

**HARVARD PLANNING BOARD
MEETING MINUTES
DECEMBER 19, 2011
APPROVED: January 23, 2012**

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, Michelle Catalina, Peter Brooks and Maggie Green

Others Present: Liz Allard (LUB Admin), Mark Lanza (Town Counsel), Bill Johnson, Marie Sobalvarro, Marty Green (Harvard Press), Ron Ricci and Joe Hutchinson

ZBA Request for Comments – Traphagen & Day, 146 Still River Road

Members had previously reviewed the application filed on behalf of Mary Traphagen and Matthew Day for an addition to an existing structure at 146 Still River Road that will not conform to the required 60' setback. Members have no issues with the application or the request for a variance for the addition. A letter will be sent to the ZBA in that regard.

Master Plan Steering Committee Update

Joe Hutchinson was present to update the Board on the Master Plan Steering Committee recent activities. Hutchinson stated that the survey has been completed and is in final stages of testing prior to its release. Any final comments from McGuire Minar would be appreciated. The survey is set to go live in January and will run the entire month. A mailer will be sent to each household, as well as flyers in the backpacks of the elementary children. The website is in progress and will be in line with the survey. McGuire Minar asked that the current Master Plan be put on the website as well. Hutchinson stated that that subject matter is still being discussed within the Committee.

At this point Vision and Goals are in process and will be included in the final report. The main focal points are Town Center, Devens, housing, the commercial district and conservation of open space. The Committee is looking to develop working groups that are based on other committees already established in Town. These working groups can develop a plan as to what the goals are and how much it will cost. This information will lead into Phase II of the update process.

Trinity Financial Update

McGuire Minar stated that she has drafted a letter to Trinity Financial in regards to the public hearing on November 21st that did not have a quorum of the Planning Board. McGuire Minar has asked that Town Counsel review the letter prior to its release. The letter requests that Trinity reschedule the public hearing with the PB to meet the requirements of Chapter 498.

Discuss potential Bylaw Amendment to Chapter 125-22 Permitted Uses in the B District and 125-42 Types of Districts; interpretation

Board of Selectmen (BOS) member Bill Johnson was present, along with BOS Chair Marie Sobalvarro to discuss potential uses of the old library. Johnson explained that the fiscal year 2012 objectives of the BOS include the development of a plan for the old library over the next five years. Johnson, Sobalvarro, Town Administrator Tim Bragan and Willie Wickman, of the Pilot Project met last week to discuss the potential uses of that building. Currently the building is being utilized as a cultural center under a pilot project. Johnson stated that there are a number of key questions that need to be addressed quickly in regards to zoning and allowable uses. The area is currently zoned as AR. Questions to be answered are is a cultural center a commercial use, could the area be rezoned as a business district to include not only the old library, but other existing businesses within the Town Center, is the permitted uses within the Protective Bylaw need to be expanded to include a cultural district. Another factor to consider in developing a plan

for the use of the old library is the housing of the Town Hall and/or the Hildreth House during the proposed renovations to those buildings.

McGuire Minar asked if a cultural center would be funded by the Town. Johnson stated it would be brought to the BOS for review and then a report to Annual Town Meeting of what it is and how it will function to get that financial load off of the Town. McGuire Minar questioned the draw backs should a cultural center not be suitable for that location, would the property revert back to AR; would the property be leased or sold to a private organization? Johnson stated that if it was to be sold, it could be condition in a manner that would revert ownership back to the Town should the center not be successful.

Green wondered how the cultural use in AR-Districts, such as Fruitlands and Harvard Historical Society, sheds light on this. Catalina stated that this topic fits into conversations being had at Master Plan Steering Committee meetings. To Catalina this sounds like spot zoning; could an overlay district be created; this has to be looked at very carefully as this will allow everyone in the district to convert uses within the existing historical district.

Town Counsel Mark Lanza initial thought is to include the use as an institutional use in 125-16 of the Protective Bylaw, which is allowed within the AR-District. The use can be condition as a by right, special permit or require site plan review. Adding this type of use as an institutional use would be allowed by right in any district. Members felt that the use should require a special permit. Lanza's understanding of it is the buildings used as businesses in the Town Center have been grandfathered as the uses predated zoning.

Johnson stated he will know more in February as to how things will work out as far as use for Town Hall/Hildreth House renovations, he wanted to be certain to have this on the PB radar sooner rather than later. McGuire Minar stated that the PB will be as responsive as they can in the process.

Affordable Accessory Apartments Bylaw

McGuire Minar explained to the members that she has been speaking with Barbara Brady from the Municipal Affordable Housing Trust (MAHT) in regards to an Affordable Accessory Apartment (AAA) bylaw that will mimic the existing bylaw in the Town of Carlisle, which offers a no cost loan over a specified time period to complete updates to an existing structure to include an accessory apartment that would meet the affordability requirements. This proposal will require some protective bylaw changes and approval from the Department of Housing and Community Development, as well as a marketing plan. MAHT will be invited to the January 9th meeting to informally discuss this subject prior to the opening of the public hearings.

Catalina asked if the Board has ever hired a planner to write a bylaw. Lanza would advise the Board on a significant bylaw such as AAA, but someone with land use experience should be consulted. Catalina asked if it may be possible to have MAHT to pay for this consultant.

Protective Bylaw Amendments 125-41 Signs

The Economic Development Committee has revised the existing Signs bylaw as recommended by local business owners within the commercial district. The Committee will be invited to January 9th meeting to informally discuss the revisions prior to the opening of the public hearings. Two items that still need clarification are window signs and the provision that allows for flexibility of the bylaw.

Approval of Minutes

Catalina made a motion to approve the minutes of October 17 and November 7, 2011 as amended. Green seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Brooks made a motion to adjourn the meeting at 8:27pm. Green seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____ Maggie Green, Clerk