

**HARVARD PLANNING BOARD
MEETING MINUTES
JULY 20, 2015
APPROVED: AUGUST 24, 2015**

Chair Kara McGuire Minar opened the meeting at 7:25pm 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 and Fran Nickerson

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press), Christian Bilodeau (Tree Warden), Katherine Bailey (Robinson & Cole) and Allie Black

Scenic Road/Stonewalls & Vegetation Control

McGuire Minar stated she had requested this informal discussion with the Department of Public Works (DPW) Director, Rich Nota and the Tree Warden, Christian Bilodeau, to have better understanding of the vegetation control along scenic roads. Nota was unable to attend this evening, but Bilodeau was present. McGuire Minar stated Nota had responded to comments on Nextdoor Harvard on this matter. Residents have concerns over the use of the boom flail mower and the “path of destruction” it leaves behind. McGuire Minar stated under the Scenic Road Bylaw residents are required to apply to the Planning Board when activity involves the disturbance of a stone wall within the right of way on a designated scenic road; this bylaw includes a definition of tree (tree whose trunk has a diameter of one (1) and one-half (1.5) inches or more as measured one (1) foot from the ground) for the removal of shade trees along scenic road. It is McGuire Minar’s belief that if residents have to be held to these standards so too should the Town and its employees.

Bilodeau explained how the equipment is design to cut back scrub shrub and over growth along roadways. In his opinion the trouble occurs when the equipment is used as a 90° angle to cut higher vegetation. Another issue is the follow up to the cutting; it appears in most cases that the DPW does not return to remove the cut vegetation along the road way. Bilodeau stated shade trees should not be mowed down in the process of managing vegetation along roadways.

Those present agree a policy for roadside vegetation management should be crafted and agreed upon as they expect the Town to follow the rules as the residents are required to do so. Scanlan suggested the DPW should request the Tree Warden to review the areas for any shade trees prior to activity.

McGuire Minar thanked Bilodeau for attending this evening and will follow back up with Nota on this matter.

Board Member Reports

McGuire Minar stated the former Master Plan consultant, RKG, had been seeking a final payment of \$20,340.00; in negotiations with the Town Administrator RKG has reduced that amount to \$16,000.00. This new information will be discussed with the Master Plan Steering Committee, which most likely will result in additional negotiations between RKG and the Town.

McBee stated the Commercial Design Guidelines deadline has been re-set with the set back of Master Plan. McBee is hoping to have a draft ready for the committee members to review by the first week of September, with a meeting for second week of September.

Planner Report

Scanlan updated the members on the contract with Burns McDonnell who will be completing the Devens Impact Evaluation as part of the Master Plan. Burns McDonnell has begun work and has established benchmarks with the Master Plan Steering Committee.

Approve Invoice

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

- Montachusett Regional Planning Commission, \$1658.85

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

Master Plan Steering Committee Update

See Planner Report

Update on the District Local Technical Assistance Grant

Scanlan stated the Department of Housing and Community Development (DHCD) has responded to the request for funding for an impact study of an assisted living facility. DHCD stated the request may not meet the criteria as it is too specific to one housing need. The request could be modified to determine the available housing opportunities within Harvard. DHCD may be more amenable to this request. There is a potential of opening the door to types of development the Planning Board is not interested in putting forth to the community.

Nickerson suggested talking to the Council on Aging and their housing committee. In addition, it was suggested an article to the Harvard Press about the fact the PB is looking to research the topic and is seeking feedback from the residents.

Graham arrived at 7:42pm

Special Permit Hearing – Bell Atlantic Mobile of Massachusetts Corporation, d/b/a Verizon Wireless, 60 Old Shirley Road. Opened at 7:42pm

Approve Minutes

McBee made a motion to approve the minutes of May 4, 2015 as amended. Graham seconded the motion. The vote was unanimously in favor of the motion.

McBee made a motion to approve the minutes of May 18, 2015 as amended. Nickerson seconded the motion. The vote was unanimously in favor of the motion.

Nickerson made a motion to approve the minutes of June 1, 2015 as amended. McBee seconded the motion. The vote was unanimously in favor of the motion.

McBee made a motion to approve the minutes of June 9, 2015 as amended. Graham seconded the motion. The vote was unanimously in favor of the motion.

Review Updates to Chapter 133 Planning Board Procedural Rules & Regulations

Members reviewed and made recommended changes to sections 133-1 to 133-5E of Chapter 133.

Board of Health Request to Streamline Seasonal Conversions to Year-round Residences

Liz Allard reported the Board of Health will be working on a document that will be circulated for comment from other boards and commission in regards to guidance for seasonal conversion.

Adjournment

McBee made a motion to adjourn the meeting at 9:18pm. Graham seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

Harvard Planning Board

Special Permit Hearing

Bell Atlantic Mobile of Massachusetts Corporation, d/b/a Verizon Wireless

60 Old Shirley Road

July 20, 2015

Chair Kara McGuire Minar opened the hearing at 7:42pm under MGL Chapter 40A and the “Code of the Town of Harvard”, Chapter 125, in the Hapgood Room

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

Others Present: Liz Allard (LUB Admin.), Bill Scanlan (Town Planner), Maren Caulfield (Harvard Press), Katherine Bailey (Robinson & Cole) and Allie Black

Katherine Bailey, of Robinson & Cole, and Allie Black, from Verizon, were present to represent the applicant. Bailey explained the application is for the replacement of nine of the twelve panels on the existing cell tower on Old Shirley Road. Six new radio heads, two surge protectors and an internal cable will also be installed at the site. The installation involves no new construction or site changes. Bailey explained a building permit was denied by the Building Commissioner on the grounds that there was no valid Special Permit as a co-locator for this site. Bailey stated relief was sought under the Federal Middle Class Tax Relief and Job Creation Act of 2012. Town Counsel advised the Planning Board that although the applicant could not be denied a Special Permit under the Act it did not preclude them from applying for said Permit.

Bailey addressed questions in regards to why the request is a modification of the existing expired special permit. McBee asked if there proof of an existing bond as required under Chapter 125-27 of the Protective Bylaw had been provided. Scanlan stated he located one within the existing files and has asked Robinson & Cole to confirm it is still in effect. Black stated it has not been canceled but may need new one for the equipment. After a discussion about receiving confirmation that the bond is in fact valid, it was agreed the Special Permit would not be issued until proof of the bond was submitted to the Planning Board.

McBee made a motion to close the hearing and grant a Special Permit to the applicant for modification and extension and driveway site plan approval for the replacement of antennas on a wireless communications tower at 60 Old Shirley Road with the condition that bond for removal is confirmed prior to the issuance the Special Permit. Graham seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk