

**HARVARD PLANNING BOARD  
MEETING MINUTES  
November 3, 2008  
APPROVED: January 5, 2009**

Chair Joe Sudol opened the meeting at 7:30pm in the Town Hall Meeting Room.

**Members Present:** Joe Sudol, Barbara Brady and Craig Bardenheuer (Associate Member)

**Others Present:** Liz Allard (LUB Admin), Richard Breyer (Harvard Hillside) and Ned & Susan Leeming

**Refund Cell Tower Consultant Fee to Applicant**

With all permits for Metro PCS issued Allard requested that the remaining consultant fees, \$1,100 be returned to Tower Resources, Inc. Bardenheuer made a motion to refund the remaining escrow accounts of Metro PCS. Brady seconded the motion. The vote was unanimously in favor of the motion.

**Board Member Search**

Sudol recommended that individuals interested in being a member of the Planning Board (PB) should be interviewed at the next meeting on November 17<sup>th</sup>. With the Selectmen meeting the next evening the PB could be present to appoint a new member prior to the first meeting in December.

**Bylaw Amendment Drafts – Driveway Site Distance**

Sudol submitted amendments to driveway sight distance to be included in Chapter 125. The members agreed that this provision should be across the board and apply to all driveways. Bardenheuer believes this is a safety issue that should be addressed. Brady believes this could be more confining to applicants than such things as the build factor. Sudol will follow up with the Board of Selectmen (BOS) in a letter on this discussion.

**Amendments to the existing Planning Board Special Permit Application Hearing.** Opened at 7:45pm

**Continuation of a Special Permit, Driveway Site Plan and Scenic Road Consent Hearing – Russell, 81 Old Littleton Road.** Opened at 8:35pm

**Bylaw Provision Draft - Demolish Delay**

Bardenheuer has done research and found there are over one hundred of these types of provisions within the State of Massachusetts. Criteria will need to be worked out to determine where and how this provision would apply. The question is what the definition of demolition is. Is it a complete tear down, or interior demolition? The question as to whether this is a provision of the Planning Board or some other board within Town was asked. Bardenheuer will research to see how many other Towns have this provision either in a general bylaw or a zoning bylaw.

**Bylaw Amendments Drafts - Structure Definition**

Sudol has discussed his original revision of the definition with Gabe Vellante and the building code allows for a structure up to 400 square feet to be constructed without a foundation. Brady wants to be certain that both the building code and the protective bylaw are being enforced equally. Sudol will need to review the entire bylaw and determine where and how the term structure is used to be certain it is covered within the definition.

**Continuation of the Planning Board Rules and Regulations Amendment Hearing.** Opened at 9:27pm

**Adjournment**

Bardenheuer made a motion to adjourn the meeting at 9:33pm. Brady seconded the motion. The vote was unanimously in favor of the motion.

**Signed:** \_\_\_\_\_  
Liz Allard, Clerk (In Brooks' Absence)

Harvard Planning Board

Amendments to the existing Planning Board Special Permit Application Form Hearing Meeting Minutes

November 3, 2008

This hearing was opened at 7:45pm by Chair Joe Sudol under M.G.L. Chapter 40A and "The Code of the Town of Harvard" Chapter 125 in the Town Hall Meeting Room

Members Present: Joe Sudol, Barbara Brady and Craig Bardenheuer (Associate Member)

Others Present: Liz Allard (LUB Admin) and Richard Breyer (Harvard Hillside)

This hearing is for amendments to the existing Planning Board Special Permit Application Form as previously amended.

Sudol explained to the members that it has been recently found that the application was missing some of the types of Special Permits. Sudol stated that driveway inspections are being overlooked and needs to be clear not only on the application, but as well as within the decision that there are inspections that need to be conducted during the construction of the driveway. Brady believes fees associated with an application should cover cost and not be a revenue generator. The different types of submittals were discussed and fees were agreed upon. In general the fees have increased by 20%. Information is available from Conservation Commission in regards to a break down of costs for processing applications. That information will be presented at the next hearing.

The application will be updated as suggested this evening and will be reviewed at next meeting. Bardenheuer made a motion to continue the hearing to November 17 at 7:45pm. Brady seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk (In Brooks' absence)

Harvard Planning Board

Continuation of a Special Permit, Driveway Site Plan & Scenic Road Consent Hearing Meeting Minutes

Richard & Keyo Russell, 81 Old Littleton Road Map 18 Parcel 11.2)

November 3, 2008

This hearing was opened at 8:35pm by Chair Joe Sudol under M.G.L. Chapter 40A and the Code of the Town of Harvard, the Protective Bylaw Chapter 125-31 and Chapter 90 Scenic Roads in the Town Hall Meeting Room

Members Present: Joe Sudol, Barbara Brady and Craig Bardenheuer (Associate Member)

Others Present: Liz Allard (LUB Admin) and Richard Breyer (Harvard Hillside)

This hearing was continued from October 20, 2008 on a Special Permit, Driveway Site Plan and Scenic Road Consent filed on behalf of Richard & Keyo Russell for the construction of a single family dwelling on a hammerhead lot with a driveway longer than 500' on a designated scenic road at 81 Old Littleton Road, Harvard

At the request of the applicant's representative, Bardenheuer made a motion to continue the hearing until November 17, 2008 at 9:00pm. Brady seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk (in Brooks' absence)

Harvard Planning Board

Continuation of the Planning Board Rules & Regulations Hearing Meeting Minutes

November 3, 2008

This hearing was opened at 9:27pm by Chair Joe Sudol under M.G.L. Chapter 40A and the Code of the Town of Harvard, the Protective Bylaw, Chapter 125 in the Town Hall Meeting Room

Members Present: Joe Sudol, Barbara Brady and Craig Bardenheuer (Associate Member)

Others Present: Liz Allard (LUB Admin) and Richard Breyer (Harvard Hillside)

This hearing was continued from October 20, 2008 for amendments to the current Planning Board Rules and Regulations regarding Special Permits, Scenic Road Consent and Site Plan Review.

With several members absence the members present agreed to continue the hearing. Bardenheuer made a motion to continue the hearing to December 1, 08 at 7:45pm. Brady seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Liz Allard, Clerk (In Brooks' absence)