042, A043, A101 – A104, and ZA100, Project Number 2019.005, prepared by [RE] Architect, dated 6/1/19
- Director's ZBA Report, received Aug 21, 2019

Approve Minutes

- DRAFT HARVARD ZONING BOARD OF APPEALS MEETING MINUTES, JULY 10, 2019, prepared by Liz Allard

Approve Invoice

- Nitsch Engineering, Project No. 12808, Invoice No. 64992, dated July 20, 2019

Approve Proposal for Site Monitoring Pine Hill Village

- Nitsch Engineering, Nitsch Proposal #12808.P, Civil Services, 40B – Pine Hill Village, Construction Admin Services, Harvard, MA, dated September 18, 2019
- Apex, RFP for Site Monitoring Services – Cost Proposal, Pine Hill Village – Stow Road, dated June 10, 2019
- Beta Group, Construction Monitoring Services, Pine Hill Village, Stow Road, Harvard, MA, dated June 10, 2019