

**HARVARD PLANNING BOARD
MEETING MINUTES
OCTOBER 4, 2010
APPROVED: November 1, 2010**

Acting Chair Kara McGuire Minar opened the meeting at 7:34pm in the Town Hall meeting room under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

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

Others Present: Liz Allard (LUB Admin), Rose Chaulk, Tim Clark (BOS & HEAC liaison), Phoebe Clark, Julia Clark, Peter Warren, Eric Broadbent and Brian Smith

Approval of Minutes

Bardenheuer made a motion to approve the August 16, 2010 minutes as amended. McFarland seconded the motion. The vote was unanimously in favor of the motion.

Review & Approve Scenic Road Consent – Panek, Lot 371 West Bare Hill Road (Map 27 Parcel 51)

Both Fox and McFarland have reviewed the decision for Scenic Road Consent issued to Jessie Panek for Lot 371 West Bare Hill Road and had no further comments. Those applicable signed the decision.

Board Members Reports – Committee Activities

McGuire Minar stated she had been contacted by Board of Selectmen Chair, Peter Warren, looking for a volunteer from the Planning Board to serve on the Poor Farm Sub-Committee. The first meeting is to be held this Thursday, October 7th at 8:00am. None of the members present are able to attend this meeting, nor do they have the time to commit to it. McGuire Minar will reach out to Associate Members Catalina to see if she is willing to take on this task for the Board.

Fox stated that she had attended the recent School Committees Long Range Planning meeting. At this point the group is trying to gather information needed to move forward, unfortunately it is not a simple task of getting information on children under the age of 18.

Approval Not Required – Getty/Egan, Massachusetts Avenue (Map 22B Parcel 14)

Rose Chaulk was present to present an Approval Not Required (ANR) Plan, which contains a land swap on Massachusetts Avenue between Getty and Egan. Chaulk explained that Lot 1 will give two small portions (5,051 square feet) of land to Lot 2, and Lot 2 will give three portions (45,332 square feet) of land to Lot 1. Lot 1 has an existing easement for use of the driveway at 72 Massachusetts Avenue to gain access to their property. The plan does not show access for Lot 2. Chaulk stated there would be another cut made on the existing driveway at 72 Mass Ave, making it a common driveway serving three house lots. Members had a number of questions about the newly proposed driveway easement that would now cross Lot 1 in order to access 72 Mass Ave. Members agree that the applicant would need to show access for Lot 2 off of Mass Ave in order to be considered an ANR lot. Members questioned when a common driveway special permit would be required. Members requested Town Counsels input on the logistics of the plan as presented. Chalk agreed to continue the hearing to October 18th at 8:00pm.

Joe Hutchins informed those present that he was recording this following:

Review & Discuss Economic Development Committee Charter

Board of Selectmen (BOS) Chairman Peter Warren explained that at a recent meeting of the BOS they approved the Charter for the Economic Development Committee (EDC) with one change. Selectmen Sobalvarro had stated that the Charter did not include all of the language as it was

approved at the Annual Town Meeting. This prompted the addition of e. to the charter (see Attachment A). Warren stated the BOS approved the charter 3-2. McGuire Minar asked what the concerns were from the BOS members. Selectmen Tim Clark, who was also present, read from the BOS minutes of September 21, 2010. After some clarification on the language in regards to the Master Plan, McGuire Minar made a motion to accept the EDC Charter as written. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Green Community Update from Energy Advisory Committee

Brian Smith, Eric Broadbent and Tim Clark were present to discuss the possibility of the Town of Harvard becoming a Green Community and the steps that would be required to do so. Smith stated that the Green Community status is consistent with that of the Energy Advisory Committees charter. Smith had recently circulated information about the steps needed to be taken to become a Green Community. Smith reviewed the five criteria, which include 1) As-right Siting for renewable energy of generating facilities, Research and Development facilities or manufacturing facilities; 2) Expedited Permitting for Criteria 1; 3) Energy Baseline and Reduction Plan; 4) Procurement of Fuel-efficient Vehicles; 5) Minimize Life-cycle Costs in Energy Construction.

McGuire Minar asked about the reduction of energy cost that has already been completed and how that will affect the five year 20% reduction requirement in Criteria 3. Smith stated there has been a \$150,000 reduction in energy cost since the Committee began, but he is not sure how it will factor into the 20% reduction. Smith stated that Criteria 5 is exactly what was presented at the Annual Town Meeting in May. Adoption of the Stretch Code includes large additions and renovations to existing homes. Fox asked about the \$150,000 savings and where that had come from. Fox explained the Shirley situation, how the systems are being maintained and operated and questioned if there are individuals who are trained to maintain the systems properly to achieve the reductions. Smith stated the systems in place at the school are being properly maintained. Smith stated there are 35 Towns with the designation of a Green Community currently, including Acton and Lancaster; 47 Towns have adopted the Stretch Code. The average grant money received by communities has been \$160,000.

Clark stated that the Energy Advisory Committee is looking for a sponsor of a Bylaw change for Criteria 1, which would require the creation of a small overlay district zone for the siting of a renewable energy source that would have the potential for this 250kw energy source. Locations around Town considered for this were the Transfer Station, gravel pit or the Bromfield School parking lot. The gravel pit on Stow Road could have residential issues and the School parking lot would have the issue of being within the historic district, where as the Transfer Station contains enough land area as well as being surrounded by other Town owned parcels. Clark distributed the Lincoln bylaw that was adopted this past spring and approved by the Attorney General. Clark noted that the bylaw for siting the renewable energy would be subject to site plan approval. Clark added that the overlay district could have dimensional set backs or screening requirements if the Board wanted. Clark laid out the time line that would be required to adopt the changes by the November 19th deadline.

McGuire Minar asked if the Committee was seeking the designation in order to be able to obtain grant funding. Smith stated yes and explained that more funds would be available this year since there would be fewer Towns competing for those funds, where as by next year there is a potential for additional communities competing for those funds.

Bardenheuer stated he could make two cases; one the Planning Board makes the Bylaw change and the Green Community designation follows; the other is that the Planning Board makes the Bylaw change and the Town does not meet all five criteria and Harvard is not designated a Green Community. In both of these cases Bardenheuer does not see a down side and does not know why the Planning Board would not approve it. The Board agreed that they too preferred the Transfer Station site and an overlay district specific to that site.

Bardenheuer made a motion to support the Bylaw amendments as discussed this evening. Fox seconded the motion. The vote was unanimously in favor of the motion.

Master Plan Update

McGuire Minar informed the members that the Board needs to start thinking about the update of the current Master Plan, which is set to expire in 2012. The Board should consider a Town Meeting Article requesting funding in the amount of \$100,000 for the update.

Annual Town Meeting Protective Bylaw Amendments

McGuire Minar believes there are no pressing issues for amendments to the Protective Bylaw this year. She would however like to review the fines that are established in the Scenic Road Bylaw.

Election of Officers/Appointments to Other Boards & Committees

McFarland made a motion recommending McGuire Minar as the Chair and Bardenheuer as the Vice Chair of the Planning Board. Fox seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Fox made a motion at 9:59pm to adjourn the meeting. McFarland seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Lisa Fox, Clerk

ATTACHMENT A

PROPOSED CHARTER OF HARVARD'S

ECONOMIC DEVELOPMENT COMMITTEE (EDC)

The mission of the Economic Development Committee is to increase the economic value of, and the associated tax revenue from, Harvard's commercial C district by attracting desired community services that are consistent with the current character of the Town.

Specific responsibilities include:

- a. actively pursuing the designation of Harvard as a new or part of an existing Economic Target Area (ETA) to enable its participation in the Massachusetts Economic Development Incentive Program¹;
- b. working with existing/new businesses and developers to attract the commercial services that the Town desires, identifying and financially analyzing any barriers, incentives, or infrastructure improvements that must be addressed;
- c. interfacing with adjacent neighborhoods and other interested Town residents, appropriate town boards, commercial landowners and developers to facilitate commercial project planning and coordination prior to the beginning of any permitting processes; and
- d. advising the Board of Selectmen and Planning Board on policies to attract and retain businesses.
- e. create and maintain a development plan for the commercial district that is consistent with the overall Town Master Plan

The Economic Development Committee is comprised of 5 volunteers jointly appointed by the Selectmen and Planning Board for staggered 3-year terms. All EDC meetings shall be attended by two non-voting liaisons, one a Selectman and the other a Planning Board member. The EDC will meet on a periodic basis with both Boards to set yearly goals and review progress.

¹ ETA designation gives the developers access to state tax credits, grants the Town the legal right to negotiate tax incentives, and enables priority access to state-administered funds for infrastructure development.

DOCUMENTS & OTHER EXHIBITS

Review & Approve Scenic Road Consent – Panek, Lot 371 West Bare Hill Road (Map 27 Parcel 51)

NOTICE OF DECISION ON APPLICATION OF JESSIE PANEK FOR SCENIC ROAD CONSENT, dated September 20, 2010

Approval Not Required – Getty/Egan, Massachusetts Avenue (Map 22B Parcel 14)

Form A & Checklist, Received by the Town Clerk September 23, 2010
Plan of Land in Harvard Mass. for Kevin Getty, dated September 20, 2010 Job No. R-212 Plan No. M-670

Green Community Update from Energy Advisory Committee

Copy of Assessors Map showing Transfer Station location, Map 17A Parcel 14
Lincoln's Solar PV bylaws excepts from their zoning bylaws, dated 9/13/2010
2010 Special Town Meeting Schedule, dated October 5, 2010
Green Community Designation Criteria, not dated
Letter from the Town of Harvard Energy Advisory Committee to the Planning Board, dated September 30, 2010
As of Right Siting requirements options for the Green Communities Act (GCA), dated September 30, 2010
Town of Harvard Green Communities Designation – Executive Summary, no date