

**Harvard Planning Board  
Meeting Minutes  
June 4, 2007  
APPROVED: July 16, 2007**

Co-Chair Joe Sudol called the meeting to order at 7:43pm in the Town Hall Meeting Room.

**Members Present:** Mary Essary, Kara McGuire Minar, Joseph Sudol, Peter Brooks and Leo Blair (Associate Member)

**Others Present:** Liz Allard (Administrative Assistant, Land Use Boards) Paul Kavanagh and Mike Crouse (GPR, Inc.)

**Approve Minutes**

McGuire-Minar made a motion to accept the minutes of April 23, 2007 as amended. Brooks seconded the motion. The vote was unanimously in favor of the motion.

**Devens Reuse Plan – Verbeck Gate House Plan**

Blair informed the members that the meeting has not happen yet, but he will inform the members of its outcome when it does.

**Pine Hill Development, 40B - All Boards Meeting**

Sudol and Blair attended the all boards meeting that had been held in regards to the proposed Chapter 40B Pine Hill Development on Stow Road. The theme of the meeting focused on this project being a LEEDS green project. The applicant did not want to talk about the details of the project and the fact that it will be an affordable housing project. Sudol stated Carter Scott, of Transformations, was not acceptable to answering questions in regards to any previous filings on this site. Sudol visited a Chapter 40B project Scott has done in Townsend. The site in Townsend is significantly different than the site in Harvard. Sudol has spoken with Ira Grossman, the Town's Sanitarian, who suggested an all land use boards meeting each month to talk not just 40B's but all projects within Town. Blair stated the pitch for this project was on how the buildings would be constructed and not addressing the site itself. The site will be broken up into five different condo associations with each having its own well and septic system.

Blair has the same suggestion as Sudol that the Town should purchase a parcel and create a completely affordable complex. Essary asked if either Blair or Sudol were able to get a sense of what the other Boards thought about this project. Sudol stated that maybe that could be stated in the number of individuals who attended. Essary thinks the Housing Partnership has not heard the Town residents when they have said they do not want the town to grow in this manner. Blair stated to him the 40B issue is like jumping into a lake at this time of year, you do not just jump in. Blair suggested the Planning Board (PB) think about pushing for town wide awareness. It was suggested the PB invite the Municipal Housing Trust in to try and get a sense as to what their ideas are and how it applies to the Master Plan. Sudol suggested that the Master Plan Implementation Committee start that conversation with the Municipal Housing Trust.

**Special Permit Modification Hearing – Paul & Hillary Kavanagh, Lot 2 Stow Road (Map 38 Parcel 12).** Opened at 8:08pm

**Review Scenic Road Consent Draft -Theodore Shasta, 50 Westcott Road.**

Comments were made to Brooks' draft consent. Brooks will clean it up for the next meeting including the addition of a notice of appeals rights. The Board will vote on the consent at the next meeting.

### **ZBA Request – Hastings, 110 Warren Avenue**

Sudol reviewed the plans received by the ZBA for comments in regards to the reconstruction of a single-family dwelling on a non-conforming lot. The only questions Sudol had were related to construction in the buffer zone and is the septic system up to code. Essary felt Sudol's comments were in line with the plan as submitted. Blair suggests existing conditions be placed on the plans when they are submitted. Essary suggested the letter to ZBA state it was impossible for PB to evaluate the plan thoroughly since it does not show the existing conditions. The letter will be copied to the Board of Health and the Conservation Commission

### **Review of ZBA Decision & Town Meeting Vote – Walter, Lot 102 Lovers Lane (Map 17C Parcel 29.1)**

Essary & Sudol had a discussion with the abutters and essentially they had asked Walter for a proposal for the common driveway covenant and what they got back was something requesting the abutters to tell Walter what they wanted. Essary thinks the presentation to the ZBA was poorly done by Walter's engineer. The question in Essary's mind is what is "due diligence" as required in the Special Permit Conditions. Brooks asked if he applied for a variance and was turned down. Essary stated he had and if you read the ZBA minutes they indicate that no hardship was argued for granting the variance, when in fact there were cost differences, impacts on the wetlands, etc. Sudol stated the due diligence was only to apply for a variance or wait for town meeting results. Essary explained why the abutter's were requesting the location of the house be in a certain location. McGuire-Minar stated that this is a building lot, who are the abutters to say where the house will be located.

Walter has applied for a modification to his Special Permit and will be before the PB on June 18, 2007.

### **Town Center Planning Committee & Master Plan Implementation Committee**

Sudol noted there is an overlap between current efforts by the Master Plan Implementation Committee (MPIC) and Town Center Planning Committee (TCPC) for developing a Town Center Overlay District. Essary and Sudol suggested temporarily combining the two committees for this effort; this will bring more parties into the discussion; it would be a temporary combination. Sudol will discuss this topic at the next MPIC meeting.

### **Montachusett Regional Planning Committee (MRPC)**

McGuire-Minar informed the members that through the Housing Rehab Program last year seven families in Harvard got money for rehabbing their homes. This year the Town did not apply for the grant, so no one in Town will be receiving any money for rehab projects. McGuire-Minar has reviewed the process of applying so it will not be over looked again. McGuire-Minar stated there are also grants available from MRPC for projects such as rehabbing the Hildreth House. A committee needs to be formed to do the ground work and get the ball rolling for that grant.

### **Rules and Practices of Procedures**

Brooks has reviewed several Towns regulations and wanted to know what it is the members are looking for within their regulations. Members discussed the major points that should be included in the regulations. Allard suggested Brooks take a look at the Conservation Commission's regulations, Chapter 147 of the Code of the Town of Harvard, which are available online. Brooks also noted that the PB has rules and regulations for Subdivisions in the Blue Book. Brooks will do some more research and follow up with the Board at the next meeting. All members will take a look at these two examples to decide what should be the priorities.

### **Lighting**

The issue of lighting from the General store in the Town center has been raised by a Town resident. The PB should write Gabe a letter stating Chapter 125-40 of the existing bylaw should be enforced. Sudol stated we should take a look at that section of the bylaw and revise it. Essary noted that the bylaw was very old, and was written around the needs of the observatory, which is no longer in operation. This topic will further discussed at the June 18, 2007 meeting

**Escrow Account Refund**

Allard informed the members that Stephen Maka escrow account in the amount of \$433.36 needs to be refunded to him. Essary made a motion to refund Stephen Maka \$433.36 from the escrow account established for his Special Permit application. Sudol seconded the motion. The vote was unanimously in favor of the motion.

**Adjournment**

Sudol made a motion to adjourn the hearing at 9:57pm. Brooks seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Peter Brooks, Clerk

## Harvard Planning Board

### Special Permit Modification

#### Paul & Hillary Kavanagh, Lot 2 Stow Road (Map 38 Parcel 12)

**June 4, 2007**

This hearing was opened at 8:08pm by Chairperson Mary Essary in the Town Hall Meeting Room for a modification of a Special Permit filed on behalf of Paul & Hillary Kavanagh on Lot 2 Stow Road (Map 38 Parcel 12)

**Members Present:** Mary Essary, Kara McGuire Minar, Joseph Sudol, Peter Brooks and Leo Blair (Associate Member)

**Others Present:** Liz Allard (Administrative Assistant, Land Use Boards), Rob Oliva (Hamwey Engineering), Paul Kavanagh and Mike Crouse (GPR, Inc.)

The reading of the legal notice was waived by Crouse.

Crouse explained to the members a revised house lay out has caused the driveway to shift to the other side of the house. The septic was redesigned using a Presby System. There will be fewer disturbances to the buffer zone, but the driveway will be increased by sixty (60) feet. Revisions were made in regards to comments made by Rich Nota and Rob Oliva. Roof runoff has been redirected to the swale. Sudol wants to know what the new length of the driveway is. Crouse stated the original driveway was 655 feet and will now be now 718 feet. McGuire-Minar asked what the Presby System reduces. Crouse stated it will reduce the elevation of breakout and will pull the grading back, allowing for the system to be placed further down the slope. Essary asked why the driveway had to be increased. Kavanagh explained it was due to the design of the house and to give them more room at the rear of the house. Oliva stated the plan stills meets all the requirements of the bylaw. Sudol asked if the Conservation Commission required maintenance of the swale. Crouse stated no, but it behooves the applicant to mow the swale and keep it clean in order to allow it to function properly.

With no further questions McGuire-Minar made a motion to close the hearing. Sudol seconded the motion. The vote was unanimously in favor of the motion. Sudol will write the decision for modification of the Special Permit. A vote of the modified Special Permit will be taken once the decision is approved.

Signed: \_\_\_\_\_  
Peter Brooks, Clerk