

**HARVARD PLANNING BOARD
MEETING MINUTES
AUGUST 6, 2012
APPROVED: August 20, 2012**

Chairwoman Michelle Catalina 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: Michelle Catalina, Peter Brooks, Tim Schmoyer, Rich Marcello and Joe Hutchinson

Others Present: Liz Allard (LUB Admin), Kerry & Tucker Evans, Bill Cordner, Diane Cordner, Worth Robbins, Ruth Silman, Bill Calderwood and Cal Goldsmith (GPR, Inc.)

Board Member Reports – Committee Activities

Schmoyer stated the discussion at the last Economic Development Committee meeting included the interest from the Town in a grocery store and restaurant; discussions held with local grocers; possible Protective Bylaw amendments; and the draft outline of the information to be gathered for the “white paper”, an analysis of what the Town would need in order to accommodate a grocery store.

Action items for the Planning Board include follow up with Montachusett Regional Planning Commission (MRPC) to determine if they could develop the above mentioned “white paper” and Protective Bylaw amendments to the square footage limitation on building size. Schmoyer asked if there is a 40,000 square foot limit. Catalina stated no, there is a 30,000 square foot limit within 125-52 Ayer Road Village Special Permit provision; otherwise it is limited to 15,000 square feet. Schmoyer asked if there is any fire code that restricts buildings. Catalina stated yes, height. Catalina will send her notes on what is and is not allowed under the Protective Bylaw as it pertains to the allowable sizes of buildings.

Hutchinson stated he attended the July 31st meeting of MRPC at which the Commission discussed the free mapping program which is available to municipalities within the region. The Commission discontinued the District Local Technical Assistance (DLTA) contracts for service with Ayer, Harvard, Shirley, Devens Residents Committee and the Joint Boards of Selectmen. The funds set aside by MRPC for this contract will be re-distributed to smaller projects.

Protective Bylaw Amendment Hearing. Opened at 7:45pm

Site Plan Approval – Harvard Community Solar Garden, 285 Ayer Road

Hutchinson recused himself from the discussion and joined the audience.

Brooks stated he feels the Planning Board is being put to the effort pretty quickly with the request of Site Plan Approval on a matter that requires an amendment to the Bylaw at Special Town Meeting scheduled for the end of this month. Brooks also feels that a consultant will need to be hired to review this site plan as the intended use is outside the capability of the current Planning Board.

Worth Robbins stated he has been active with the property owner to draft documents to secure the site for this development. Robbins expects to have a binding agreement in the next few weeks. Brooks stated a lease would have to be executed before Site Plan Approval would be satisfied. Brooks asked if there is anything being done to inform the public of what is happening not only with the amendment to the Protective Bylaw, but this development as well. Robbins stated there will be a comprehensive story in the August 17th issue of the Harvard Press. Brooks

suggested a mailer be sent to the residents prior to the Special Town Meeting as well. Marcello thinks a visual of the development along with the warrant would be helpful to residents.

Cal Goldsmith, GPR, Inc., stated the proposed plan is to construct a 500kW solar photovoltaic facility with access road along northern boundary of 285 Ayer Road. Site preparation will include the removal of brush and trees with no substantial grading. The site will have minimal disturbance, with mowing a couple of times of year. The installation of the panels will require the driving of piers into the ground. The existing site slopes down to the west. There is an existing septic system in the area to be developed. The site was a previously open field that has been allowed to go fallow. The site contains wetlands and riverfront area, as well as rare species habitat. The Natural Heritage Endangered Species Program has sent an approval letter with stipulations that have been met by the current plan and detailed with the Determination of Applicability issues by the Harvard Conservation Commission. The trees to be removed will not be ground and low shrubs will remain. Panels are sensitive to shading, if one panel is shade then the entire system of panels stop hybridizing solar.

Stone trenches have been added, but it has been determined that they are not needed and will be removed from the final plan. Goldsmith stated the development will be improving runoff conditions by changing the composition of the site from woods in poor condition to a hay field. Panels are not causing an impervious surface as they allow for runoff direct to the pervious surface. There is no required treatment of stormwater runoff as there is no deterioration of water quality. A hydrologic report has not been received.

Catalina noted items required under Chapter 125-38D & 39 for site plan review that have not been included such as, lot boundaries or landscape plan. Goldsmith stated he sees no need for a landscape plan as the proposed developed area has coverage, with no view from the abutters. The surrounding areas will remain wooded and undisturbed. Brooks stated there are more than plants and flowers in a landscape plan; Goldsmith spoke about a hay field as a final product, so how do you get to that Brooks asked. Goldsmith stated the construction notes outline the required conversion from woods to hay filed.

Brooks asked about the invertors and how the energy is generated. Goldsmith stated the panels generate direct current (DC), which is then converted to alternating current (AC) before the electricity is received at the 13.8 line on Ayer Road. This site will use two invertors. Schmoyer asked if each of the invertors would be 250kW or are they both 500kW as a back up to one another. Robbins stated the designer, Steven Strong, would need to answer that question, however Robbins does not think the invertors will both be 500kW. The invertors will be installed on a concrete pad, with wiring underground. Schmoyer asked why not along the access road. Goldsmith stated the design is to bring the electricity to where there is three phase power is being supplied, which is at the building. Schmoyer asked if GPR, Inc. has an electrical planner. Goldsmith stated no. Schmoyer would like to see the electrical lines as they exist out to Ayer Road. Schmoyer asked if the invertors would be oil filled. Robbins did not know. Goldsmith asked if Schmoyer asked for cooling purposes. Schmoyer stated yes. Schmoyer asked for cut sheets on invertors' life expectancy as well as the hum generated.

Brooks asked how often the proposed access road would be used. Goldsmith stated the access road is mainly to be used during construction; once complete the road would be used once a month for maintenance, along with twice a year for cleaning of the panels. There is no oil, lubricants or chemical treatment of panels. Schmoyer asked how each row is connected to one another. Robbins stated that he was not certain, but he would follow up with Strong. Schmoyer would like to have an idea of the connectivity of the rows.

The site will be secure with a six foot chain link fence. Catalina asked if there is any lighting on site. Robbins stated maybe on invertors; Strong will need to reply to this question. Is there any water supply for fire protection. Goldsmith stated the plan does not call for the supply of any water. What is the alternate plan for fire protection of such a system.

Robbins stated the Harvard Community Solar Garden, LLC does not have consent from electric company as of yet. An application has been submitted, final approval does not come until project is further along. This too will be a condition of the Site Plan Approval.

The Board requested the plan have elevations and a plan view. Catalina would like to know the overall developed area. With additional information required from the applicant, members and the applicant agreed to continue the discussion to the August 20th meeting of the Planning Board.

Modification to Driveway Site Plan Approval – Evans, Lot 2 Old Littleton Road (Map 18 Parcel 11.2.4)

As an abutter, Brooks recused himself from the discussion and joined the audience.

Kerry Evans stated the Fire Chief has reviewed the revised plan in regards to the turn around and the ability to maneuver an SU-30 along them. The Chief has indicated in an email dated August 1, 2012, he is in agreement with the current design. Catalina stated she has two issues; at the previous meeting the Planning Board asked the engineer to follow the requirements of the Protective Bylaw, Chapter 125-39B, which deals with driveways over 500' and the dictate the inside radius of a curvature along a driveway. Catalina explained the more curves the wider the driveway needs to be, which in this case is 40' and the plan shows 36'. Evans has no idea why the engineer put it at 36' and not 40'.

Catalina added that the turn around near the walkway needs to be rounded out to 20'. In addition construction details need to be included on the plan for the swales and culverts as proposed. Catalina stated the current plan looks like water is directed toward the house. Marcello stated he does not think the radius is needed at the front turn around near the walkway as it is an outgoing radius. Catalina stated that the Bylaw requires the radius; the PB does not have the ability to waive sections of the Bylaw unless it specifically states so. It was determined by reducing the number of guest parking spaces at this turnaround the required radius would be achieved. With additional information required for final approval, members and the applicant agreed to continue the discussion to the August 20th meeting of the Planning Board.

Approve Minutes

Brooks made a motion to approve the minutes of July 19, 2012 as amended. Marcello seconded the motion. The vote was unanimously in favor of the motion.

Review & Update Five-year Strategies & Objectives FY14 –18

Members briefly discussed the request from the Board of Selectmen to update the five-year strategies and objectives to include up to fiscal year 2018. Hutchinson will review the current document and make suggested changes for members review and approval at the August 20th meeting.

Master Plan Steering Committee Appointments

Due to the lateness of the evening Catalina did not want to get into a long dragged out conversation in regards to the current lack of a Master Plan Steering Committee (MPSC) and suggested the Board schedule another meeting to discuss the matter. After a brief discussion of the current make up of the MPSC, Schmoyer made a motion to dissolve the Master Plan Steering Committee. Catalina seconded the motion. Marcello, Brooks and Hutchinson abstained from voting. With the lack of a quorum for a final vote the motion failed. Members agreed that those not involved in the MPSC, Brooks and Schmoyer, needed additional background information prior to making any decisions on Phase II of the Master Plan. Members agreed to meet Monday August 13th at 7:00pm to further discuss.

Approve & Sign Scenic Road Consent/Driveway Site Plan Approval – Moran, Prospect Hill Road (Map 16 Parcel 1.1)

Allard had previously distributed the final version of the above referenced decision for members' comments. With no further comments, Brooks made a motion to approve the Scenic Road Consent/Driveway Site Plan Approval for Robert and Jessica Moran on Prospect Hill Road (Map 16 Parcel 1.1). Marcello seconded the motion. The vote was unanimously in favor of the motion.

Adjournment

Brooks made a motion at to adjourn the meeting at 10:01pm. Marcello seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

Harvard Planning Board

Protective Bylaw Amendment Hearing

August 6, 2012

Chairwoman Michelle Catalina opened the hearing at 7:45pm in the Town Hall Meeting Room under MGL Chapter 40A Section 5 and the Code of the Town of Harvard Chapter 125

Members Present: Michelle Catalina, Peter Brooks and Rich Marcello

Others Present: Liz Allard (LUB Admin), Bill Cordner, Diane Cordner, Worth Robbins, Ruth Silman, Bill Calderwood and Cal Goldsmith (GPR, Inc.)

Hutchinson recused himself from the discussion and joined the audience.

This hearing was continued from July 16, 2012 in regards to amendments to the Protective Bylaw, Chapter 125-53 Large-Scale Ground-Mounted Solar Photovoltaic Facilities Overlay District and Chapter 125-23 Permitted uses in the C Districts.

Catalina stated the parcels to be added to the overlay district include assessor's map 4 parcels 25 and 27; parcel 25 is 26.1 acres and parcel 27 is 13.4 acres. Catalina stated the amendment, if passed at Town Meeting, will give the property owner a right to develop solar on these two parcels. The amendment has been written with setbacks to preserve the business use and the residential property along Old Mill Road. In addition, when Catalina was looking for any information on access roads she re-read the Wireless Communications Towers Overlay District (125-27) provision and noticed the proof of ownership and the ability to hire a consultant to review the site plan. These requirements have been added to the proposed amendment of 125-53. The members present were in agreement with the additions.

In regards to the 300' setback from abutting properties, by staying with that setback there is not much more space available for development on the site due to pre-existing constraints of the site. Schmoyer asked about the substantially masked from view requirement within the provision. Schmoyer does not agree with 300' from Ayer Road and thinks it should be 150' on both Ayer Road and Old Mill Road. Brooks doesn't understand how the masking does not resolve the issue of a setback. Catalina stated the Site Plan review does cover some of the visual.

Schmoyer made a motion to change the language to a 150' setback in 125-53D(6). Brooks seconded the motion. Vote was unanimously in favor of the motion.

Brooks still struggles with developing a Bylaw amendment for a particular applicant. Marcello reminded Brooks of the Green Community status.

Brooks made the motion that the Planning Board to recommend the passage of the amendment to Chapter 125-53 as discussed this evening, as well as Chapter 125-23 at the Special Town Meeting. Marcello seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

EXHIBITS & OTHER DOCUMENTS

Protective Bylaw Amendment Hearing

- ❖ Article X - Amend Chapter 125 Protective Bylaw - 125-53 Large-Scale Ground-Mounted Solar Photovoltaic Facilities Overlay District, undated (Two versions, one with suggested amendments by Catalina and one without suggested changes)
- ❖ Article X - Amend Chapter 125 Protective Bylaw - 125-23 Permitted uses in C Districts, undated

Site Plan Approval – Harvard Community Solar Garden, 285 Ayer Road

- ❖ Solar Photovoltaic Farm Site Plan off Ayer Road (US 110 & 111) Harvard, MA, Job 121030, prepared by GPR, Inc., dated July 2012

Modification to Driveway Site Plan Approval – Evans, Lot 2 Old Littleton Road (Map 18 Parcel 11.2.4)

- ❖ Driveway Re-design Special Permit Plan, Old Littleton Road, Harvard, Massachusetts, Job No. 2012-14, Drawing 9149, prepared by Cornerstone Land Consultants, Inc., dated July 16, 2012
- ❖ Email from Richard Sicard, subject 81 Old Littleton Road, dated August 1, 2012