

**HARVARD PLANNING BOARD  
MEETING MINUTES  
AUGUST 15, 2011  
APPROVED: October 17, 2011**

Chair Kara McGuire Minar 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:** Kara McGuire Minar, Craig Bardenheuer, Michelle Catalina and Wayne McFarland

**Others Present:** Liz Allard (LUB Admin), Bruce Ringwall (GPR, Inc.), Susan Roberts (Anderson & Kreiger LLP), Iain Blair, Maggie Green and Joe Hutchinson

**Board Member Reports – Committee Activities**

There were no reports available.

**Master Plan Steering Committee Appointments**

The Municipal Affordable Housing Trust has stated that they have appointed Bruce Nickerson as their representative to the Master Plan Steering Committee. Two additional residents have requested to be part of the committee as well as Citizen at Large, that being Ron Ostberg and Lucy Wallace. Bardenheuer made a motion to appoint Bruce Nickerson, Lucy Wallace and Ron Ostberg to the Master Plan Steering Committee. Catalina seconded the motion. The vote was unanimously in favor of the motion.

Additionally, the Planning Board itself has not appointed a representative as of yet to the Committee. With that said, Bardenheuer made a motion to appoint Catalina as the Planning Board representative to the master Plan Steering Committee.

**Co-ordination with other Land Use Boards**

A recent Special Permit hearing brought to light the need for a streamlined process that ensures that all of the Land Use Boards involved in the permitting of a development are all working with the same plan. The members agreed to further review a policy that allows for one application and one jointly held meeting, rather than receiving a permit from one Board for an activity that may not be permitted by another Board. Site Walks could be combined as well, which in turn would save an applicant time and money.

**Review & Approve Five-Year Strategic Plan**

Amendments were made and members agreed to the plan as discussed this evening. Allard will make the revisions and re-send to McGuire Minar for final approval. McGuire Minar will submit the final plan to the Board of Selectmen.

**Bardenheuer' Resignation**

Bardenheuer stated that he has submitted a letter of resignation, effective August 30, 2011, to the Chair of the Board. Bardenheuer stated that currently he has too many irons in the fire and cannot give the time the position needs. At some point in the future he is hoping to come back as time allows. Bardenheuer is grateful that members of this Board have always been respectful of each other; it has been total pleasure working with all. McGuire Minar stated that she has always appreciated Bardenheuer independent thinking, his business sense and the ability to hash it out and come together at the end.

**Modification of a Special Permit Hearing – New Cingular Wireless (AT&T), 0 Brown Road (Map 36 Parcel 93.4).** Opened at 8:02pm

**Review & Approve Special Permit & Driveway Site Plan – Harris, Lot 1 (69) Whitney Road**  
Members had previously received a copy of the Special Permit and Driveway Site Plan Approval from Catalina for their review. There were a few minor typos that Allard will correct. Iain Blair stated that he has concerns with the easement for the drainage ditch that runs along the north edge of Lot 1. Blair was advised to attend the meeting of the Conservation Commission at which point the drainage ditch will be further discussed. The decision was signed by the appropriate members of the Board. Allard will file with the Town Clerk in the morning.

**Potential Replacement for Bardenheuer**

Maggie Green was present to discuss her interest in being a member of the Planning Board. Green has a Masters in Architecture and spent several years in campus planning. Currently, Green is employed at the Education Program Director at Fruitlands Museum. Green had concerns with her schedule and having a suitable amount of time to serve on the Board. Green was agreeable to being appointed to fill Bardenheuer seat until the next election.

Bardenheuer made a motion to recommend to the Board of Selectmen the appointment of Maggie Green to the seat that will be made vacant by him as of September 1, 2011. McFarland seconded the motion. The vote was unanimously in favor of the motion.

**Master Plan Update**

Joe Hutchinson asked the members to approve a mission statement and charter of the Master Plan Steering Committee this evening. The mission statement and charters language was revised by the Board. McFarland made a motion to approve the Mission Statement and the Charter as revised this evening. Bardenheuer seconded the motion. The vote was unanimously in favor of the motion.

**Adjournment**

Bardenheuer made his final motion to adjourn the meeting at 9:25pm. McFarland seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Michelle Catalina, Clerk

Harvard Planning Board

Modification of a Special Permit Hearing

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

August 15, 2011

The hearing was opened at 8:02pm by Chair Kara McGuire Minar under M.G.L. Chapter 40A and the Harvard Protective Bylaw, Chapter 125 of the Code of the Town of Harvard

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

**Others Present:** Liz Allard (LUB Admin) and Susan Roberts (Anderson & Kreiger LLP)

This hearing is being held for the modification of a Special Permit filed on behalf of New Cingular Wireless (AT&T) for the installation of a back-up emergency generator at 0 Brown Road, Harvard (Map 36 Parcel 93.4).

Attorney Susan Roberts, representing AT&T, was present and explained that the applicant, New Cingular Wireless would like to add an emergency back up generator at the existing wireless communication tower at 0 Brown Road. Roberts was before the Board about a year ago to renew the Special Permit for an additional five years. The installation is being conducted as a response of the Federal Communications Commission (FCC) to Hurricane Katrina. The FCC is not mandating the installations of this generator just yet, as that requirement is currently under appeal, however, AT&T is taking a proactive position and moving forward with the installation of the generators all across the country.

The proposed plan is to site a state of the art generator on an existing concrete slab, next to the tower base and existing fencing. AT&T is not the only carrier on the tower; however the generator will only supplies power to AT&T's equipment. Access to the generator will be provided through a sliding fence. Bardenheuer asked if the generator ran only during a power outage or does it recharge. Roberts stated the generator is inspected once a week during normal business hours, at which point it runs for approximately thirty minutes. Catalina had concerns with noise levels of the running generator and any near by houses. Roberts stated that within 200' the noise levels drop down to 50 decibels. It is McGuire Minar under standing that the closest structure may in fact be one hundred and fifty feet from the tower. Roberts thought the noise level was that of a luxury car.

Members discussed the weekly testing and how that would work out should the other co-locators be required to add a similar generator. Could there be a co-ordination between co-locators so that the weekly testing was not being done at the same time. Roberts was agreeable to setting a defined time for the weekly testing. Additionally, should another co-locator request a generator, AT&T and the co-locator would need to work out a schedule for testing so that they are not testing at the same time each week.

With no further questions, Bardenheuer made a motion to grant the modification, with the condition that requires weekly testing will be coordinated amongst other co-locators, the final decision is to be signed by the Chair on behalf of the board and the granting of the modification does not extend the Special Permit. McFarland seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_  
Michelle Catalina, Clerk

## DOCUMENTS & OTHER EXHIBITS

### **Review & Approve Five-Year Strategic Plan**

- Board of Selectmen Five Year Strategic Plan, undated

### **Modification of a Special Permit Hearing – New Cingular Wireless (AT&T), 0 Brown Road**

- Planning Board Application, received July 13, 2011
- Anderson & Kreiger LLP Cover Letter, dated July 12, 2011
- Harvard Planning Board Notice of Decision on Application of AT&T Wireless PCS, inc., dated March 9, 1998
- New Cingular Wireless PCS, LLC Special Permit and Driveway Site Plan Re-issuance Decision, dated September 12, 20005
- United States District Court District of Massachusetts Judgment, filed 01/31/2006
- New Cingular Wireless PCS, LLC Special Permit and Driveway Site Plan Re-issuance Decision Modification, dated January 8, 2007
- Harvard Planning Board Notice of Decision on Application of New Cingular Wireless PCS, LLC f/k/a AT&T Wireless PCS, LLC, dated September 2010
- Federal Communications Commission Radio Station Authorization, granted 07-07-2005
- AT&T Mobility MA3364 Harvard Zero Brown Road Plan, Sheet Numbers G-001, E-101, and E-401, dated 07/08/11
- Industrial Diesel Generator Set Primary Codes and Standards, undated
- Federal Communications Commission Order on Reconsideration, adopted October 2, 2007

### **Review & Approve Special Permit & Driveway Site Plan – Harris, Lot 1 (69) Whitney Road**

- Harvard Planning Board Notice of Decision on Application of Russell H. Harris, dated August 15, 2011