

**HARVARD PLANNING BOARD
MINUTES OF MEETING
MAY 18, 2009
APPROVED: June 1, 2009**

Chairman Joe Sudol called the meeting to order at 7:30pm in the Town Hall Meeting Room

Members Present: Joe Sudol, Barbara Brady, Kara McGuire Minar, Craig Bardenheuer and Lisa Fox

Others Present: Liz Allard (LUB Admin), Susan Davitt (Harvard Press) and David Browchuk (GPR, Inc)

Minutes

A change to the April 6, 2009 minutes was made as recommended by Brady. Brady made a motion to accept the minutes of April 6, 2009 and April 16, 2009 as amended. Sudol seconded the motion. The vote was unanimously in favor of the motion.

Associate Member Search

Bardenheuer stated he has a contact that he will get in touch with and try to get him to come in and speak with the members. Both Brady and McGuire Minar stated they knew of individuals who may be interested as well. The two will contact them to invite them to attend a meeting. This will be an item on the agenda for June 1st.

Appointments to Other Boards and Committees

Master Plan Implementation Committee (MPIC) – Sudol stated he would remain on this committee. Brady made a motion to appoint Sudol to the MPIC. Fox seconded the motion. The vote was unanimously in favor of the motion.

Montachusett Regional Planning Commission (MRPC) – McGuire Minar stated she would remain as the Planning Board representative for the MRPC. Brady made a motion to appoint McGuire Minar as the PB representative to MRPC. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Montachusett Joint Transportation Committee (MJTC) – Bardenheuer stated he was willing to be the Planning Board representative for the MJTC. Brady made a motion to recommend to the Board of Selectmen the appointment of Bardenheuer to the MJTC. McGuire Minar seconded the motion. The vote was unanimously in favor of the motion.

Community Preservation Committee (CPC) – Sudol stated he was willing to remain the PB representative to the CPC. Brady made a motion to appoint Sudol to the CPC. Fox seconded the motion. The vote was unanimously in favor of the motion.

Approval Not Required – Wheeler Realty Trust 196 & 198 Ayer Road

David Browchuk, of GPR, Inc., was present to present the Approval Not Required (ANR) plan for Wheeler Realty Trust at 196 and 198 Ayer Road. Browchuk stated the ANR is consistent with the Special Permit issued in March. Brady asked as to the verbiage stating this is not to be construed as a building lot, as ANR approval by Planning Board does not imply compliance with the bylaw for purposes of creating a building lot. Browchuk stated the Special Permit allows for the creation of buildable lots and that this ANR is not creating a lot considered to be un-buildable under the Protective Bylaw. He also pointed out verbiage stating that Planning Board endorsement did not imply compliance with the Protective Bylaw beyond access and frontage.

With no further discussion Brady made a motion to endorse the Approval Not Required plan for Wheeler Realty Trust at 196 and 198 Ayer Road. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Approval Not Required – Russell Lot 2 Old Littleton Road (Map 18 Parcel 11.2)

David Browchuk, of GPR, Inc., was present to present the Approval Not Required (ANR) plan for Richard and Keyo Russell for Lot 2 Old Littleton Road. Browchuk stated the ANR is consistent with the Special Permit issued in April. Sudol wanted to know why there are two plans. Browchuk explained one plan is per the Harvard regulations and one plan is the Registry of Deeds copy. Browchuk further explained the ANR is for Lot 2 that requires and an ANR after the issuance of a Special Permit.

Fox made a motion to endorse the mylar plan to be held at the Land Use Boards office until the book and page numbers are received from the recording of the Special Permit, then it will be released. Brady seconded the motion. The Board voted unanimously on the motion.

Conservation Commission Hearing Notice - Russell Lot 3 Old Littleton Road

The Board has been notified that a public hearing will be held on a Notice of Intent filed on behalf of Richard & Keyo Russell on Lot 3 Old Littleton Road. After a review of the Approval Not Required plan, the Board had many concerns about the proposed use of this lot. Brady recommended the Conservation Commission be notified of the concerns with regard to the river front area, and the proximity to wetlands.. This letter should be sent also to the Building Inspector.

Wind Energy Conversion System Bylaw

Sudol informed the members that he met recently with John Sweeny to discuss the Wind Energy Conversion System (WECS) Bylaw. During that meeting Sweeny stated he agrees more with the Planning Board (PB) Bylaw that was presented at the 2009 Annual Town Meeting than the one that was presented at the 2008 Annual Town Meeting. Sweeny agreed there was give and take on the Bylaw provision as it was written and it was not restrictive. For example, guide wires were questioned; Sudol stated he would not have an issue with guide wires in place of a monopole as long as it was not obstructive to the abutters; however guide wires require maintenance. Sudol feel the only way the PB should go back to the 2010 Annual Town Meeting with a WECS Bylaw is if a committee is created with a great cross section of individuals who will mark up the existing provision to the items they do not agree with to avoid conflict on Town Meeting floor. Members would also like to see additional support from other Boards and Committees including the Board of Selectmen. Members agreed with Sudol's approach and would like to move forward with the formation of the Committee.

Election of Officers

Bardenheuer nominated Sudol as chair of the Planning Board. McGuire Minar seconded the motion. The vote was unanimously in favor of the motion.

Sudol raised the question of whether there was a need to appoint a Vice Chair. Bardenheuer stated that there were only two theoretical reasons to have a vice chair, those being the repetitive absence of the Chair due to conflicts in the schedule or conflicts of interest, and we are not meeting either of these points. Brady asked Sudol if he had a reason for there to be a vice chair. Sudol stated that he saw no reason, but that had wanted to solicit the Board's position regarding whether there was a need.

Bardenheuer nominated Fox as Clerk. Brady seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Fox made a motion to adjourn the meeting at 9:15pm. McGuire Minar seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Lisa Fox, Clerk