

**HARVARD PLANNING BOARD
MEETING MINUTES
FEBRUARY 9, 2011
APPROVED: March 7, 2011**

Chair Kara McGuire Minar opened the meeting at 7:30pm 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, Michelle Catalina, Wayne McFarland

Others Present: Liz Allard (LUB Admin), Peter Brooks, Peter Warren (BOS), Ron Ricci (BOS), Marie Sobalvarro (BOS), Rich Maiore (EDC), Bruce Stamski (EDC) and Joe Hutchins (Harvard Press)

Master Plan Warrant Article

McGuire Minar explained to those present that a warrant article has been submitted to the Town Administrator requesting \$100,000 for the update of the Master Plan, with sunset clause that any unused money will be returned by June 30, 2013. Funding through grants is also being pursued through Montachusett Regional Planning Commission. McGuire Minar stated the Planning Board is looking develop a steering committee before this year's Annual Town Meeting. Allard will send letter to each of the Board Chairs of the committees previously involved in the 2002 Master Plan.

Approval of Minutes

McFarland made a motion to approve the minutes of January 24, 2011 as amended. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Joint Appointment with the Board of Selectmen of Peter Brooks

Peter Brooks was present and gave a brief back ground of himself to the members of the Board of Selectmen and the Planning Board that were present. Brooks stated he is a land use attorney with Seyfarth Shaw in Boston and has not only served on the Harvard Planning Board a few years ago, but served for several years in the Town he resided in before moving to Harvard. Brooks has agreed to serve the open seat vacated by Sudol until the spring election.

By a roll call vote, Minar – Aye, McFarland - Aye, Catalina – Aye, Sobalvarro – Aye, Warren – Aye, Ricci – Aye, the boards voted to appoint Peter Brook as full member of the Planning Board until the spring 2011 election.

Economic Development Committee Update

Rich Maiore and Bruce Stamski were present to give the Planning Board (PB) and the Board of Selectmen (BOS) an update as to where the Economic Development Committee (EDC) is to date. Maiore stated the EDC has identified five initial priority tasks. The first task is to pursue Economic Target Area (ETA) designation, in order for the Town to participate in the Massachusetts Economic Development Incentive Program. The benefits of this designation are that it provides 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. Brooks asked if ETA would be Harvard's own designation or a part of Devens. Maiore explained that the designation is regional and should be pursued that way. A warrant articles has been drafted for submittal to the BOS for the Annual Town Meeting in April requesting the BOS to petition the General Court to enact a special act to amend Chapter 498 §18 of the Acts of 1993 by adding the Town of Harvard to the areas designated in that section. Maiore stated there are no down sides to joining the ETA. Catalina asked who would be responsible for allowing tax incentives? Maiore stated the BOS. McGuire Minar asked if ETA would apply to current businesses in Town. Maiore stated yes, but they would have to meet the criteria. McGuire Minar asked if the tax incentives are the same as other communities or does Harvard have the ability to make them attractive to commercial business. Maiore stated that the Mass

Business Development would hold the cards in determining who gets what for tax incentives. Brooks asked if there are any restrictions with the Devens ETA that would not serve Harvard, which in turn would make Harvard better off to get ETA designation on our own. Maiore knew of none, but would check to be certain that is true. McGuire Minar asked if there is a tax incentive in creating jobs? Maiore again was not certain that it works that simply. McGuire Minar asked if Harvard and the State could take part in a tax incentive to prospective businesses. Maiore stated yes, but that would not be what Harvard is looking to do; Harvard is looking to increase tax revenue in the commercial district.

Task 2, Town Communication, objective is to ensure proactive, transparent communication with Town Boards and residents. Maiore stated that the EDC is looking to educate Town residents by getting material on the Town website, develop email database and announcements on the local cable TV. Additional, the EDC would like to engage residents to solicit feedback and promote discussion.

Task 3, Communication with Commercial District Businesses, will establish channels for two-way communication with existing commercial district businesses and gain insight into challenges, opportunities of doing business in Harvard. To date the EDC has conducted about fifteen interviews of not only existing businesses but previous businesses as well to get a sense as to where are they now and why did they leave.

Task 4, Communication to land owners, develops with the objective to identify barriers, incentives to address to attract business/services as desired by the Town. McGuire Minar wanted to know how the process would be between a property owner and a developer. Bruce Stamski stated he does not see the Town getting involved, but being a match maker between property owners and developers. Brooks asked if there has there been any interest in expanding the commercial district. Maiore stated that what is guiding the EDC is the survey of the area done by the Economic Development Analysis Team in 2008. McGuire Minar thinks that the PB needs to be aware of how Bylaws can be crafted to maintain the character of the Town.

Task 5, Infrastructure, has an objective to gain clear understanding of infrastructure challenges and possible solution in order to attract/retain commercial district business. McGuire Minar would like to see the intergrading of parcels to limit curb cuts and have better pedestrian flow.

Sobalvarro would like to know how this would all fit into the Master Plan. McGuire Minar would like to see a member of EDC on the Master Plan Steering Committee when that is developed in the next few months. The joint Boards would like an update prior to Annual Town meeting on the ETA status and another joint meeting again in June.

2011 Annual Town Meeting Bylaw Amendments

McGuire Minar explained to Board of Selectmen (BOS) members present the Protective Bylaw amendments the Planning Board (PB) is working on for this year Annual Town Meeting. Peter Warren stated that the BOS would support any amendment the PB would bring forward. McGuire Minar thanks the BOS members for attending this evening.

McGuire Minar asked PB members if they are truly interested in changing the fine under the Scenic Road Bylaw, Chapter 90 of the General Code, \$100 to \$300. Brooks suggested that the Bylaw be written in a manner that makes a violation of it a violation of the Protective Bylaw, there by enforceable by the Zoning Enforcement Officer. It was also suggested making any attorney fees incurred by the Town payable by the violator. McFarland does not think that a \$300 fine is a deterrent to violating the Bylaw; he believes there should be a restoration requirement. Allard will confirm with Town Counsel if language can be added that requires restoration, along with the other two suggestions. The general feeling of the members is that most violations that have surfaced have been handled without having pursued a civil case and to amend the Bylaw on one case may not be in their best interest at this time.

As for the Floodplain District Bylaw, the Conservation Commission has stated they are willing to assist the PB in the pursuit of this amendment to the Protective Bylaw.

Continuation of the Amendments to Chapter 133 Procedural Rules and Regulations -
Opened at 9:04pm

Adjournment

McFarland made a motion to adjourn the meeting at 9:06pm. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Temporary Clerk

Harvard Planning Board

Continuation of the Amendments to Chapter 133 Procedural Rules and Regulations

February 9, 2011

Chair Kara McGuire Minar opened the meeting at 9:04pm in the Old Library under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Kara McGuire Minar, Craig Bardenheuer, Wayne McFarland and Michelle Catalina

Others Present: Liz Allard (LUB Admin)

This hearing was continued from January 3, 2011 for the amendments to the Code of the Town of Harvard, Chapter 133 Procedural Rules and Regulations.

McGuire Minar made a motion to continue the hearing to March 7, 2011 at 9:00pm. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Temporary Clerk

DOCUMENTS & OTHER EXHIBITS

Economic Development Committee Update

- Harvard Economic Development Committee Joint Boards Meeting Power Point Presentation, dated February 9, 2011
- Draft Article – Join Devens Economic Target Area