

**HARVARD PLANNING BOARD  
MEETING MINUTES  
OCTOBER 5, 2009  
APPROVED: October 19, 2009**

In Sudol's absence at the start of the meeting McGuire Minar opened the meeting at 7:35pm Town Hall Meeting Room.

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

**Others Present:** Liz Allard (LUB Admin), Jonathan Feist (Harvard Historical Commission) and Nathan Lamb (Harvard Hillside)

**Interview Potential Associate Member – Rhonda Sprague**

Rhonda Sprague did not appear for the interview.

**Approval of Minutes**

Fox made a motion to approve the minutes of September 21, 2009 as amended. McFarland seconded the motion. The vote was unanimously in favor of the motion.

**Demolition Delay Bylaw**

Jonathan Feist of the Historical Commission was present to discuss a potential Demolition Delay Bylaw. It was Bardenheuer recollection that the Planning Board (PB) decided last year that this was a good idea but the PB had no jurisdiction. Feist confirmed that if the Bylaw was established the Historical Commission would be the review committee. The process would be that when a building permit was submitted to the Building Commissioner he would notify the Historical Commission based on set specific criteria. Feist does not have a sense of the Town and how it would go over. The delay varies between six months to a year. Most common is six months, but State recommends a year. The Bylaw would prevent a developer from coming in and buying a significantly important historic structure and demolishing it before efforts to preserve it could be made. It essentially inconveniences developers. Bardenheuer stated it would potentially allow time for interested parties to find alternatives to demolishing a building. Bardenheuer stated from his previous review of the Bylaw that the Protective Bylaw does not have a very good definition of "demolish." McGuire Minar asked if the Historical Commission has an inventory of houses that are critical in Town. Feist stated not a recent list. About one in four houses could qualify in Harvard stated Feist, as he understands it.

Sudol joined the meeting at 7:50pm

Bardenheuer stated that his recollection was, that this Bylaw would be a general Bylaw and not part of the Protective Bylaw and seemed to be more in the jurisdiction of the Historical Commission. He asked that if that is the case, how come it's not on the list to get done by the Historical Commission? Feist stated that is a good question, and that with a mix bag of individuals on the Commission, the opinions are all very different as to how to go about this or even if there should be such a Bylaw. Sudol stated that the Historical Commission falls under the general Bylaws which are regulated by the Board of Selectmen (BOS). McGuire Minar asked Feist if the Commission has approached the BOS with this Bylaw. Feist stated they have not, but their best bet would be to work with Tim Clark of the BOS.

Sudol thinks it is worth while for the PB to pursue this topic and will include it the article he is looking to write for the local newspaper. Bardenheuer asked Feist if he had a sense as to what might fit in the guideline. Feist stated he does not. Bardenheuer will dig out his research from last year and update it. The members encouraged Feist to get the support of the BOS.

**Review Site Plan for Congregational Church, 5 Still River Road**

The members reviewed the site plan for the Congregational Church as requested by Chris Ashley. After a discussion the Board agreed a letter should be sent requesting the Church abide by the Lighting Bylaw. Also ask if the plan has been reviewed by the Board of Health for septic capacity and whether the Church considered connecting to Town center septic when available.

**Approval of Minutes**

Fox made a motion to accept the minutes of September 14, 2009 as amended. McFarland seconded the motion. The vote was unanimously in favor of the motion among members present at the September 14<sup>th</sup> meeting.

**Discuss Annual Town Meeting 2010 Bylaw Amendments**

Sudol proposed that the Planning Board adds the definition of "building" to 125-2 as written by the State Building Code, with one omission, the word "or firewall". The members were given the State Building Code definition for their review.

Sudol has not done any further research on the drive-thru bylaw.

Sudol sent out another email for volunteers to work on a wind energy conversion system bylaw with no luck in getting responses from the individuals who opposed it at the 2009 Annual Town Meeting. Sudol is meeting with the Historical Commission tomorrow about their position on erection of wind turbines within the historic district.

The Board discussed dates for informal and formal hearings on the amendments and agreed to start informational meetings in November as part of the PB regular meetings

**Economic Development Analysis Team (EDAT) Update**

Sudol attended last Wednesday's meeting which was mainly an overview of their presentation to the Board of Selectmen. Sudol informed the EDAT of the proposed Bylaw amendments and that they will not in effect be in conflict with the EDAT's report at the Town Meeting. Sudol also informed EDAT that their support of the proposed amendments is needed prior to and at the Annual Town Meeting (ATM). McGuire Minar thought that there should be some meat behind that statement. She also believes Sudol should not have made such a statement on behalf of the entire Board. Sudol is hoping to avoid another failed attempt to pass Bylaw amendments at ATM due to lack of support or understanding as to what it is the PB is attempting to accomplish. All of the members agreed that the PB needs more support and more education of the public before the 2010 ATM.

**MRPC Traffic Study of Ayer Road**

Sudol has not finished his comparison of the two reports, the CDM report and the MRPC study, but what stands out so far is the increase in truck traffic. Sudol hopes to have his review completed for the next meeting.

**Affordable Housing Plan Update**

Sudol met this evening with the Municipal Affordable Housing Trust (MAHT) and has stated to that Committee that the Planning Board would like to develop a sub-committee of the Planning Board (PB) which would consist of members from the PB, Master Plan Implementation Committee, MAHT, Finance Committee and the Board of Selectmen to update the Affordable Housing Plan. The important sections of the Plan are the strategies and the goals. McGuire Minar will review other towns' plans to see how those are worded, as a quick review of Harvard's seems to be too wordy. McFarland will review data that may be available from Town records for updating.

**Adjournment**

Fox made a motion to adjourn the meeting at 10:15pm. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

**Signed:** \_\_\_\_\_  
Lisa Fox, Clerk