

**HARVARD PLANNING BOARD
MEETING MINUTES
JUNE 1, 2015
APPROVED: JULY 20, 2015**

Chair Kara McGuire Minar opened the meeting at 7:05pm in the Hapgood Room at 7 Fairbank Street under M.G.L. Chapter 40A and the Code of the Town of Harvard Chapter 125

Members Present: Kara McGuire Minar, Erin McBee, Don Graham, Michelle Catalina and Fran Nickerson

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press), Gary Shepard (Ross Assoc.), John Osborn (Harvard Press) Tim Hatch, Ron Ricci and David Hopper

Board Member Reports

McBee stated the Commercial Design Guidelines Task Force is scheduled to meet on Wednesday.

Catalina stated the Community Preservation Committee (CPC) is preparing to send out notices for annual requests for funding. The CPC wants to make its decisions on funding earlier this year to be in line with the budget process. Applications are due September 25th at 4pm to Julie Doucet in the Selectmen's office. The CPC will review those applications with the applicants at their October 7th and 21st meetings; with a decisions made by December 11th. Funds are limited due to the continued allocation of funds for the renovation to Town Hall.

Graham stated the Economic Development Committee (EDC) is meeting next Tuesday June 9th with the Planning Board get a better understanding of the direction they should be taking. Graham noted there is an opening on EDC that needs to be filled.

McBee stated she chaired the initial meeting of the Town Center Transportation Committee on behalf of Catalina. Introduction of the committee members were made, a discussion of what is being sought from the committee and what has done before was discussed. Brad Harris, from Montachusett Regional Planning Commission, was in attendance at the meeting to review previous studies that have been conducted. Issues with the schools traffic and circulation were discussed. The primarily focus of the evening was to bring Harris up to speed on what had been addressed previously. The next meeting is set for June 18th at which members will discuss the data collection to date.

McGuire Minar stated the bidder's conference for the Request for Proposals for the Devens Impact Evaluation for the Master Plan was held this morning, with two potential bidders were in attendance. The members reviewed the schedule for executing this contract prior to June 30th.

McGuire Minar stated the Board will discuss under the agenda item "MassDevelopment Zoning Changes", along with the small working group she assemble in an attempt to come to a consensus or understanding as to where certain boards and committees stand on the proposed zoning changes by MassDevelopment for Devens.

McGuire Minar requested Scanlan to review incoming agendas from Montachusett Regional Planning Commission in regards to the Joint Transportation Committee to determine if there is anything that Harvard should be involved with.

Planner Report

Scanlan reported that the Master Plan Steering Committee has broken up into teams to review the chapters of the Master Plan. Comments will be sent to Scanlan for incorporation into the final Plan.

Scanlan stated he has been working on updating the Affordable Housing Plan with 2010 census data.

Approve Minutes

Catalina made a motion to approve the minutes of April 6, 2015 as amended. McBee seconded the motion. The vote was 4-0, with McGuire Minar abstaining from the vote.

Approve Invoice

Allard stated the Board has received the following invoice for inclusion on the next bill warrant.

- William Scanlan - \$2400.00 (Town Planner)

Catalina made a motion to approve the above invoice. McBee seconded the motion. The vote was unanimously in favor of the motion.

District Local Technical Assistance

Scanlan stated Montachusett Regional Planning Commission has opened another round of funding under the District Local Technical Assistance (DLTA) grant. Catalina suggested a review of a cluster development bylaw or the development of a survey for residents in regards to affordable housing, to determine what types of affordable development people will be acceptable with. Members discussed the potential of allowing for assisted living facilities and the potential impacts of such a facility would have on town resources. Scanlan stated the application is due June 22nd. The members can further discuss and decide at the June 15th meeting. McGuire Minar wondered if the engineering needed to provide a rotary at Ayer Road and Poor Farm Road could be completed under the DLTA.

Approval Not Required Endorsement – Richard Case, Jr., Bolton Road (Map 30 & 31 Parcel 106 & 25)

Gary Shepard, of Ross Associates, was present to represent the applicant, Richard Case. Shepard explained the plan before the Board is to further divide the two lots (A & B), endorsed by the Planning Board on May 18, 2015, into five building lots. Each lot consists of appropriate frontage and access along Bolton Road.

McGuire Minar made a motion to endorse the Approval Not Required Plan for Richard and Charles Case, for the creation of five lots along Bolton Road as shown on the plan dated May 2015, Plan No. L-12531B. Nickerson seconded the motion. The vote was unanimously on favor of the motion.

Montachusett Regional Planning Commission (MRPC) Representatives

Allard explained that she has spoken with Glen Eaton at MRPC in regards to the potential of having members rotate their attendance at the meetings rather than appoint one individual. Although, Eaton commended the Board on its ingenuity the provision which created the Commission only allows for there to be one appointed individual who is able to vote on matters on behalf of the community they represent. Members agreed to table this discussion until next meeting.

ZBA Request for Comments – Pettrossi, 64 Warren Avenue

Scanlan explained the application before the ZBA is for the demolition of the existing dwelling and the rebuilding of a new dwelling that will double in size. McGuire Minar stated this appears to be a situation in which the applicant is seeking forgiveness to build a larger dwelling because the existing structure is nonconforming. With 2.4 acres of land for the parcel why can't the new dwelling be located so it would now be conforming? Scanlan noted the proposed dwelling does not increase any of the existing

nonconformities; in fact the new dwelling is less non-conforming by one foot. McBee stated concerns with stormwater runoff into the pond as there will be an increase in impervious surface. The members asked Scanlan draft a letter to the expressing their concern with the application as proposed in regards to it being new construction and therefore should be required to meet the current setbacks for new construction, the proposed structure is double in size, yet is only a two-bedroom dwelling, and how will stormwater runoff be controlled.

MassDevelopment Zoning Changes

Final language on the proposed zoning amendments for Devens had been previously distributed to the members for Super Town meeting on Monday June 8th. Points made during the working group session organized by McGuire Miner were handed out to the Planning Board members. Ron Ricci and David Hopper stated they were here as residents of the Town and not representatives of their respective boards.

Hopper stated he is concerned with the Shirley proposal for 125 units of senior housing; this would be a large increase on the housing cap of 282 units. Hopper stated this is not first time MassDevelopment has proposed increasing the housing cap; the original cap was thought of very carefully and any increase should be as well. The impacts of raising the housing cap to the surrounding communities may not always be considered when such an amendment is proposed. For example, under Section 21 of the agreement the towns shall not assess any taxes on the properties in Devens, however those residents have the ability to access services provided in each of the Towns, including vote for increases in funding. Catalina stated Devens residents are still paying taxes, maybe not to Harvard, but they are still paying taxes and should be worded as so. Hopper's point is that Devens residents can vote to increase Harvard taxes but not pay those taxes.

Catalina asked if anyone ever brought up surcharge to MassDevelopment; if they want to increase the cap then can't there be a surcharge for that. Ricci thinks this is an opportunity to ask the questions that need to be asked.

Hopper thinks if there are proposed zoning changes for the development of the 120 units in Shirley, then these changes should apply to all of the units allowed within Devens and not just the Shirley units.

A review the language has indicated that MassDevelopment did not incorporate the comments made during the hearing process into the final language. There was no maps provide for the proposed districts, therefore it is difficult to get an understanding of how the proposed changes will fit in to the overall scheme of things. Scanlan noted there are maps included with the amendment, however they do not show Devens as a whole.

Catalina asked if Harvard is aware of whether or not the Town of Shirley is supportive of the proposed amendments. Ricci stated he is not sure where Shirley stands, but that there is a meeting there this evening on the matter. Hopper stated that MassDevelopment has stated this was a proposal by Shirley.

Scanlan stated Article 1 assists in the need for this type of housing. McBee asked why does it require an increase to the housing cap. Scanlan stated because it would reduce the remaining number units that are allowed. Catalina feels this type of housing within the Town of Shirley would compete with development in Harvard. In addition, Bolton is currently working out a proposal for a 60 unit assisted living facility. Hopper thinks Scanlan point is correct, but the question is how they are going about it and not addressing the need in Ayer or Harvard.

McBee and Graham do not feel strongly about taking a position on the proposed amendments. Catalina feels the Planning Board (PB) should take a vote, which helps guide those who have not informed themselves fully. Catalina can understand if members of the PB are not ready to vote tonight. Nickerson feels others at the table may have more knowledge than she. The members agreed to vote on their position on each of the four articles proposed by MassDevelopment. The votes were as follows:

On McGuire Minar/McBee motion, the Planning Board voted in opposition of Article 1: Devens – Revisions to Devens Zoning Bylaw, Devens Zoning Map, and Devens Reuse Plan – Allow for Senior Residential use in the Shirley Village Growth I District.

On a McGuire Minar/Graham motion, the Planning Board voted in opposition of Article 2: Devens – Revisions to Devens Zoning Bylaws, Devens Zoning Map, and Devens Reuse Plan – Allow for Health Care Uses in the Village Growth I District.

On a McGuire Minar/ McBee motion, the Planning Board voted in support Article 3: Devens - Revisions to Devens Zoning Bylaws, Devens Zoning Map, and Devens Reuse Plan – Rogers Field, Willow Brook Corridor & Adams Circle Zoning Swap.

On a McGuire Minar/McBee motion, the Planning Board voted in opposition of Article 4: Revisions to Devens Zoning Bylaws, Devens Zoning Map, and Devens Reuse Plan – Allow for Office and Research Uses on the Southern Portion of Grant Road.

Master Plan Update

See Board members update

Town Planner Process Review

Allard will distribute the received request for proposals on Thursday to the members for their review.

Adjournment

Graham made a motion to adjourn the meeting at 9:47pm. McBee seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

DOCUEMENTS & OTHER EXHIBITS

Approval Not Required Endorsement – Richard Case, Jr., Bolton Road (Map 30 & 31 Parcel 106 & 25)

- Plan of Land in Harvard, Mass., owned by Richard D. Case Jr. and Charles A. Case, prepared by David E. Ross Associates, Inc., Job No. 26751, Plan No. L-12531B, dated May 2015

MassDevelopment Zoning Changes

- Warrant for the Special Town Meeting, June 8, 2015