

**HARVARD ZONING BOARD OF APPEALS
MINUTES OF MEETING
FEBRUARY 11, 2009
APPROVED: July 7, 2009**

Chairman Chris Tracey called the meeting to order 7:45pm at in Town Hall break room

Members Present: Chris Tracey, Steve Moeser and Theodore Maxant

Others Present: Liz Allard (LUB Admin)

Review and Approve Final Plan – Farrell 119 Tahanto Trail (Map 26 Parcel 59)

As required by decision, #06-SP-2007, for Kathryn Farrell at 119 Tahanto Trail the members reviewed the revised plan, dated November 27, 2007 prepared by Cornerstone Land Consultants, 61 Main Street, Pepperell, MA. Steve Moeser made a motion to accept the plan as submitted. Theodore Maxant seconded the motion. The vote was unanimously in favor of the motion.

Amendments to the Application for Hearing for Zoning Board of Appeals and the Continuation of the Amendments to the Code of the Town of Harvard, Chapter 135.

Opened at 7:50pm

Theodore Maxant departed the meeting at 9:00pm.

Adjournment

Steve Moeser made a motion to adjourn the meeting at 9:35pm. Chris Tracey seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk

Harvard Zoning Board of Appeals
Amendments to the Application for Hearing for Zoning Board of Appeal &
Continuation of the Amendments to the Code of the Town of Harvard Hearing
Meeting Minutes
February 11, 2009

Chairman Chris Tracey opened the public hearing at 7:50pm under MGL 40A, Section 9, in the Town Hall Meeting Room.

Members Present: Chris Tracey, Steve Moeser and Theodore Maxant

Others Present: Liz Allard (LUB Admin)

This hearing was continued from December 10, 2008 for Amendments to the Code of the Town of Harvard, Chapter 135, Zoning Board of Appeals and the Comprehensive Permit Rules and Regulations for Board of Appeals. This hearing also includes the opening of Amendments to the Application for a Hearing for the Zoning Board of Appeals.

Members discussed amendments made to the application by Liz Allard. Allard explained that she had not changed any of the fees and only changed the application to reflect what is described in Chapter 135 of the Code of the Town of Harvard. In discussing fees the members wondered if additional fees can be placed on Comprehensive Permit applications for additional meetings since this type of applications takes several months to come to a decision. Members wanted to know if there is a basis for establishing fees. Members wanted to know what the difference is between "Failure to Enforce Administrative Appeal" and "Other Administrative Appeals". Allard will follow up with Town Counsel on these questions. Chris Tracey suggested the application clearly state that the applicant will be responsible for payment of the legal notices.

Members discussed amendments made to Chapter 135, Zoning Board of Appeals, of the Code of the Town of Harvard. Allard has added to §135-11 Fees the language that requires the applicant to pay for the legal notices direct to a local newspaper of general circulation. Members made other changes to the Chapter. Allard will incorporate the changes and re-distribute them for members to review.

Steve Moeser made a motion to continue the hearing to March 11, 2009 at 7:30pm. Chris Tracey seconded the motion. The vote was unanimously in favor of the motion.

Signed: _____
Liz Allard, Clerk