

**Harvard Planning Board
Meeting Minutes
March 1, 2010
APPROVED: April 26, 2010**

Joe Sudol opened the meeting at 7:32pm in the Main Meeting Room of the Former Library

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

Others Present: Liz Allard (LUB Admin) and Jamie Allard (Harvard Press)

Approval of Minutes

McFarland made a motion to accept the minutes as amended for February 22, 2010. Fox seconded the motion. The vote was unanimously in favor of the motion.

Board Reports – Committee Activities

Sudol has not had any other committee meetings since last week. Sudol did attend the Municipal Building Task Force meeting on Saturday. Sudol stated there were a lot of great ideas that centered on the Town Hall and the ambulance bay just outside of Town Hall and the possibility of connecting those two buildings. Sudol stated the toughest buildings are the former library and the Hildreth House and what the Town should do with them.

Town Caucus – March 6, 2010

Sudol reminded the members of the Town Caucus this Saturday at 7:00pm in the Town Hall Meeting Room. Both Sudol and McFarland are up for re-election and will need to be nominated.

Continuation of Annual Town Meeting Protective Bylaw Amendments Hearing.

Opened at 7:39pm

Economic Development Analysis Team (EDAT) Report

Sudol stated EDAT would be presenting a report to the Board of Selectmen (BOS) tomorrow evening. The report to the BOS is not the same report that was distributed by Bill Johnson for the Annual Town Meeting in May. Both reports indicate the potential for amendments to the Protective Bylaw. Members agreed that having members of the EDAT attend a Planning Board meeting to discuss their presentation for ATM and the proposed amendments by the Planning Board would be a good idea and should be done at the March 15th meeting. Sudol will invite the EDAT members to attend the March 15th meeting through the Chairman Bill Johnson.

Adjournment

Bardenheuer made a motion to adjourn the meeting at 9:03pm. 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

March 1, 2010

Sudol opened the meeting at 8:00pm under M.G.L. Chapter 40A §5 and the Code of the Town of Harvard Chapter 125-50 in the Main Meeting Room of the Former Library

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

Others Present: Liz Allard and Jamie Allard (Harvard Press)

This hearing was continued from February 22, 2010 and is in regards to Protective Bylaw Amendments for the 2010 Annual Town Meeting.

Sudol stated the warrant articles have been drafted with the exception of the drive-through bylaw for submittal to the Town Administrator for addition to the warrant for Annual Town Meeting.

Members agreed that no further discussion on the Zoning Map Amendment and the Sign provision was required. A vote will be taken at the March 15, 2010 meeting.

As for the Drive-through Facilities amendment, Sudol explained that Town Counsel, Mark Lanza, has changed the language to state that if an applicant is applying for the Ayer Road Village Special Permit (125-52) then the 300' from an abutting residential property would not apply and it would be up to the Planning Board (PB) as to the appropriate distance during the hearing process. Bardenheuer has concerns with light and sound distances to abutting properties. The 500' provision between drive-through on abutting lots was to keep the number of drive-through as sensible as possible. It was suggested that a specify density of an "x" number of drive-through be allow per "y" acres.

Sudol has found a document that includes guidelines for sighting drive-through facilities. The document however, was based on urban locations. The document states if a drive-through was to be located next to a residential use, the document recommends 100' from the property line within an urban area. The document contained buffers along property lines and next to the drive-through, specific to the types of trees and the height of those trees. Sudol believes if you take those thoughts into a rural area such as Harvard then 100' would be a minimum distance. Sudol feel the PB should continue with the 300' from abutting residential properties.

Bardenheuer asked about the provision being consistent with the Lighting Bylaw, §125-40, of the Protective Bylaw. The Site Standards, §125-39, set further in the Protective Bylaw are stringent as to the buffers required for abutting properties. Bardenheuer feels abutting residential properties should not be disturbed by use of a drive-through. Bardenheuer thinks the PB should do their homework on how much light will escape the lot at 300'. Fox, states as a PB member of a small town she is not comfortable with all aspects of the Bylaw being enforced and who is going to enforce it. McGuire Minar thinks the distance from residential properties should be more than 300'

Members agreed that a drive-through is allowed then the hours of operation will need to be addressed. McGuire Minar stated that the hours are usually determined by the Board of Selectmen under a common victual license.

Bardenheuer feels the distance from a drive-through and a residential property should remain at 300'.

The members discussed the distance requirement between drive-throughs, which is currently set at 500'. Some members were not comfortable limiting the number of drive-throughs on a lot. Traffic issues with multiple drive-throughs were discussed and Bardenheuer does not think traffic is going to be a big issue since we are only talking about banks and pharmacies. McFarland thinks the Bylaw should be 500' as stated. Bardenheuer thinks it is very restrictive. Fox does not think so. McGuire Minar would agree with 300' between drive-throughs and 500' to abutting residential properties. Fox agreed with McGuire Minar. Others agreed as well. Sudol will add references to §125-40 Lighting and send the revisions to Lanza for his review.

Bardenheuer made a motion to continue the hearing to March 15, 2010 at 8:50pm. McFarland seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Lisa Fox, Clerk