

**Harvard Planning Board
Meeting Minutes
February 22, 2010
APPROVED: March 1, 2010**

Joe Sudol opened the meeting at 7:35pm in the Main Meeting Room of the Former Library

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

Others Present: Liz Allard (LUB Admin) and Michelle Catalina

Approval of Minutes

McFarland made a motion to accept the minutes as amended for February 1, 2010. Fox seconded the motion. The vote was unanimously in favor of the motion.

Review & Approve De Minimus Change to Special Permit – Wheeler Realty Trust, 196- 198 Ayer Road

Sudol has drafted an amendment for Wheeler Realty Trust to reflect the revised Approval Not Required plan endorsed by the Planning Board at the February 1st meeting. Those present at that hearing agreed with the language and signed the amendment, which is to be filed with the Town Clerk.

Planning Board Input on use of Town Hall

Sudol stated he attended a meeting last Friday in regards to the use of space at Town Hall . Sudol had suggested they add one or two more conference rooms on the second floor of Town Hall for additional confidential and work space. Sudol has stated that moving to the old library would not be efficient use of that space.

Forth of July Committee Volunteer

Sudol stated he had been contacted by Board of Selectmen Chair Ron Ricci in regards to volunteers for the Forth of July Committee. If any on the Board is interested or knows someone who may be they can contact Steve Miller at sgmharvard1@gmail.com

Town Planner

Sudol stated he has not proceeded any further with the request for a Town Planner; he would like to wait to see how budgets shape up in the next few weeks before moving forward with this request.

Town Caucus – March 6, 2010

Sudol reminded members that both he (3yr term) and McFarland (2yr term) need to be nominated at caucus this year on March 6, 2010 at 7:00pm in the Town Hall Meeting Room. McGuire Minar stated she would attend to nominate both for the available terms.

Energy Committee

McGuire Minar stated she attend a meeting of the Energy Committee at which they discussed Harvard becoming a Green Community. In order to meet the stretch code requirements of the Green Communities Initiative, our Bylaw would need to be changed. Additional alternative energy uses need Bylaws to allow those uses and districts designating locations for those uses. McGuire Minar stated there is a large amount of research that will need to be completed before a decision is truly made.

Associate Planning Board Member

McGuire Minar stated both she and Bardenheuer know and would like to recommend Michelle Catalina as the associate member of the Planning Board. Catalina explained her background to the members. Catalina believes some time things are done too quickly without thought as to the future and that planning is vital to the Town. Sudol explained the process with Special Permits

and the reasoning for an associate member. Members agreed that they would like to have Catalina join the Planning Board. Sudol will ask this be on the Board of Selectmen agenda for next Tuesday, March 2nd.

Continuation of Annual Town Meeting Protective Bylaw Amendments Hearing. Opened at 8:20pm.

Adjournment

McGuire Minar made a motion to adjourn the meeting at 9:30pm. McFarland seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Lisa Fox, Clerk

Harvard Planning Board

Continuation of Annual Town Meeting Protective Bylaw Amendments Hearing Meeting Minutes

February 22, 2010

Sudol opened the meeting at 8:20pm under M.G.L. Chapter 40A §5 and the Code of the Town of Harvard Chapter 125-50 in the Former Library Main Meeting Room

Members Present: Joseph Sudol, Kara McGuire Minar, Lisa Fox and Wayne McFarland

Others Present: Liz Allard and Michelle Catalina

This hearing was continued from February 1, 2010 and is being held as part of the required public hearings on Protective Bylaw Amendments for the Annual Town Meeting.

The members discussed and agreed to removing the definition of "Building" from the Annual Town Meeting warrant now that the State Building Code has changed and no longer allows for fire walls to be used to define separate buildings.

The amendment for Chapter 125-41 Signs and 125-43 Zoning Map Supplement are all set as written.

As for drive-through Facilities, Sudol stated Town Counsel Mark Lanza made the recommended changes from the previous meeting. Members agreed that the provision should include both new facilities as well as existing ones. McFarland stated the questions that need to be answered are why the 500' and 300' requirements on distances from another facility and from a residential use respectfully. McGuire Minar believes hours of operation should be covered as well. McGuire Minar does not think that the 300' from an abutting residential property is unreasonable. Fox stated a good portion of the commercial district abuts residential properties and should be taken into consideration when determining a distance. The Bylaw as written only address distance between a residential and a commercial parcel and not commercial to commercial.

The Board would like to be certain that they have the support of the Economic Development Analysis Team (EDAT) on this Bylaw. It is the understanding of the Board that EDAT believes this Bylaw will greatly restrict development. Michelle Catalina, a resident of North Harvard, stated most individuals she speaks with do not want drive-through facilities at all and think the Bylaw is only promoting the potential existence of drive-throughs. It was explained that under the current Bylaw if an applicant can prove that a drive-through is an accessory use to the primary use than the drive-through would be allowed by right. By having a Drive-through bylaw it will limit the types allowed.

Members agreed that EDAT should be invited to the March 15th meeting to discuss the proposed Bylaw and how it could be affected by their recommendations at the Annual Town Meeting. Allard will collect information from other Towns in regards to the distances in which drive-throughs are allowed when the property abuts a residential use.

Sudol made a motion to continue the hearing to March 1, 2010 at 7:30pm Fox seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Lisa Fox, Clerk