

**HARVARD PLANNING BOARD
MEETING MINUTES
DECEMBER 20, 2010
APPROVED: January 24, 2011**

Chairperson Kara McGuire Minar opened the meeting at 7:32pm in the Town Hall break 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 Michelle Catalina (Associate Member)

Others Present: Liz Allard (LUB Admin), Gary Shepard (Ross Assoc.), Neil Withers, Deb Withers and Peter Brooks

Approval of Minutes

Fox made a motion to approve the minutes of October 18, 2010 and November 1, 2010 as amended. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Appointment

Associate Members Michelle Catalina is willing to fill the vacancy left by the resignation of Joe Sudol in October. Bardenheuer made a motion to recommend Michele Catalina to the Board of Selectmen for appointment to fill the remainder of the term left vacant by Joe Sudol. Fox seconded the motion. The vote was unanimously in favor of the motion.

Board Members Reports – Committee Activities

McGuire Minar explained to the members that the Poor Farm Subcommittee of the Board of Selectmen has been dissolved with a final outcome that the Town has no interest in purchasing the land or the existing house for open space or housing. The Conservation Commission and the Harvard Conservation Trust will continue to work with the owners on the potential of placing a Conservation Restriction on the property that would help keep the parcel from being subdivided.

Funding for Master Plan Update

Allard explained to the members that she had completed some follow up work on the cost of updating the Master Plan by contacting Bonnie Heudorfer to get her professional opinion on a cost. Heudorfer agreed with the original amount of \$100,000 that Allard had previously stated to the Board. Members agreed that they should submit a warrant article for the 2011 Annual Town Meeting requesting a \$100,000 for the update to the Master Plan. Previous Request for Proposals from the 2002 update should be reviewed.

2011 Annual Town Meeting Bylaw Amendments

McGuire Minar stated that the 2011 Annual Town Meeting should include the straightening out of the inconsistencies with the Zoning Map and adding the ability to fine an individual for a Scenic Road violation without having to file in civil court.

Approval Not Required – Withers, Sherry Road

Gary Shepard, of Ross Associates, was present to represent the applicant. Shepard stated that this Approval Not Required (ANR) is not considered a subdivision under M.G.L. Chapter 41 Section 81L which states "...the division of a tract of land on which two or more buildings were standing when the subdivision law went into effect in the city or town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision." The Plan as submitted divides the existing parcel into two basic lots with a remaining buildable area known as Parcel A. Parcel A will be conveyed to the abutter who wants to build a barn and needs additional land area to do so. The lots contain plenty of frontage and land area. There will be no increase in the non-conformity in regards to the wetlands. Lots 1 & 2 are basic lots. Fox asked if there is intent to rebuild any of the structures on the existing lots.

Shepard stated that nothing has been decided as of yet. The property Neil Withers stated he had no intention of rebuilding the existing cottage on Lot 2. Shepard stated that there is no recorded easement for the access to the abutting Conservation Land. With no further questions, Fox made a motion to endorse the Approval Not Required plan as submitted by Ross Associates for Neil Withers of 23 Sherry Road. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Bardenheuer left the meeting at 8:04pm

Amendments to Chapter 133 Procedural Rules and Regulations Hearing - Opened at 8:09pm

Discuss Potential Appointments to the Board to Fill Vacancies

Peter Brooks was in attendance this evening to discuss his interest in the vacancy on the Board. McGuire Minar stated she was happy to hear that Brook was interested in returning to the Board as his experience as a Land Use attorney would be very helpful to the Board. McGuire Minar brought Brooks up to speed on the recent activities of the Board. Brooks stated he would like to give the idea some further review before committing. The members thanked him for attending the meeting this evening and hope to hear from him soon.

Request from MRPC for Priority Areas

Allard explained that she had been contacted again by Montachusett Regional Planning Commission (MRPC) looking for further information on the three priority areas. Those being commercial, open space and housing. Minar McGuire will attempt to contact Mort Miller of the Affordable Housing Trust once again. Catalina will follow up with MRPC at their next meeting.

Adjournment

Fox made a motion to adjourn the hearing at 8:36pm. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Lisa Fox, Clerk

Harvard Planning Board

Amendments to Chapter 133 Procedural Rules and Regulations

December 20, 2010

This hearing was opened at 8:09pm by Chairperson Kara McGuire Minar under M.G.L. Chapter 40A and the Harvard Protective Bylaw Chapter 125 of the Code of Harvard in the Town hall Break Room.

Members Present: Kara McGuire Minar, Lisa Fox and Michelle Catalina (Associate Member)

Others Present: Liz Allard (LUB Admin)

This hearing is for amendments to the Code of the Town of Harvard, Chapter 133 Procedural Rules and Regulations.

With only a few members present to discuss any amendments to the Procedural Rules and Regulations Fox made a motion to continue the hearing until January 3, 2011 at 8:00pm. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Lisa Fox. Clerk

DOCUMENTS & OTHER EXHIBITS

Approval Not Required – Withers, Sherry Road

- Form A and Checklist, dated December 15, 2010, received by the Town Clerk December 16, 2010
- Plan of Land in Harvard, Mass. Prepared for Neil and Deborah Withers, November 2010, Job No. 23314, Plan No. L-11520