

**HARVARD PLANNING BOARD
MINUTES OF MEETING
September 21, 2009
APPROVED: October 5, 2009**

Chairman Joe Sudol called the meeting to order at 7:37pm in the Town Hall Meeting Room

Members Present: Joe Sudol, Kara Minar McGuire, Craig Bardenheuer, Lisa Fox and Wayne McFarland

Others Present: Liz Allard (LUB Admin)

Refund Escrow Account – Richard & Keyo Russell – 81 Old Littleton Road

Allard explained to the Board that all invoices for Richard & Keyo Russell have been paid and the remaining funds of \$410.00 should be refunded. Bardenheuer made a motion to refund \$410.00 to Richard & Keyo Russell. McFarland seconded the motion. The vote was unanimously in favor of the motion.

ZBA Request for Comments – Farrell, 119 Tahanto Trail

The Board has received a request for comments from the ZBA in regards to an application submitted for the extension of an existing Special Permit for Kathryn Farrell at 119 Tahanto Trail. The Board had no comments in regards to this application. Bardenheuer made a motion requesting a letter be sent to the ZBA expressing that the Planning Board had no comments in regards to this application. Fox seconded the motion. The vote was unanimously in favor of the motion.

Discussion of Potential Annual Town Meeting 2010 Bylaw Amendments

Sudol stated the Board has two options as it pertains to a Drive-Thru provision within the Protective Bylaw. One, consider an amendment that would ban all drive-thru's or two draft a provision that allows only specific types drive-thru, i.e. banks and pharmacies. Sudol would like to ask Town Counsel Mark Lanza to attend the next meeting to help clarify the Boards options. Others agreed that banks and pharmacy drive-thru should be allowed. Fox stated she agrees that banks do not need a drive-thru, but older residents see it as a matter of convenience. Bardenheuer stated while convenient, drive-thru's allow for the get in get out and move on mentality, he as a Harvard resident much more prefers every opportunity to mingle with other in Town. Fox stated if you really think it there really would not be two of anything that would have a drive-thru in Town, such as two banks or two drug stores.

McGuire Minar arrived at 7:52pm.

McGuire Minar stated in feed back from people in Town since the 2009 Town Meeting is they are very surprised that the amendment did not pass. Sudol feels that if Planning Board (PB) does not get the Economical Development Analysis Team (EDAT) and the Board of Selectmen (BOS) support then they will not move forward on any Bylaw. Bardenheuer wants to get the large land owners and others on board before the Annual Town Meeting (ATM). McGuire Minar stated getting people to ATM is another issue. Fox agrees with getting EDAT and/or BOS support before moving forward.

Sudol agrees that the articles should be on the warrant earlier then previous years rather than later in the day and we really need to work on getting the word out.

Bardenheuer noticed at ATM that there was an underlying distrust of the PB and that people are very much on the fence with what the PB proposes. How can we change that? McGuire Minar feels that when you get to the end point of the day you get groups that are in one way or another to the extreme. Sudol stated that people always see change as a restriction to their property

rights. Sudol stated it looks like the PB wants to bring the drive-thru bylaw up again. Sudol, Bardenheuer and McGuire Minar are for banning drive-thru completely. McFarland makes the case that they are convenient if you have young children and get in and out of the car is not convenient. Sudol noted that under our current bylaw drive-thru's are not allowed unless they can be shown to be an accessory use to the use being proposed. As previously pointed out by Town Counsel, a drive-thru associated with a bank would be an accessory use given the acceptance necessary part of the bank's business. The question becomes whether a drive-thru at a fast food business would be considered an accessory use. That is the reason for the bylaw to be specific about allowing drive-thru's.

As for the change to building size, the Board is still uncertain as how they would like to approach this. Fox stated again people have to understand why PB wants to change the current provisions. Sudol is suggesting a change to §125-52, because essentially EDAT most likely is going to develop a new provision of the Bylaw for uses within the commercial zone. Two areas it could be addressed are the gross floor area definition or in §125-52. Sudol will take another look at it for the next meeting. Bardenheuer wants the amendment to be as straight forward as possible. Sudol would like to start public hearings in November. The Board agreed to start hearings at the beginning of November.

Appointment of Liaison to the Economical Development Analysis Team (EDAT)

With McGuire Minar in attendance she was asked if she would like to represent the Planning Board on EDAT. McGuire Minar indicated that she supports Bardenheuer as the EDAT liaison for the PB. The Board confirmed Bardenheuer's appointment to EDAT. Sudol will inform EDAT and the town Administrator.

Montachusett Regional Planning Commission (MRPC) Traffic Study

Sudol has received a copy of the traffic study conducted by MRPC as requested by the Planning Board last spring. Sudol still needs to finish reviewing the documents and will have a summary at the next meeting.

Affordable Housing Plan Update

The current Plan will expire January 2010 and needs to be updated. Sudol stated the Board does not need to wait for the 2010 census data to update the Plan. Some of the data can be updated from current Town records and Sudol would like to give each member a section to review. The important thing is to update the strategy. Sudol wants to meet with Municipal Affordable Housing Trust (MAHT) to suggest that the Planning Board update the Plan with a committee that includes members of the Master Plan Implementation Committee and MAHT.

Minutes

Fox made a motion to approve the August 10, 2009 minutes as amended. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Continued Informal Discussion on Use of Property – Sheehan (Map 26 Parcel 8)

Sudol stated he has reviewed the plans submitted by Bruce Ringwall of GPR, Inc. and has determined that the owners will need ZBA approval for the conversion from seasonal to year round residents and whether any non-conformances are pre-existing.

Montachusett Joint Transportation Committee (MJTC) Meeting

Bardenheuer stated he attended the MJTC meeting last Wednesday and found it to be full of useful information including the availability of grant money. Bardenheuer wondered how the Town Harvard can get some of the grant money that is out there. The Board agreed that the Town needs to hire a grant writer. The Board wondered if they could get a writer that would work for a percentage of the grant. The members discussed a line item on the budgets this year for a part time grant writer for the three land use boards. Members will follow up with the appropriate departments including Finance Committee and the Board of Selectmen.

Adjournment

Fox made a motion to adjourn the meeting at 10:05pm. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion

Signed: _____ Lisa Fox, Clerk