

**HARVARD PLANNING BOARD
MEETING MINUTES
OCTOBER 6, 2014
APPROVED: NOVEMBER 4, 2014**

Chairwoman Kara McGuire Minar opened the meeting at 7:04pm 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, Erin McBee, Joe Hutchinson and Don Graham

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Michelle Catalina, Maren Caulfield (Harvard Press), Jon Bishop (Nashoba Publishing) and Dan Klasnick (Duval & Klasnick LLC)

Planner Report

Scanlan reported he had met with John Hume and Sam Lawton of Montachusett Regional Planning Commission and the Fire Chief to discuss revisions to the Hazard Mitigation Plan. The Fire Chief has provided additional information addressing the Town's concerns. Scanlan explained by having this plan in place the Town is eligible for disaster mitigation grants. Scanlan further explained the Board of Selectmen had issues with the housing data, which included Devens statistics. As well, there was no mention of the fire at the Oxbow late last year in the Plan.

Scanlan stated the survey has been released to property owners and business owners in the commercial district under the District Local Technical Assistance grant being completed by Montachusett Regional Planning Commission. As of today, fourteen results have been received. The responses are due back in two weeks. It was suggested a note be put in the local newspaper alerting property owners and businesses in the district that the survey is available.

Follow up with the EDC on Public Forum on Zoning Bylaw Amendment to Chapter 125-13J and 125-52G

The members of the Economic Development Committee (EDC) were unable to attend this evening to discuss the outcome of the public forum on September 22nd.

Scanlan stated his impression is that EDC will be back with a bylaw amendment to increase the existing size of a grocery store. Scanlan stated it would be very helpful to define a grocery store. McGuire Minar asked Scanlan about bringing back a proposal to Annual Town Meeting (ATM) once it has been denied by ATM. Scanlan explained that the proposal could not come back before ATM for two years unless there is a significant change to the language. McGuire Minar asked about the "dying on the vine" comment by Town Counsel this past February when the Planning Board was discussing the request to amend the bylaw by the EDC. Scanlan agreed that if the PB took no action on the request and all required time frames have passed, then the request is moot at this point and a new request with actual proposed language would be needed to re-start the process of amending the bylaw.

Graham stated the thing he heard at the forum was feedback that could apply to either a 30,000 or 40,000 square foot grocery store; most do not want a grocery store; however, that is their opinion. Ultimately it would go back to what Annual Town Meeting votes for. The need to go forward on behalf of the EDC goes back to what the actual results of the survey have stated. Graham stated there seems to be a lot of discussion on something that is not going to happen, especially if there is the process of a Special Permit.

Hutchinson arrived at 7:32pm

McBee thought the forum was overtly negative towards grocery stores in general; she was not sure if reaction would be different if it was a different business, such as a restaurant.

McGuire Minar said the forum had a broader group of participants than we usually see commenting at Annual Town Meeting; the same can be said about the comments on Nextdoor Harvard. There was a 60 - 40 split at the forum of those who live in North Harvard and those who do not .

Hutchinson had the same impression as he had in June at the EDC forum. Hutchinson would like to know where the Planning Board is in the process of the requested bylaw amendment. McGuire Minar explained the PB is under no obligation to move forward with a bylaw amendment at this point. Should the EDC decide to move forward with another request is yet to be determined. McGuire Minar agrees defining what a grocery store is and developing design guidelines for the commercial district would be an essential piece of the puzzle. McGuire Minar stated she does not see the PB bringing forward this change on its own after the overwhelming negative response that was received at and prior to the public forum. Hutchinson too does not see an amendment passing at ATM. Should the EDC or a citizen's petition force the issue, then the PB will proceed as required. Hutchinson stated that once RKG is done with the Master Plan there will be professional recommendations on the district.

Discussion of bylaw amendments and when they should be submitted was discussed. Allard reminded the members that ideally request for such amendments should be submitted in early November with hearings beginning in early January to allow for final language of an amendment to be included in the printed warrant for ATM.

Review Volunteer Application for Vacant Member Position

Michelle Catalina was present to discuss with the members her desire to serve the remaining term that is currently available on the Planning Board due to Tim Schmoyer's resignation. Catalina has submitted the required volunteer form to the Board of Selectmen with a copy to the Planning Board.

Catalina explained she got involved in the process of the developing the commercial district in 2009 as a resident north of Route 2. Catalina has a concerned with the development of commercial land that abuts a condominium development that contains units that are valued at \$400,000. She feels individuals are missing the synthesis of the background information as it pertains to commercial development. Catalina feels the Town is reaching a breaking point with residents by repeatedly asking the same question every six months. Those involved in the process need to remember what has been done; it does not mean it is perfect. Catalina stated zoning changes bring big changes; there is a vision already for that area; with the right kind of development people would bend over backwards for it, and then there are others they will not.

Graham had no questions or comments for Catalina.

McBee asked if Catalina proposes helping with design guidelines. Catalina is concerned about her time, but thinks she can handle it. Hutchinson asked if Catalina would be in favor of pursuing a partnership with a corporate business to develop the district. Catalina stated the previous Economic Development Analysis Team always looked at it as a compromise with developers for goods and services needed in Town. Catalina reminded the PB that the EDAT came about because of a fiscal crisis in Town and what came out of that was that the commercial district is not a panacea for the Town.

Modification & Extension of Special Permit/Site Plan Review, Global Signal Acquisitions II LLC, 47 Poor Farm Road. Opened 7:59pm

Appoint Economic Development Committee Liaison & Montachusett Joint Transportation Committee Representative

With the resignation of Schmoyer the Planning Board has a liaison and a representative position open; those being the Economic Development Committee (EDC) and the Montachusett Joint Transportation Committee (MJTC). After a brief discussion, McBee made a motion to appoint Graham as the liaison to the EDC. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

Members agreed not to appoint anyone to the MJTC as a representative, but to keep an eye on the agendas as to any matter that may be of interest to Harvard. If an item appears to have need for representation then the Town Planner or a member of the Planning Board will attend.

Approve Invoice

McGuire Minar stated she had had a discussion with Scanlan in regards to his most recent invoiced and the amount of time being spent on particular items. Scanlan explained the September 26th invoice and his day to day activities. Scanlan stated he is an independent contractor and that he could work from home rather than be in the office; however he prefers to work here in Town, but it is not required. McGuire Minar thought the Town could put in some stipulations as to the hours. McGuire Minar compared two PowerPoint presentations and thought the changes were minimal and would not have required an additional fourteen hours along with an additional three hours for the requested map. McGuire Minar thought these times maybe excessive. Hutchinson asked if McGuire Minar thought Scanlan did not work those hours. McGuire Minar stated the Planning Board has an obligation to the Town to be certain they are getting their moneys worth. McGuire Minar suggested going forward there be a greater knowledge before hand as to what time is being spent on. Any request for the Planners time should come through the Land Use Administrator and forwarded to the Chair.

Hutchinson made a motion to approve the invoice for Scanlan in the amount of \$2400.00. Graham seconded the motion. The vote was 3-0 with McGuire Minar abstaining from the vote.

McBee made a motion to approve the second invoice for Scanlan in the amount of \$2160.00. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

Commercial Design Guidelines

Scanlan distributed an "outline for preparation of commercial design standards" to the members. McGuire Minar stated this is a great way to lay the process for commercial design guidelines. McGuire Minar stated she has spoken to individuals who may have interest on being a part of the committee and hopes to be able to appoint the committee at the October 20th meeting. Graham suggested adding time to discuss signage and how the zoning bylaw affects them. McGuire Minar suggested looking at ways to make incentives to the guidelines. McBee stated she is willing to take charge of the committee.

Board Member Reports

Hutchinson stated all of the working papers have been reviewed by the Master Plan Steering Committee (MPSC) and have gone back to RKG. The public forum on Devens has been scheduled and will give RKG the ability to flush out the tools that will be provided to make decisions on Devens.

Hutchinson stated the MPSC is making changes to website for two reasons; one to accommodate graphics that do not work so well, which will clean up the navigation and two the MPSC wants to be certain the website deals with implementation in the correct form. McGuire Minar asked where that website would live once the process is complete. Hutchinson stated currently Leslie Bunnell maintains an independent website for the MPSC. McGuire Minar thinks eventually it should be maintained by the Town. Hutchinson thinks having it in two places is resourceful.

Board of Health Request

Allard stated she had previously sent out a memo from the Board of Health (BOH) in regards to "Preparing for the Effects of Climate Change at the Municipal Level". The BOH is seeking to convene a meeting with representatives from different boards and committees in Town to discuss how Harvard can plan to provide for their residents in the face of these effects.

McGuire Minar asked if this similar to the hazard mitigation plan. Scanlan stated it could be in parallel at times. McGuire Minar stated she would be interested in representing the Planning Board. Allard will forward that information to the BOH.

Review Revisions to Chapter 133

Scanlan asked if there was someone else willing to help work on the revisions now that Schmoyer has resigned. McGuire Minar stated she would be willing to assist. Hutchinson explained the process has expanded into creating a separate document that details the policy and procedures of the Planning Board and allowing for Chapter 133 to be the regulations as it pertains to filing an application with the Planning Board.

Both Scanlan and Hutchinson hope to have a reviewable document to the members before the next meeting on October 20th.

Adjournment

Hutchinson made a motion to adjourn the meeting at 9:02pm. Graham seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

Harvard Planning Board

Modification & Extension of Special Permit/Site Plan Review

Global Signal Acquisitions II LLC, 47 Poor Farm Road

October 6, 2014

Chair Kara McGuire Minar opened the hearing at 7:59pm in the Town Hall Meeting Room under MGL Chapter 40A and the Code of the Town of Harvard, Chapter 125

Members Present: Kara McGuire Minar, Erin McBee, Joe Hutchinson and Don Graham

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner) Maren Caulfield (Harvard Press), Jon Bishop (Nashoba Publishing) and Dan Klasnick (Duval & Klasnick LLC)

This hearing is for the Modification & Extension of a Special Permit, along with Site Plan Review filed on behalf of Global Signal Acquisitions II LLC for the replacement of existing antennas and ground equipment at 47 Poor Farm Road, Harvard.

Dan Klasnick, of Duval & Klasnick LLC, was present to represent the applicant. Klasnick explained the application is for the replacement of the three existing antenna with six new antennas and the addition of one fiber cable. The existing concrete pad will get an additional cabinet, with no generator. The changes to the tower will improve service in Harvard for T-Mobile subscribers. The addition of the antenna requires no changes to the existing stealth cover. McGuire Minar asked about expanded coverage. Klasnick stated it will not increase coverage, but instead keep up with demand. Scanlan stated with the increase in data use by subscribers this is a need for the public that use the service. Scanlan has reviewed the plan and saw no impacts by the upgrade. McGuire Minar asked if there is any change in noise output. Klasnick stated there is not, as the same fan as used previously and will continue to be used. McGuire Minar asked what the time line is for the change. Klasnick stated as quickly as they can get the approvals.

With no further questions or comments from the members or the general public, McBee made a motion to close the hearing and to issue the requested modification to the Special Permit and Site Plan approval. Hutchinson seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk