

**HARVARD PLANNING BOARD  
MEETING MINUTES  
AUGUST 16, 2010  
APPROVED: October 4, 2010**

Chairman Joe Sudol opened the meeting at 7:35pm in the Town Hall Meeting Room under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Joe Sudol, Kara McGuire Minar and Craig Bardenheuer

**Others Present:** Liz Allard (LUB Admin), Christian Bilodeau (Tree Warden), Tim Clark, Jamie Allard (Harvard Press), Susan Roberts (Anderson & Krieger), Cal Goldsmith (GPR, Inc.) and Joe Hutchinson (Harvard Press)

**Board Members Reports – Committee Activities**

Sudol and McGuire Minar attended a meeting to develop the Economic Development Committee Charter along with two members of the Board of Selectmen (BOS). Sudol shared the draft charter with the members for their comments. McGuire Minar had questions about how the analysis of infrastructure is going to take place down the road. Sudol thought that the charter is not the place in which that type of detail should be contained. Members had minor adjustments to the charter that Sudol will forward to Bill Johnson from the BOS. McGuire Minar agreed to provide any additional comments to be included in the draft.

**Site Plan Review & Approval – Hirsch, 285 Ayer Road**

Sudol explained that the application was for the approval of the location of the sign for the plaza at 285 Ayer Road. McGuire Minar asked about the site plan being opened up to a full review of the entire site, regardless what the request is for. Sudol stated the sign was originally where the existing Jersey barriers are located, which was moved to its current location due to the fact that it kept getting knocked down by tractor trailers accessing the site. Cal Goldsmith from GRP, Inc. was present and explained the work that has been done on the site in recent months was a condition of the liquor license issued by the Board of Selectmen (BOS). McGuire Minar argued that the site is not compliant with the original site plan due to the placement of Jersey barriers within the entrance, as well as the signage. Goldsmith stated the current sign is a sight hazard and the applicant is looking to have its location moved to be within the setbacks. Selectmen Tim Clark explained that during the liquor license process some deficiencies were discovered. McGuire Minar wants to know from Town Counsel Mark Lanza what can be open for discussion when a modification of a site plan is present to the Board.

Bardenheuer asked who is responsible for applying enforcement. McGuire Minar stated the Building Commissioner (BC). McGuire Minar asked Clark if the BOS had requested the BC review the site for compliance. Clark stated the BOS does not do zoning, but has asked the BC to review the site for compliance. Clark also submitted a letter requesting the Board to consider deficiencies in the original site plan. Sudol did not accept the letter, which was signed by Clark as Selectman and former Planning Board member. Goldsmith does not want to do an entire site plan review; he will however comply with the sign and the entrance. McGuire Minar refused to act on the application until she hears from Lanza. Bardenheuer agreed with McGuire Minar and would like to know what Lanza has to say.

Sudol stated there are three things within Protective Bylaw that have not been addressed by this application. Those being the setback of the sign from the roadway, the size of the existing sign (sq ft) and height of the sign. Sudol stated Signs 125-41 allows for a twenty square foot sign and asked how the applicant plans to comply with the Bylaw. Goldsmith stated the sign is for a number of businesses within the plaza and has been that way for a number of years and should be grandfathered. Goldsmith argued that the application is for compliance for the setback and not the physical characteristics of the sign.

McGuire Minar read what Michael Giaimo stated what site plan is. Goldsmith stated that the intent of the application is to bring the site closer into compliance. Goldsmith asked for a sense of the Board for the relocation of the sign and the driveway entrance. Sudol made a suggestion to reconvene on September 13<sup>th</sup> on the matter; he will contact Town Counsel to attend the meeting to explain what is required for Site Plan Review.

**Special Permit & Driveway Site Plan Approval Hearing – New Cingular Wireless PCS, LLC, 0 Brown Road (Map 36 Parcel 93.4).** Opened at 8:48pm

**Potential Scenic Road Violation – 339 Stow Road**

Allard stated she was contacted by the Highway Director who informed her that the cedar tree at 339 Stow Road had been removed recently. The Scenic Road decision clearly stated that the cedar tree was not to be removed. Allard contacted the Tree Warden who was in attendance this evening. Sudol read the enforcement portion of the Bylaw. McGuire Minar stated if the Planning Board made a decision on this than we should follow up with it. McGuire Minar would like to see the tree replaced. Bardenheuer would like to see the tree replaced as well. Sudol agrees with both as well, but would like the tree replaced along that roadway in another location as to not cause any site distance issues. Christian Bilodeau, the tree warden, stated the tree that was removed would be difficult to replace, but suggested that several trees that equal in size of the removed tree be planted. Bilodeau will obtain an estimate for the replacement of the trees. Sudol made a motion that a letter be sent to the home owners indicating that they are to pay for the replacement of the tree to be planted along Stow Road in a location recommended by the Tree Warden. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion. Allard will draft letter for members review and approval.

**Discuss and Approve New Policy on Electronic Filing of Applications**

Allard had drafted and distributed a policy on electronic filing of applications for the members to review. With no changes to the document Bardenheuer made a motion to approve the policy as written. McGuire Minar seconded the motion. The vote was unanimously in favor of the motion.

**Adjournment**

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

Signed: \_\_\_\_\_  
Kara McGuire Minar, Clerk (In Fox's Absence)

**Harvard Planning Board**

**Special Permit & Driveway Site Plan Approval Hearing Meeting Minutes**

**New Cingular Wireless, PCS, LLC (AT&T), 0 Brown Road (Map 36 Parcel 93.4)**

**August 16, 2010**

This hearing was opened at 8:48pm by Chairman Joe Sudol under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125-27 in the Town Hall Meeting Room

**Members Present:** Joe Sudol, Kara McGuire Minar and Craig Bardenheuer

**Others Present:** Liz Allard (LUB Admin), Jamie Allard (Harvard Press) and Susan Roberts (Anderson & Krieger)

This hearing is for a Special Permit and Driveway Site Plan Approval filed on behalf of New Cingular Wireless, PCS, LLC for the renewal of an existing Special Permit for a Wireless Communications Tower and Driveway Site Plan Approval at 0 Brown Road (Map 36 Parcel 93.4), Harvard.

Without a proper quorum the hearing could not be held this evening and requested applicant to agree to continue the hearing to September 13, 2010. Susan Roberts, the representative for the applicant agreed. McGuire Minar made a motion to continue the hearing to September 13, 2010 at 7:45pm. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Kara McGuire Minar, Clerk (In Fox's Absence)