

**Harvard Planning Board  
Meeting Minutes  
October 15, 2007  
APPROVED: November 19, 2007**

Chair Mary Essary called the meeting to order at 7:33pm in the Town Hall Meeting Room. Minutes were not available for approval.

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

**Others Present:** Liz Allard (LUB Admin), Valerie Hurley (Harvard Press), Richard Breyer (Harvard Hillside and Greg Roy (Ducharme & Dillis).

**Zoning Board Request – Nigzus 26 Madigan Lane (Map 16 Parcel 9)**

Sudol drafted a letter which concurs with the Zoning Enforcement Officers determination that the erection of a wind turbine is not an allowed use and does not meet the requirements for exempt agricultural use. Minor changes were made to the letter by the members. McGuire Minar made a motion to send the letter to the ZBA as amended. Sudol seconded the motion. The vote was unanimously in favor of the motion.

**Approval Not Required – Daman Brown Road, Map 36 Parcel 93.4**

Greg Roy, of Ducharme and Dillis, was present to present an Approval Not Required (ANR) for endorsement by the Board. Roy explained the lot is primarily in Bolton and the Bolton Planning Board has endorsed the plan. Roy further explained the only portion within Harvard will be Parcel A. As a separate question, Essary noted that the general plan showed a parcel with a 50' frontage next to 495. She recalled that the ANR which created this parcel perhaps violated the setbacks for a cell-tower located on the property as originally configured. Roy stated he was not aware of any issues with the previous ANR. Essary requested the admin to review the previous ANR and forward the information on to the chair.

Brooks made a motion to endorse the ANR Plan submitted and prepared by Ducharme and Dillis on behalf of Stephen and Deborah Daman, dated July 11, 2007, Job No. 1003. McGuire Minar seconded the motion. The vote was unanimously in favor of the motion.

**Wind Energy Conversion System Charter**

Sudol drafted a Charter for the Wind Energy Conservation System Committee and circulated it for comment. Comments received were incorporated. Sudol will clean up the final version and send to the admin for distribution to the Committee. Essary noted that a letter notifying the town clerk of the appointment went out with the less detailed charter as voted on at the Oct. 1 meeting.

**Municipal Coalition for Affordable Housing**

The Planning Board has been invited to join the Municipal Coalition for Affordable Housing. A meeting of the Coalition is scheduled for Friday October 26<sup>th</sup>. Both Sudol and McGuire Minar stated they would attend the meeting and determine if this is a group the Planning Board wants to join. The board agreed that it made sense to know more about this organization before joining. McGuire Minar and Sudol will report back to the other members at the November 5<sup>th</sup> meeting.

**Continuation of a Special Permit Modification – Donald Walter, Lot 102 Lovers Lane (Map 17D Parcel 29.1).** Opened at 8:00pm

**Master Plan Implementation Committee/Town Center Planning Committee**

Sudol gave the members an overview of the joint meeting held Thursday October 11<sup>th</sup> in regards to a Town Center Overlay District. The meeting was sparsely attended, with several members there for the first time. Sudol suggested the next step is to hold an informal public hearing for comments. The members agreed a forum for informal public input will be on November 5<sup>th</sup> at 8:15pm. Sudol mentioned a

concern of those at the meeting is this overlay district will restrict property owners rights. This is not the intention of creating a new bylaw. Essary will write a letter to the local newspapers informing the Town residents of the request for input on November 5<sup>th</sup>.

### **General Update on Harvard Housing**

At the previous meeting the Board discussed inviting the various housing committees in Town in to discuss their goals and objectives with the Planning Board. The members agreed to wait until after the first of the year to approach this subject.

### **Local Initiative Program Applications**

Essary explained the discussion at the last Land Use Board about the Board of Selectmen (BOS) signing on to Local Initiative Program applications without first asking for input from other Town Boards and Commissions. Chris Tracey, the Chairman of the Zoning Board of Appeals, has drafted a letter that Essary will review and comment on before it is submitted to the BOS. The members agreed such a letter should be sent to the BOS, and that the Planning Board should endorse such a request for defining the process of establishing a project as a LIP, and soliciting input from relevant boards as well as the public before making such a decision.

### **Continuation of a Amendments and Establishment of Rules**

Both the Scenic Road Consent Application and Checklist have been revised and cleaned up for the member's approval this evening. Some minor changes were made to the checklist. Brooks made a motion to accept the Scenic Road Consent Application and Checklist as revised this evening. Sudol seconded the motion. The vote was unanimously in favor of the motion.

Brooks will complete his work on the Special Permit Regulations for distribution prior to the November 5<sup>th</sup> meeting. The members agreed to continue this discussion to November 5<sup>th</sup> at 9:15pm.

Brady joined the meeting at 8:30pm

### **Fruitlands Meeting**

Essary informed the members that there is a scheduled informal meeting with Fruitlands for November 5<sup>th</sup>. Essary wanted to get the Board's comments before going back to discussions with Fruitlands. She described the progress at the initial meetings hinging on the Board of Selectmen (BOS) creating general rules & regulations for the issuing of entertainment and common victuallar licenses for anyone seeking a license in Town; such rules & regulations would essentially replace the conditions of the ZBA special permit, but would apply to any applicant. Minar pointed out that this it would be extremely good to be proactive about this before another applicant comes forward. Sudol agrees with that but he would not want that to preempt the resolution between the ZBA and Fruitlands. With further discussion the members agreed that the BOS should establish rules and regulations as it applies to the issuance of licenses as the first step in resolving the Fruitlands issue, and furthermore that any bylaw would be the last step in this process. Essary will attend talk to Bob Eubank about the Board's position and will attend the first hour of the meeting on Nov. 5<sup>th</sup>.

### **Housing Committees Meeting:**

Brady noted that the three housing groups had met a year ago to coordinate their efforts. They have decided to follow up on this with a meeting of the three housing groups on November 5<sup>th</sup>. The board agreed that Brady should attend this meeting as a priority over the PB meeting the same evening, and also ask about a date for a general public meeting with the PB as host.

### **Adjournment**

McGuire Minar made a motion to adjourn the meeting at 9:05pm. Sudol seconded the motion. The vote was unanimously in favor of the motion.

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

Harvard Planning Board

Continuation of a Special Permit Modification Hearing

Donald Walter, Lot 102 Lovers Lane (Map 17D Parcel 29.1)

October 15, 2007

This hearing was opened at 8:00pm by Chairperson Mary Essary under M.G. L. Chapter 40A and "The Code of the Town of Harvard" Chapter 125-29 in the Harvard Town Hall Meeting Room.

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

Others Present: Liz Allard (LUB Admin)

This hearing was continued from October 1, 2007 for a Special Permit modification filed on behalf of Donald Walter at Lot 102 Lover Lane, Harvard (Map 17D Parcel 29.1).

The applicant's representative has requested the hearing be continued to November 5, 2007. No new evidence was taken. Brooks made a motion to continue the hearing to November 5, 2007. Sudol seconded the motion. The vote was unanimously in favor of the motion.

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