

**HARVARD PLANNING BOARD  
MEETING MINUTES  
FEBRUARY 13, 2012  
APPROVED: April 2, 2012**

Chair Kara McGuire Minar opened the meeting at 6:10pm in the Hildreth House under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

**Members Present:** Kara McGuire Minar, Michelle Catalina and Peter Brooks

**Others Present:** Liz Allard (LUB Admin), Tim Schmoyer, Bill Johnson, Marie Sobalvarro, Peter Warren, Ron Ricci, Tim Clark and Robin Calderwood

**Master Plan Steering Committee Update**

Catalina stated the survey has been completed with a tremendous response. There were a total of 684 responses, which included a total of 300 comments. The consultants are presenting survey data this evening to the Committee. Survey results will be presented at the March 3<sup>rd</sup> forum. The campaign for the forum will be going out within the next two weeks.

**Planning Board Candidate**

Tim Schmoyer was present to meet the board to discuss the appointment to the Planning Board. Schmoyer moved here last year with his wife and two children. After 24 years of frequently moving as part of his military service, Schmoyer is looking to build roots in the community and felt being a part of a Town board would give him that opportunity. Schmoyer is electrical engineer; he has served as the community mayor from 2005 to 2008. Land use tax base and Devens are two points of interest to Schmoyer. In regards to Devens, he has done a lot of research of its history, but not of its closure or its current status. Schmoyer was asked if he had any experience with the closing of a military base. Schmoyer explained that he was part of the Defense Base Closure and Realignment Commission and the closure of the base in Sole Korea. The members thanked Schmoyer for attending this evening.

Rich Marcello had expressed a desire in filling the associate member seat currently available; however he was unable to attend this evening. Marcello is currently serving on the Master Plan Steering Committee.

**Economic Development Committee Joint Appointments with the Board of Selectmen**

Chris Ashley and Duncan Chapman have recently submitted volunteer applications for the open seats on the Economic Development Committee. Both individuals are well known by Planning Board and Board of Selectmen members. Unfortunately, neither applicant's were able to attend this evening. With both applicants history of volunteerism the members were comfortable with making these appointments this evening. A motion was made and seconded to appoint Chris Ashley to the term to expire this year and Duncan Chapman to the term to expire in 2013 to the Economic Development Committee. A roll call vote was taken of the Planning Board, McGuire Minar, Aye; Brooks, Aye; Catalina, Aye; and of the Board of Selectmen, Sobalvarro, Aye, Clark, Aye, Ricci, Aye, Warren, Aye; Johnson, Aye.

**Planning Board Joint Appointments with the Board of Selectmen**

As previously mentioned, Tim Schmoyer was present in regards to the open seat on the Planning Board. The appointment to fill empty seats requires a joint appointment between the Planning Board and the Board of Selectmen. The appointment is valid until the next election, at which point any interested individuals must run for the position.

Bill Johnson was curious about Schmoyer experience in the military and at MITRE as it pertains to being part of a team. Schmoyer stated that during his military career he certainly had a lot of

team and leadership experience. In his current career at MITRE, he is responsible for teams' as few as six people up to one hundred people. Schmoyer has lead teams in combat, where in contrast at MITRE his responsibilities revolve around consulting. Marie Sobalvarro asked what caused him to be interested in being on the Planning Board. Schmoyer stated that Liz Allard had suggested the opportunity to him. Schmoyer added that he learned a lot about the Master Plan and the laws associated with land use during his application process with Conservation Commission.

Clark made a motion to appoint Tim Schmoyer to fill the vacancy created when Wayne McFarland resigned earlier this year until the next election. Ricci seconded the motion. A roll call vote was taken of the Board of Selectmen, Sobalvarro, Aye, Clark, Aye, Ricci, Aye, Warren, Aye; Johnson, Aye; and a roll call vote of the Planning Board, McGuire Minar, Aye; Brooks, Aye; Catalina, Aye.

Ricci made a motion to appoint Rich Marcello to fill the vacant associate member position with a yearly appointment. Johnson seconded the motion. A roll call vote was taken of the Board of Selectmen, Sobalvarro, Aye, Clark, Aye, Ricci, Aye, Warren, Aye; Johnson, Aye; and a roll call vote of the Planning Board, McGuire Minar, Aye; Brooks, Aye; Catalina, Aye

#### **Review & Approve the Decision – STC Five, LLC 47 Poor Farm Road**

Members and Town Counsel have reviewed the decision drafted for the modification of the current Special Permit for STC Five, LLC, a co-locator on the cell tower at 47 Poor Farm Road. With no additions or comments, Catalina made a motion to approve the decision as written and allow for McGuire Minar to sign on behalf of the Board. Brooks seconded the motion. The vote was unanimously in favor of the motion.

#### **Approval Not Required – Bluefin Development, Lot 2 Mill Road**

Allard stated the applicant made a request to withdraw the application without prejudice. Catalina made a motion to accept the applicant's request to withdraw the application for Approval Not Require for Lot 2 Mill Road without prejudice. Brooks seconded the motion the vote was unanimously in favor of the motion.

#### **Protective Bylaw Amendments for the 2012 Annual Town Meeting**

Members briefly discussed the proposed protective bylaw amendments for the 2012 annual town meeting. Those amendments include a revision of the existing sign bylaw, 125-41, a proposed subsection of the accessory apartment use that provides for an affordable accessory apartment incentive and a new solar provision that will aid in regulating the installation and maintenance of photovoltaic panels as a commercial use.

Catalina stated that in developing a provision for solar she is trying to find the right balance without imposing unreasonable barriers to solar. Brooks believes regulating the use in a commercial zone only is not unreasonable. Harvard has a sizeable commercial area that makes it doable. Robin Calderwood asked if it made sense to make an additional overlay district beyond the existing district under provision 125-53 of the protective bylaw. Brooks thinks that there is an argument that you are prohibiting it by not allowing it in the residential zone; he recommends trying it to see if it gets challenged. Catalina will continue to review other town's bylaw and tweak her draft of the solar provision, as well as keep an eye on bylaws that are awaiting approval from the Attorney General.

The public hearings for the revisions to the sign bylaw and the affordable accessory apartment use will begin on February 27<sup>th</sup>. The solar provision hearings will open on March 5<sup>th</sup>.

#### **Adjournment**

Catalina made a motion to adjourn the meeting at 7:15pm. Brooks seconded the motion. The vote was unanimously in favor of the motion.

Signed: \_\_\_\_\_ Peter Brooks, Clerk (in Green's Absence)