

**SELECT BOARD  
AGENDA  
Tuesday, September 3, 2019  
7:00pm  
Town Hall Meeting Room  
13 Ayer Road, Harvard, MA 01451**

**Alice von Loesecke (Chair), Stu Sklar, Lucy Wallace, Kara McGuire Minar, Rich Maiore**

- 1) Call Meeting to Order – Alice von Loesecke*
- 2) Meet with Community & Economic Development Director Chris Ryan to review his Ayer Road plan (7:00)*
- 3) Act on request from the Devens Enterprise Commission (DEC) to approve issuance of an off premise liquor license (7:20)*
- 4) Preparation for All Boards meeting (7:35)*
- 5) Public Communication (7:45)*
- 6) Action/Discussion Items: (7:50)*
  - a) Act on transfer of one day liquor licenses for Carlson Orchards from July & August to September & October*
  - b) Set date October 28<sup>th</sup> for the Fall Special Town Meeting*

***NEXT SCHEDULED MEETING  
Town Hall Meeting Room  
September 17, 2019  
7:00pm***



# Ayer Road Corridor Planning Framework

AUGUST 2019 – Version 4.0



Harvard Planning Board

13 Ayer Road

Harvard, MA 01451

978.456-4100 x323

[cryan@harvard.ma.us](mailto:cryan@harvard.ma.us)

<http://www.harvard.ma.us>

## A. Executive Summary

Ayer Road, with its Commercial zoning district, is unquestionably the single best opportunity that the Town of Harvard has in developing even a modest commercial tax base and offsetting the residential and agricultural tax burden. However, the approach must be measured and sensitive to the desires and expectations of the citizens of Harvard. Some of this feedback from residents has been in the form of responses to business-oriented surveys, other feedback was collected during the master planning process. Based on this strong interest, creating a framework for action is viewed as a critical task in the Economic Development work program for the Director. Therefore, since such a project must be meticulously scoped and framed, and the fact that you get to do this only once and if it is not a success, we may live with the result for a generation or more, this effort required a form of “white paper” to recommend a 3-phase strategy for achieving a successful planning and regulatory outcome in order to “set the table” properly in an orderly manner, for the ultimate development and re-development of the Ayer Road Corridor. Thus, the following steps are recommended, in specific order:

1. Market Analysis and Fiscal Impact Analysis – This shall provide data regarding the types and scales of uses that the market area can support. It will also show how much this development will contribute to local municipal revenues. It will not, of course, make the call related to whether all of the development that is viable, should be pursued.
2. Corridor Vision Plan – This will be a comprehensive plan for a specific area, the Ayer Road commercial corridor, which will include traffic and transportation network analysis, land use and zoning analysis, design analysis, public and stakeholder outreach, and other criteria relevant to studying the commercial objectives of the town while preserving and protecting what is important to the town’s character as the Town moves forward.
3. Zoning and Regulatory Tools – An expected result of the Corridor Vision Plan is a recommendation to significantly improve the zoning and other regulatory tools that govern the C district along Ayer Road. Once these tools are on place and other facets of the Vision are achieved, then the desired type and scale of development can commence with much less concern over the outcome and impacts.

These steps have been identified as important because meticulously building a convincing argument for the type and scale of development that could be of immense value to the Town of Harvard is a required prerequisite. This argument requires hard data on marketability as well as net positive fiscal impact. It requires significant public input into design and outreach regarding development impact. Finally, it requires a predictable tool for both citizens and the developer to assure that the vision developed in the corridor plan is achieved. It is important to note that the analysis, planning and potential creation and adoption of zoning tools to achieve the desired outcomes constitutes a public process. Inherent in this process is continuous public outreach and feedback.

This document is intended to provide the detailed steps that this office believes are necessary to have that successful outcome. It also notes the timeframe, anticipated range of costs, and actions that need to occur. It is meant to inspire informed discussion of how the Town should proceed and ultimately it is a kind of policy paper for the Planning Board so that it may formally endorse the proposed program.

## B. Property Summary

### 1. Location Information and Description:

The area is located on the north side of the Town of Harvard approximately 4 miles west of Interstate 495, approximately 19 miles from Route 128, and approximately 34 miles to the center of Boston. Harvard is also 10 miles to Leominster, MA, 20 miles to Nashua, NH, and 29 miles to Worcester, MA. Harvard is defined<sup>1</sup> as a “Developing Suburb” with a sub-type description as a Country Suburb. This type of community is typified with *very low density, room to grow, country character*. Additionally, these types of communities generally are:

- Low density communities with no significant town center and no compact neighborhoods;
- Possess large amounts of vacant developable land (>35% of total town area is vacant & [technically assumed to be] developable);<sup>2</sup>
- Characterized by new growth: with conventional low-density subdivision development on vacant land; and
- Generally, are often growing rapidly (population and households).

While Harvard does not fully embody all of these descriptors, the potential for higher population growth through the proliferation of conventional subdivisions is a distinct possibility, although not widely supported as noted in the 2016 Master Plan.

### 2. Site Dimensions:

The project area is approximately 344.5 acres along a +/- 1.2 mile stretch of Ayer Road (Route 110/111) extending from the Route 2 interchange to 1/3 mile south of the Ayer Rotary. See map on the following page (Figure 1) for a recent zoning assessment of the study area (the lands zoned Commercial or C).

### 3. Existing Land Use and Building Conditions:

There are a variety of land uses within the +/- 344.5-acre corridor area. They include retailing, general office, medical office, over-55 rental residential, single-family residential, personal services, heavy commercial uses, manufacturing, institutional, and indoor recreation.

See APPENDIX A – Inventory of Properties in Commercial District (pending), for a complete description of properties in the corridor. In summary, there are a variety of commercial, industrial, and residential buildings in the corridor in varying conditions and quality. There is no overall character or design theme or pattern of the development currently in the project area other than it is very low density.

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<sup>1</sup> MAPC, Massachusetts Community Types, [http://www.mapc.org/wp-content/uploads/2017/09/Massachusetts-Community-Types-Summary-July\\_2008.pdf](http://www.mapc.org/wp-content/uploads/2017/09/Massachusetts-Community-Types-Summary-July_2008.pdf)

<sup>2</sup> Note that this does not take into consideration zoning constraints and land constraints such as ledge.

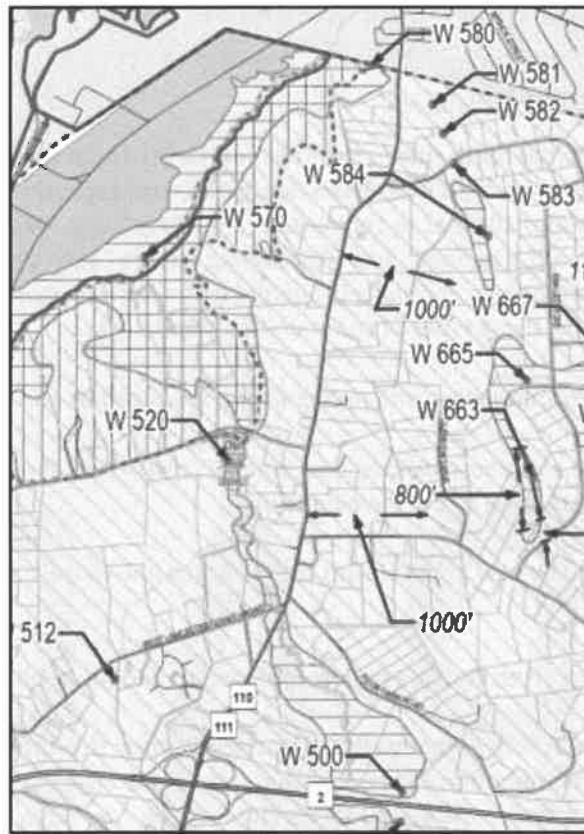


Figure 1 - Map of Harvard Commercial Zoning

4. Zoning Criteria:

The current zoning in the corridor is Commercial (C) with the option for an Ayer Road Village Special Permit (ARV-SP) that allows mixed-use development. However, one purpose of the proposed project is to modify the zoning to be denser with more specific and articulated design requirements, favoring mixed-use development more clearly, and facilitating specialized zoning tools and process to assure residents of a specific design and siting scheme.

5. Utilities and Other Infrastructure:

Presently, the Ayer Road commercial corridor is not served by public water or sewer. Nearby Devens has a public water supply system that is estimated to have a capacity in excess of five (5) million gallons/day. Devens also has a wastewater treatment plant that has the capacity of approximately 4.65 million/gpd and is presently at 30% of capacity. Both of these systems could conceivably be extended to the Ayer Road corridor either via Old Mill Road or Lancaster County Road.

As summarized in the Economic Development Analysis Team (EDAT) report, a gravity system from Devens along Old Mill Road was estimated to cost \$8.0 million. The Team also suggested an

alternative low-pressure system (LPSS) alternative at a lower cost. Investigations into linking the corridor to that system are ongoing and are a vital element in a successful development plan. Without it, some change can be facilitated but the development pattern would remain largely the same.

#### 6. Transportation and Access:

The site area (corridor) is directly adjacent to the State Route 2 interchange and directly follows State Route 110/111 which is a minor arterial. The closest mass transit to the site is the Ayer commuter rail station located 1.6 miles to the north and west. Ayer Road is bisected by:

- West Lancaster County Road
- Poor Farm Road
- South Shaker Road
- Old Mill Road
- Myrick Lane

Ayer Road traffic counts for the area north of Route 2 were 13,650 average daily traffic (ADT) as of 2014. This exceeds the count for a number of more urbanized roads such as Route 4 in Chelmsford (9200 as of 2017) or Littleton Road in Westford (9718 in 2018) and not much less than Great Road in Littleton or in Acton. A fairly substantial number of tractor trailer trucks use this corridor, coming from the Route 2 exit or from Ayer.

The 2010 EDAT Report on Ayer Road was very detailed about the existing problems and challenges related to transportation. Some of the key points made in 2010 included:

- Trucks and cars use Poor Farm, Pinnacle, Oak Hill, and Littleton County roads as cut through routes between Ayer traffic circle and I-495.
- High accident areas along the corridor include the Dunkin Donuts entrance, the Post Office entrance, and the Poor Farm Road intersection.
- The report references a 2007 functional design report for Ayer Road prepared by Camp Dresser McKee (CDM). Recommendations of the CDM report suggested a location that met minimum warrants for a traffic signal but only after intersection reconfiguration. Increase in ADT since that time plus updated traffic accident information might require additional locations for traffic control solutions.

#### 7. Ownership:

There are 58 parcels in the corridor. Twenty-nine of the parcels totaling 116 acres, is currently in commercial use. Ownership of these commercial parcels is diverse and there is no entity that owns more than three properties. Property assemblage for larger scale developments would be challenging. The EDAT included a table of property ownership in an appendix. The Planning Division

of the Land Use Boards has updated this list in an Excel spreadsheet.

8. Area and Proximity Character:

The southern end of Ayer Road north of the Route 2 interchange is the most recently developed and urbanized part of the corridor. Land uses include condominiums, several commercial uses including a Dunkin Donuts and a dry cleaner, offices, age-restricted rental apartments, a real estate office, and two vacant older buildings just off the interchange. Other proximal uses include conservation land, a soccer field, running track, a post office, and additional offices including medical offices.

There is no design theme to most of this area except for the mixed-use development where the Dunkin Donuts is located as they utilized the ARV-SP that includes design requirements. Density throughout the corridor is very low, as is typical for development not served by public utilities.

Further north along the corridor, there are heavy commercial use buildings, some are metal fabricated, but none meet any aesthetic nor include landscaping as a site feature. A veterinarian office and kennel, bank, and shopping center with a restaurant line the west side of Ayer Road as it approaches the Ayer town line. The remaining uses include commercial-scale solar farm, a small light industrial building, apple orchard, and several single-family residences. Most of these land uses are very old, dating back to the 1950's through the 1980's, in relatively poor maintenance—particularly parking lots, and again, there is no design theme nor much consideration to New England architecture in most cases. Finally, as noted before, the low density and deep setbacks in some cases give the corridor the feeling of sprawl.

9. Taxes and Assessment:

The FY2019 Tax Rate for the Town of Harvard is 17.42 (Rate is per \$1000 of assessed valuation) and this compares to prior years as noted below in Table 1:

*Table 1 – Tax Rate, 2010 to 2019*

<b>Year (FY)</b>	<b>Property Tax Rate (x \$1000)</b>
2019	17.42
2018	17.15
2017	18.10
2016	18.05
2015	17.79
2014	17.09
2013	16.68
2012	16.24
2011	15.47
2010	14.33

Since the EDAT report was released, Harvard's property tax rate has increased 3.09% and still remains a single tax rate for both residential and commercial property.

EDAT researched alternate assessing methods for commercial property. Their recommendation was to shift to a straight commercial income basis of commercial taxation. However, they noted that it would require a new software program to implement and the current (at the time) commercial revenues did not justify the expense.

It is also useful and an important part of the market analysis to compare Harvard’s tax rate with those of surrounding communities. This is one measure of whether a community is business-friendly from a taxation perspective:

*Table 2 – Comparable Tax Rates 2019*

<b>Town</b>	<b>Property Tax Rate (x \$1000)</b>
Harvard	17.42
Ayer	28.80
Shirley	16.08
Bolton	20.47
Stow	20.13
Boxborough	16.42
Littleton	28.27
Groton	18.11
Hudson	34.10
Clinton	28.20

It appears as though Harvard’s tax rate isn’t particularly onerous compared to surrounding communities, all with single-rate tax structure.

**C. History/Background of Planning Efforts**

**Summary**

The consideration of the Ayer Road Corridor for commercial development has been discussed for decades and included in three successive master plans. These efforts resulted in a number of zoning changes, creation of an Economic Development Commission, and a number of surveys and public meetings. Yet in 2019, new commercial development over the last two decades is limited to a small mixed-use development at Bowers Brook. Economic development was of particular interest to the community since a fiscal impact analysis confirmed that Harvard has had a structural deficit due to too few commercial ratables. Yet, since the 1980’s, net commercial square footage allowed by zoning has been reduced significantly.

In order to be able to move forward on a consensus-driven plan for the Ayer Road corridor, we need to take a step back in time and note the historical context of where we find ourselves at the present. Until 1965, most of the Town of Harvard’s commercial properties were those located along Ayer Road, both north and south of Route 2, with others scattered in the town’s center and on major roadways. Other commercial uses were operated out of residences as in-home occupations, both legal and otherwise. At that time, there was no commercial zoning. Recognizing that a commercial district was an important means to facilitate development that could add to the tax base, Annual Town Meeting of March 6, 1965 approved both the Commercial [C] district and the Business [B] district. In the years following the establishment of the B and C



districts, some sporadic commercial development occurred including a small shopping center, office buildings, and several heavy commercial uses.

As part of the 2002 Master Plan project, the consultants prepared a document that included an Appendix A that was entitled, "A Zoning Diagnostic Evaluation for Harvard" which provided an evaluation of the existing zoning districts and a recommendation for change that would better meet the goals and objectives of the Master Plan. The evaluation and recommendations for the "C" district were as follows:

*"The C District needs to be newly described and use and development regulations need to be tailored specifically to encourage uses consistent with the Town's village identity. Warehouse and storage as a principal use should be discouraged, as should petroleum product storage and transfer. (See Section II for more detail on potential new regulations for the C District.)"*

Thus, planning experts as far back as 2002 were recommending significant changes to the district in order to accomplish local goals. Even earlier, the completion of the 1969 Master Plan by renown landscape architect Charles W. Eliot II led Eliot to expect changes such as more "*village nodes and a bustling business district north of Route 2*" similar to recommendations in all Harvard plans since that time. This plan envisioned a village shopping center but also recommended downzoning (reducing the extent of) the "C" district. An initial Economic Study Committee was established by the Town in response to the plan and a strong interest in commercial and industrial development. But in 1986, the Town voted to eliminate the Industrial (I) zoning district.

However, further erosion of commercial opportunity occurred in 1987 when Town Meeting reduced the permitted Floor Area Ratio from 0.25 to 0.10 which translated to a sixty (60%) percent reduction in commercial development opportunity. At this time, the dialogue related to commercial development was limited to how much commercial square footage was necessary to support the population of Harvard. Not discussed was how much and what kinds of businesses were needed by the *other businesses already in Harvard* or what businesses could be supported locally that would bring in dollars from outside of the community.

Yet, even with these limited perspectives and reductions in commercial opportunity, the 1988 Master Plan still included goals that hazily articulated village-scale development north of Route 2 on Ayer Road. But until the 2002 Plan, none had sought to establish a development vision nor how commercial development could contribute to municipal fiscal health. As noted in the "*Report of the Economic Development Analysis Team (EDAT)*" submitted in 2010, the 2002 Plan noted that piecemeal zoning changes to the "C" district "...may have exacerbated both the planning and fiscal challenges" and recommended a different zoning solution which led to the 2004 adoption of the Ayer Road Village Special Permit (ARV-SP). This overlay allowed for an alternative development model for the corridor seeking to facilitate a greater "village-like" identity rather than sprawling and uncoordinated development. As of 2019, only the 206 Ayer Road collection of buildings that house a Dunkin Donuts, dry cleaner, offices, medical offices, and senior rental apartments, has sought to employ the ARV-SP. Time since the establishment of the ARV-SP has clearly shown that not only is it a challenge to build that density and scale due to the lack of public water and sewer infrastructure, but it also isn't necessarily going to translate into a "village-like" design.

The Town established a Fiscal Impact Analysis Team (FIAT) to investigate root causes of the Town's chronic structural fiscal deficit. Recognizing that over-reliance on residential tax base was an obvious driver of the deficit, the FIAT recommended the creation of an Economic Development Analysis Team (EDAT) and proposed a warrant article in 2009 Annual Town Meeting in support of that recommendation. Please refer to EDAT's 2010 report for details regarding their charge but to summarize, it was to prepare a commercial and industrial strategy by analyzing opportunities to increase commercial tax revenue by encouraging desirable development of commercial and industrial properties. Their 2010 report was the culmination of their work and it made the following general findings and recommendations:

1. Identification of high revenue generating commercial land uses including offices, assisted living facility, and a retail plaza that includes a grocery store. The target square footage was in the range of 155,000 to 280,000 square feet.
2. Protective (Zoning) Bylaw should be amended to be more development-friendly by recodification and reformatting and allowing the uses that the EDAT recommended.
3. Simplification of the permitting process by making it simpler and more predictable.
4. Traffic recommendations include facilitating traffic calming and beautification to make the road safer and to accommodate more vehicles. As part of this, they suggest:
  - a. Signalizing or other shared traffic flow device for Old Mill Road intersection.
  - b. Signalizing or other shared traffic flow device for Dunkin Donuts intersection.
  - c. Work with Devens to encourage or require heavy trucks to use Jackson Road exit. If this isn't successful, add the shared traffic flow devices at the two intersections noted above plus a roundabout at Lancaster County Road intersection.
  - d. Pedestrian and bike facilities along the length of Ayer Road above Route 2.
5. Create a sewer district within the corridor that is exclusively reserved for the commercial uses within the corridor and not for residential or 40B projects. There must be a critical mass of development to pay for the system. Further, they recommend a fair and predictable permitting process. Finally, that the Town should engage the public and assess the level of support in the Old Mill Road neighborhood. The options provided in the report were either bringing it from Devens or creating a low-pressure sewer system (LPSS) alternative for a targeted area. Note that there are a number of ways in which a project of this type and scale can be funded. Certainly, the sewer district is a possibility, but so is a Business Improvement District (BID), a special assessment area, a revenue bond, MassWorks grants, and private developer funding.
6. Create an economic development team to carry the recommendations forward including a town planner and a permanent Economic Development Committee.
7. Seek Economic Target Area (ETA) designation by becoming part of the Devens regional ETA.

Since the EDAT report was issued, the following steps have been taken in support of their plan:

1. The Economic Development Commission (EDC) was established in 2012 and accomplished the following in their short existence:
  - a. Facilitated Harvard's designation as part of the Devens ETA in August 2012
  - b. Participated in Phase 1 of the 2016 Master Plan process by looking more closely at the grocery store use and publishing a Grocery Store White paper in 2013.
  - c. Researched linking Devens water and sewer to the "C" district.
  - d. Worked to improve communications with local businesses in "C" district and local residents
  - e. Developed five (5) year objectives and strategies plan for improving the business environment in 2013.
  - f. Considered joining Nashoba Valley Chamber of Commerce.
  - g. Held open forum on "C" district development in 2013
  - h. Recommended hiring of town planner in 2013.
  - i. Considered gas station/convenience store use but did not act on it.

In 2013, the EDC was disbanded as a Town Committee. Lack of support for economic development by the public and by Town officials appear to be key reasons for this action.

2. In November of 2014, the Montachusett Regional Planning Commission (MRPC) published a report funded through the District Local Technical Assistance (DLTA) program on the recommendation of the 2016 Master Plan consultant. The five (5) tasks that made up the report consisted of:
  - a. Task 1: Background Information
  - b. Task 2: Ayer Development Plans & Business Analyst Online (BOA) Assessment
  - c. Task 3: Map of Businesses in the C District
  - d. Task 4: Parking Assessment and Building Permits
  - e. Task 5: Business and Property Owners Surveys

This relatively confounding document presents as a series of appendices that are not woven together as a coherent, connected report. There is useful information in each of the Tasks (sections) but there is no purpose or introduction nor any conclusion or recommendations and thus the usefulness of the report is negligible.

Since the 2016 Master Plan has been adopted, the Town has hired a permanent, full-time Community and Economic Development Director

#### **D. Description of Proposed Project**

### **Summary**

In preparation for the kind and scale of quality development that would be appropriate for the Town of Harvard, a series of preparatory steps need to be taken to insure that we have all the data that we need, that the public has been sufficiently involved in the planning process, and that a shared vision for the corridor and its importance is established. There are three (3) proposed phases for this project, each building a framework for the next steps. This project will be costly and the exact cost will be dependent on who is selected for the work.

The three-phase proposed project for the Ayer Road Commercial Corridor is intended to be cumulative and include:

1. An initial market analysis to determine the amount of square footage of uses by type projected in to the future with a narrowly focused fiscal impact analysis will take those projected square footages and add them to the tax rolls and determine how much this projected development would add to the tax base. Should this analysis indicate a net positive impact, Phase 2 would be initiated.
2. The next step would be the development of a vision plan for the Ayer Road corridor. This plan would look at the market data, infrastructure, the transportation network, land use, existing zoning, environmental issues, and other factors to develop a vision for the area. This vision will be informed by a number of activities that develop an aesthetic vision for the area and will include graphics and visuals that provide glimpses of what that could look like. There must be significant public participation during this phase in order to develop the support necessary to take the findings of this plan and take the steps necessary to initiate the next phase.
3. Finally, the last phase of this proposed project would be the development of a very carefully crafted set of zoning tools to facilitate and realize the vision. This is anticipated to be a “form-based” zoning<sup>3</sup> model that is currently being considered as a tool in Littleton and Ayer and that has already been utilized in Lowell and many communities across the U.S.

These three (3) phases are described in more detail below but the reason that these steps have been identified as important relates to meticulously building a convincing argument for the type and scale of development that could be of immense value to the Town of Harvard. This argument requires hard data on marketability as well as net positive fiscal impact. It requires significant public input into design and outreach regarding development impact. Finally, it requires a predictable tool for both citizens and the developer to assure that the vision developed in the corridor plan is achieved.

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<sup>3</sup> A prescriptive, graphic-based zoning tool that pre-establishes the building form, siting, and bulk (see p. 19).

**AYER ROAD CORRIDOR PROJECT PLANNING**

Town of Harvard, MA

Project Lead: Harvard Planning Board

TASK	ASSIGNED TO	PROGRESS	START	END	MONTH 1	MONTH 2	MONTH 3	MONTH 4	MONTH 5	MONTH 6	MONTH 7	MONTH 8	MONTH 9	MONTH 10	MONTH 11	MONTH 12	MONTH 13	MONTH 14	MONTH 15	MONTH 16	MONTH 17	MONTH 18	MONTH 19	MONTH 20	MONTH 21	MONTH 22	MONTH 23	MONTH 24	MONTH 25	
<b>Phase 1 - Market Study/Fiscal Impact Analysis</b>																														
Task 1: Secure Funding	TBD	0%																												
Task 2: Identify and Retain Consultant	TBD	0%																												
Task 3: Finalize Scope	TBD	0%																												
Task 4: Formal Project Kickoff	TBD	0%																												
Task 5: Data Collection	TBD	0%																												
Task 6: Data Analysis	TBD	0%																												
Task 7: Site Visits and Observations	TBD	0%																												
Task 8: Review and Summarize Findings	TBD	0%																												
Task 9: Develop In-Depth Analysis	TBD	0%																												
Task 10: Preliminary Findings	TBD	0%																												
Task 11: Fiscal Impact Analysis Component	TBD	0%																												
Task 12: Develop and Release Report	TBD	0%																												
<b>Phase 2 - Ayer Road Corridor Vision Plan</b>																														
Task 1: Secure Funding	TBD	0%																												
Task 2: Identify Working Group	TBD	0%																												
Task 3: Finalize Scope	TBD	0%																												
Task 4: Formal Project Kickoff	TBD	0%																												
Task 5: Identify Stakeholders	TBD	0%																												
Task 6: Maps, Plans, and Bylaw Review	TBD	0%																												
Task 7: Site Visits and Observations	TBD	0%																												
Task 8: Stakeholder Meeting	TBD	0%																												
Task 9: Issue Identification	TBD	0%																												
Task 10: Meeting on Transportation	TBD	0%																												
Task 11: Meeting on Infrastructure	TBD	0%																												
Task 12: Meeting on Issue 3	TBD	0%																												
Task 13: Meeting on Issue 4	TBD	0%																												
Task 14: Meeting on Issue 5	TBD	0%																												
Task 15: Review and Summarize Findings	TBD	0%																												
Task 16: Develop Renderings	TBD	0%																												
Task 17: Preliminary Recommendations	TBD	0%																												
Task 18: Draft Vision Plan	TBD	0%																												
Task 19: Reviews	TBD	0%																												
Task 20: Adopt Plan	TBD	0%																												
<b>Phase 3 - Ayer Road Zoning Program</b>																														
Task 1: Secure Funding	TBD	0%																												
Task 2: Retain Consultant	TBD	0%																												
Task 3: Identify Stakeholders	TBD	0%																												
Task 4: Project Focus Group 1	TBD	0%																												
Task 5: Focus Group 2	TBD	0%																												
Task 6: Synthesize Focus Group Findings	TBD	0%																												
Task 7: Vision Plan Review	TBD	0%																												
Task 8: Initial Site Visit and Observations	TBD	0%																												
Task 9: Prepare for Charrette	TBD	0%																												
Task 10: Conduct 7-Day Charrette	TBD	0%																												
Task 11: Synthesize Charrette Results	TBD	0%																												
Task 12: Prepares Draft Master Plan and Code Report	TBD	0%																												
Task 13: Review of Draft	TBD	0%																												
Task 14: Final Master Plan and Code Report	TBD	0%																												
Task 15: Adopt Plan and Bylaw	TBD	0%																												

**Phase 1: Market Analysis and Fiscal Impact Assessment**

**Summary**

The first step in this three-phase process is to gather the data required to justify a development framework. A market study is necessary to determine what uses can be supported and at what scale. Once this is done, a fiscal impact analysis of adding this development to the town tax base will be performed.

*Description of the Need and the Project*

As noted in Section C., there have been prior studies conducted on the market by the Montachusett Regional Planning Commission but no prior study has undertaken a complete market assessment of the range of uses and square footages that could be supported in the C district now and in the predictable future given growth projections for communities in our region. For example, the communities within the 10-mile commute shed includes Ayer, Acton, Westford, Littleton, Sterling, Clinton, Marlborough, Hudson, Leominster, Lunenburg, Stow, Bolton, Boxborough, Shirley, Groton, Lancaster, Berlin, Maynard, and Boylston. Even modest growth over the next 10-15 years would put several hundred thousand people within a fifteen-minute drive to Harvard. It will be vital to accurately predict this buying power, the resistance factor to make the trip, and the specific uses that could be successfully supported. The 2014 MRPC Business Conditions Assessment ran ESRI Business Analyst Online to provide an overview of the retail market potential of the district (one of the several uses that residents indicated that they support in recent surveys). The analysis was limited to data within the Retail Trade, Food Services, and Drinking Places database and thus can only extrapolate from that narrower use domain. The report notes \$390.4 million in demand for retail, food, and drink within a ten-minute drive-time radius while only \$158.5 million is being supplied forcing a leakage of approximately \$232 million dollars from the area. The proposed market analysis would update these numbers and add additional market sectors to round out the other potentially desirable uses that could be supported within the corridor.

As a part of this first phase, a targeted fiscal impact analysis would be conducted to determine the fiscal contribution that several options of use type mix and square footage would make to the Town's tax base and municipal revenue stream. The data from the fiscal impact analysis could also be slotted in to a more comprehensive fiscal impact analysis that may be proposed subsequent to this study.

#### *Market Analysis and Fiscal Impact Assessment Scope*

The Phase 1 Market Analysis and Fiscal Impact Analysis would consist of the following steps:

1. Overview of regional and local economy and market (market delineation) for context
2. Identification of local and regional trade areas for each market type
3. Inventory of each market sector of interest:
  - a. Housing (number of units by type)
  - b. Retailing and Dining (square footage by subtype)
  - c. Office (square footage by office market subtype)
  - d. Services and Other, e.g Entertainment, (square footage by subtype)
  - e. Other (square footage by identified type)
4. Updated gap and leakage analysis (can use 2014 ESRI data as a point of comparison;
5. Interviews with individuals and/or small groups to gain additional insights into market conditions. The Town will help to identify stakeholder groups if desired. Intercept data gathering<sup>4</sup> would also be helpful.

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<sup>4</sup> Capturing respondents in public or at events for their feedback.

6. Forecast of fundamental and marginal demand (factors impacting demand);
7. Competitive supply analysis;
8. Calculation of marginal demand;
9. Forecast of subject area capture (\$ and s.f.) and translation into buildable s.f.;
10. Fiscal impact analysis of additional uses contributing to tax base; and
11. Summary of strengths and weaknesses of study area.

The written report of findings would include the following:

1. Executive summary of findings;
2. Description of existing market conditions to address relevant issues such as the quantified amount of various businesses and housing types, vacancy space/units, product mix and pricing, and similar characteristics. In particular, this section should identify and key strengths or weaknesses/deterrents to investment in Harvard's Ayer Road corridor.
3. Written description of any conclusions related to the impacts of Harvard's proximity to other commercial or employment centers (e.g. Ayer center, Littleton, Leominster).
4. Description of the optimal commercial use or housing type mix in the corridor based on the projected future absorption trends and other relevant factors. The full buildout of the various use types should be provided.
5. A fiscal impact analysis and narrative describing the impact on Harvard's tax base if the full buildout of the use mix noted in 4. above were realized. This should be compared to the existing tax structure as of the beginning of the project.

Additionally, the Report could also include the following data points added to the outcome of this analysis and should be priced separately for evaluative purposes:

1. Recommendations of specific businesses that exist in other communities to target in a recruitment effort, based on the quantified opportunities and needs identified in the study. This also may include specific developers or housing contractors. Evaluation should be tied directly to the previously expressed needs and desires of community and other measures.
2. Recommendations of specific businesses that already exist in the corridor that could expand or diversify to capitalize on identified market opportunities.

The Market Analysis is expected to be what is termed a fundamental demand study and conducted at the C or D level<sup>5</sup> that includes property productivity analysis; market delineation; a forecast of fundamental demand; a competitive supply analysis; calculation of marginal demand; and a forecast of subject capture.

The markets that we are seeking analysis of for this corridor include uses that could not only serve the needs of local residents (and reduce leakage) but also used to assess potential market capture from potential external demand. We are seeking assessment of retailing, services, industrial, office, and housing as a component of mixed-use development. The final part of the market analysis should show how much square feet of space, by use category, is expected to be in demand within the corridor, for the purpose of development scaling and zoning amendments.

### *Fiscal Impact Assessment*

The fiscal impact assessment would be limited to the uses determined to be feasible and the amounts supportable and the fiscal impact of several buildout scenarios. Each would include the following data points for Commercial and Residential Uses in the event that there is a mixed-use component:

#### Commercial Impacts

1. Net Fiscal Impact Resulting from Development;
2. Total Revenue from Development;
3. Total Costs Due to Servicing New Development;
4. Net Fiscal Impact per Year; and
5. Cost to Revenue Ratio.

#### Residential Impacts

1. Net Fiscal Impact Resulting from Development;
2. Total Revenue from Development;
3. Total Costs Due to Servicing New Development;
4. Net Fiscal Impact per Year; and
5. Break Even Value of New Units.

Once completed, these multiple scenarios can be plugged in to the townwide fiscal impact analysis that is proposed to be conducted after a buildout analysis can be conducted. Each of these latter projects could be funded by DLTA monies.

**Anticipated Cost:** \$35,000

**Status:** Applied for MassDevelopment Real Estate Technical Assistance Grant for \$35,000 on February 27, 2019 and awaiting award notification.

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<sup>5</sup> A formal description of the type of analysis that will elicit the specific data that the Town needs.



**Phase 1: Market Analysis and Fiscal Impact Assessment**

Start Mo.	Complete Mo.	Task	Phase
One	Three	Secure Funding	Administrative
Three	Three	Identify Consultant	
	Three	Finalize Scope	
	Three	Project Kick-Off	Data Collection
Three	Four	Secondary Data Collection	
Three	Four	Primary Data Collection	
Four	Five	Map, plans, and bylaws review	
Three	Five	Site visits and observations	Data Synthesis and Analysis
Five	Five	Review and Summarize Findings	
Five	Five	Develop In Depth Analysis	
	Five	Preliminary Findings	Fiscal Impact Analysis and Final Combined Report
Five	Six	Refine Findings	
Six	Seven	Fiscal Impact Analysis Phase	
Six	Seven	Develop Report	

*Summary of Phase 1 and Next Steps*

Phase 1 of the Ayer Road Corridor planning process will provide the Town with data that will indicate what types of uses could be supported by the local and regional market. In all likelihood, not all of these supportable uses will be desirable in the community or at least in the corridor. Given that, a public process will be needed to narrow down the uses to a group that can be widely supported. Once this has been completed, a targeted fiscal impact analysis will be conducted on how the desirable uses at the scale supportable by the market, could impact the Harvard tax base. At this point, there are several ways to approach further development of the collection of uses. One would be to only move forward with uses that provide a net positive fiscal impact. Another would be to only assess the uses as a bundle that overall result in a net positive fiscal impact while some may be hugely positive and some may be negative but are supportable since they provide a public purpose.

**Phase 2: Corridor Vision Plan**

**Summary**

The second step in this three-phase process is develop a Vision Plan for the corridor. This plan would start with a scale of development informed by the market analysis and assess what Harvard residents want to see related to architectural design, siting, massing, and other development aesthetics. It would also dive into traffic and transportation, utilities, and other development impact criteria. The basis of this plan should pave the way for phase-three, a form-based code tool to carry out the plan’s vision.

*Introduction*

A vision plan is defined as a plan for the future of a community or area that is derived through a visioning process and involves the generation of a series of graphic renderings that depict an illustrative view of the expressed vision. This “vision” of a preferred future is the outcome of a planning process that brings the

necessary feedstock (raw, base) data to the process, allowing the foundational analysis, outreach, and creative collaboration to result in a supportable plan.

Visioning is a tool that brings citizens and stakeholders together to develop a shared vision of the future. It helps to answer the question, “What do we want to see in place 5-10 years from now along the Ayer Road Corridor?” By engaging participants in the formulation of a common goal, visioning gives people a sense of control and motivation, and offers a possibility for fundamental positive change.

Visioning provides a positive paradigm by offering something to move toward, offering a bigger picture, generating creative thinking and passion to overcome the problems that might arise when moving toward a vision. A good vision is both realistic and stretching, avoiding looking too far into the future but moving far enough out from today to be able to have time to accomplish the necessary tasks.

The following sections describe what an Ayer Road Corridor Vision Plan might consist of and how much would be required to develop one.

### *Project Area*

The project area is proposed to be the existing commercially zoned area of Ayer Road. The study would assess whether additional lands in the proximity would merit consideration for rezoning to whatever next generation zoning concept is proposed for the corridor.

### *Some Key Questions Informing Study*

1. How can we transform Ayer Road into a preferred place to live, work, shop, and travel?
2. What are the possibilities?
3. What are the limits?
4. What is the vision?
5. How can we make this happen?

### *Elements of the Study*

1. Existing Conditions Analysis
  - a. Land use patterns and values
  - b. Existing zoning and other regulatory constraints
  - c. Transportation analysis
  - d. Public infrastructure (including in proximity)
  - e. Preliminary opportunities for positive change
  
2. Community and Stakeholder Input
  - a. Identify Stakeholder Domain and Begin Making Connections
  - b. Develop Themes and Principles (e.g. sustainability, fiscal engine, meets Harvard standards)
  - c. SWOT<sup>6</sup> Analysis
  - d. Visioning
  - e. Alternatives Analysis

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<sup>6</sup> A strategic planning process assesses strengths, weaknesses, opportunities, and threats of an organization, community, or area.

- f. Rendering Vision
- g. Goal Development

- 3. Implementation Plan
- 4. Appendices

#### *Examples of Corridor Vision Plans*

The following are examples of corridor plan documents. While the communities that they represent are not in any way reflective of Harvard, the plan structure could be emulated as to form.

- 1. West Broadway Corridor Community Vision Plan; Missoula, MT
- 2. US 180 Corridor Vision Plan; Weatherford, TX

**Anticipated Cost:** \$15,000 to 100,000

**Status:** Refer to Phase 3 status below. There are a number of ways in which a corridor vision plan could be conducted, from an in-house process to the highest end consultant. There are benefits to these and other options in between.

- 1. In-House Planning Process: This would be the lowest cost option. The question is, does Harvard want to do something as important as this on the cheap? That's a question that should be pondered long and hard. In this scenario, the Director of Community and Economic Development would take a large percentage of their work hours and dedicate it to data collection, public outreach, and assembling the plan. Most likely, the graphics for the plan, mostly site plans and renderings, would need to be contracted out. The Harvard Graduate School of Design, RISD, or The Conway School are options for this element.
- 2. Regional Planning Agency – Many plans of this type are prepared by regional planning agencies or RPAs. The RPA for Harvard is the Montachusett Regional Planning Commission. The most likely source of funds would be the District Local Technical Assistance program or DLTA. Using DLTA funds limits the amount of money available for a project but the Town could conceivably add match money. Depending on local funds available, such a project could pull together up to \$40,000. The key questions to ask are:
  - a. Does MRPC have the staff experience and knowledge to develop a plan of a quality and detail that Harvard would need and expect?
  - b. Is \$40,000 enough for a very graphic intensive plan?
- 3. Local Consultant – The next level up the ladder would be to contract with a New England-based consulting firm. Given the graphic element, a firm that has an architect and urban designer would be important. If the practice was schooled and experienced in New Urbanism. New Urbanism is a philosophy of urban<sup>7</sup> design that includes principles of walkability, connectivity, mixed-use and diversity, mixed housing, quality architecture and urban design, traditional neighborhood structure, increased density, green transportation, sustainability, and quality-of-life. At this level of aptitude,

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<sup>7</sup> See Appendix B for a narrative about the concept of urban and density.

the likely price for a plan and some form of smart code will easily exceed \$100,000 and may approach \$150,000.

4. **Open RFP Process** – The open RFP process will allow for seeking bids for the project from consulting firms across the U.S. Benefits of the bid process include evaluating a number of proposals from many qualified bidders and hopefully experiencing a competitive price due to the fact that it is a bid process. It will still likely be in the price range for a local consultant.
  
5. **DPZ Town Planners** – The firm of DPZ (Duany Plater-Zyberk & Company) is a Miami-based urban design and architectural firm that pioneered the concept of New Urbanism in the 1980’s. They have designed communities across the globe and were responsible for notable communities such as Seaside, FL; Kentlands, MD; Mashpee Commons in Mashpee, MA; Celebration, FL; Woodmont Commons in Londonderry, NH; Sky, FL; and Downcity Providence in Rhode Island among many others. See <https://www.dpz.com/projects/all> for links to all projects. The perspective that merits this option relates to the uniqueness and special character of Harvard, and the importance of this specific project, require a one-of-a-kind consulting practice that can singularly internalize the character, history, and culture of Harvard and translate that into a very special design solution that will create a legacy and model development. The other side of that coin is that unique quality and expertise will cost in the range of \$285,000. Whether this price is worth it depends on the value the citizens and leaders of Harvard place on getting it right in the C district and whether the expertise from DPZ far exceeds that of another firm with same general skill sets.

**Phase 2: Ayer Road Corridor Vision Plan**

Start Mo.	Complete Mo.	Task	Phase
One	Five	Secure Funding	Administrative
Five	Six	Identify Working Group	
	Six	Finalize Scope	Data Collection
	Six	Project Kick-Off	
	Six	Identify Stakeholders	
Six	Eight	Map, plans, and bylaws review	
Nine	Thirteen	Site visits and observations	Stakeholder and Public Involvement
	Nine	Stakeholder Meeting	
Nine	Nine	Issue Identification	
	Ten	Meeting on Transportation	
	Ten	Meeting on Infrastructure	Conceptual Analysis
	Eleven	Meeting on Planning Issues	
Eleven	Eleven	Review and Summarize Findings	Conceptual Analysis
Eleven	Thirteen	Develop Renderings	
	Thirteen	Preliminary Recommendations	Conceptual Analysis
Eleven	Fourteen	Draft Vision Plan	
Fourteen	Fourteen	Reviews	
	Fifteen	Adopt Plan	

**Phase 3: Form-Based Zoning**

**Summary**

The final step in this three-phase process is to create a zoning tool to carry out the vision for the corridor. This tool is anticipated to be a form-based zoning code that would prescribe how development would be done in the area.

Subsequent to the adoption of the Vision Plan and, of course, contingent upon whether one of the recommendations of the Plan were to proceed in this direction, the next phase would be to develop and adopt sophisticated zoning tools to facilitate the kind of development that Harvard citizens and stakeholders wanted to see, actually come to fruition. Planning and zoning are not the same, and zoning by itself does not make economic development happen without well considered plans. Zoning is merely a tool to achieve a desired planning or economic development outcome. The initial expectation for the type of zoning tool appropriate to the task is to employ what is called a Form-Based Code (bylaw) which is defined as follows:

*Form-Based Code: A method of regulating development to achieve a specific urban form. Form-Based Codes create a predictable public realm primarily by controlling physical form, with a lesser focus on land use, through city or county regulations (Source: Parolek, Parolek, and Crawford. 2008. Form-Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers. Hoboken, NJ: John Wiley & Sons, Inc.).*

Another way of describing it is a prescriptive, graphic-based zoning tool that pre-establishes the building form, siting, and bulk. Instead of a developer interpreting a typical zoning bylaw and by noting the setbacks, height limits, and other dimensional criteria and designing a building to fit them, in form-based zoning, the building has already been positioned on the lot and framed out generally before applications are made. In this sense, residents of Harvard will already know what a specific building, block, and district or project will look like.

While the entire Ayer Road corridor may not be suitable for a form-based code application, it is likely that there are areas along the corridor in which it can be successfully applied. As Figure 2 below shows, a form-based code includes illustrative graphics so that users (and others) can see precisely the siting of buildings on parcels as well as massing and façade elements that would be developed *prior to any applications being made*.

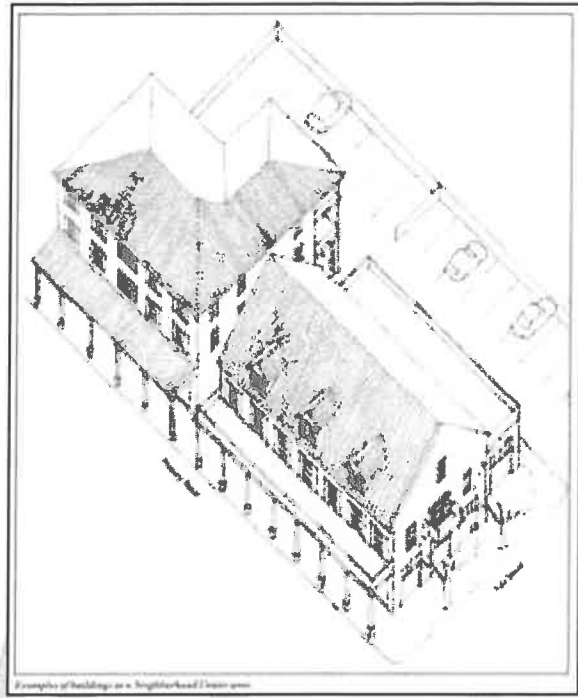
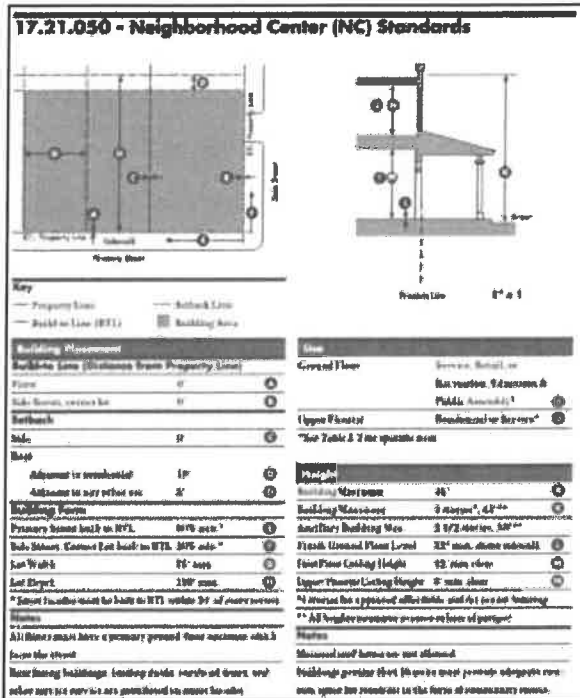


Figure 2-Examples from Form Based Codes

Appendix A provides sizeable sections taken from both the Grass Valley, CA code and the Montgomery, AL code for further examples of how much these codes prescribe related to a specific development pattern. This was a critical criterion related to coming up with a program that is anticipated as acceptable to Harvard residents since it would remove most of the unpredictability from the zoning and development process. Through a public process, an acceptable form-based bylaw can be developed so that what is built on the ground has already largely been authorized by the very presence of the bylaw.

Thus, the recommendations of the Vision Plan can be articulated and advanced by the form-based code so that the values of residents can be realized predictably. The development of such a code is a fairly quick process but tends to be intensive and often extremely expensive due to the intense time required by a team of architects and urban designers. The challenge for Harvard will be to find a suitable design team that can be funded by grants or a combination of grants and local funds.

**Anticipated Cost:** \$150,000

**Status:** The Director of Community and Economic Development has spent approximately 10 staff hours on preparations for this phase. This includes the following:

1. Researched form-based codes both on the internet and also textbooks, the Form-Based Codes Institute, and other sources.
2. Contacted several sources of potential funding such as DHCD, MassDevelopment, and the Funders Network.
3. Discussed concept with professional colleagues seeking ideas for structure and funding.

4. Developed a dialogue with the pre-eminent new urbanist architectural and planning practice based in Miami, FL with an office in Boston (DPZ). Provided background on Harvard C district and DPZ prepared a scope and budget estimate for the Town.
5. Contacted the Conway School to determine if their students could provide lower cost rendering and design services for this project.

Currently, tasks such as the above will be undertaken or advanced based on opportunity and feedback. Please see a suggested set of tasks and timeline that a Phase 3 could include.

**Phase 3: Ayer Road Form-Based Code and Village Overlay**

Start Mo.	Complete Mo.	Task	Phase
One	Five	Secure Funding	Administrative
Five	Five	Retain Consultant	
Five	Five	Identify Stakeholders	STAGE1: Project Initiation
	Five	Project/Focus Group 1	
	Five	Focus Group 2	
	Six	Synthesize Focus Group Findings	
Five	Seven	Vision Plan Review	STAGE 2: Visioning and Master Planning Charette
Five	Six	Initial site visits and observations	
Seven	Seven	Prepare for Charette	STAGE 3: Draft Master Development
Seven	Seven	Conduct 7-day Charette	
Seven	Eight	Synthesize Charette Results	Final Plan and Adoption
Six	Nine	Prepare Draft Master Plan and Code Report	
Nine	Ten	Review of Draft	
Ten	Eleven	Final Master Plan and Code Report	
	Fifteen	Adopt Plan	

**Estimated Budget Ranges**

	Phase 1	Phase 2	Phase 3	Total
High Range	\$45,000	\$100,000	\$150,000	\$295,000
Mid-Range	\$35,000	\$45,000	\$80,000	\$170,000
Low Range	\$20,000	\$15,000	\$43,000	\$78,000

As noted above, there are various price points for each phase and the delivered product will vary accordingly. Given the magnitude of the outcome of this program, it is highly recommended that Harvard at least ensure that the final product scope and quality is at least on par with what a high range firm could produce.

**Building Awareness and Support**

One idea generated once it became clear that a number of grants and funding sources might need to be cobbled together was to try to set up a meeting with multiple potential funding partners and other strategic groups such as:

- MassDevelopment
- Executive Office of Housing and Economic Development (EOHED)
- Executive Office of Energy and Environmental Affairs (EEA)
- Massachusetts Smart Growth Alliance
- Mass Audubon
- MRPC
- 495 Metrowest Partnership.

Many smart growth advocates would likely be very interested in participating in helping facilitate a project that could be a model for future projects.

Outreach will need to begin early and be sustaining. Using social media, websites, frequent talks, articles in the local paper, blog posts, public listening sessions, open houses, and many more techniques, to assure that this process has maximum transparency and exposure.

Other potential elements of building support may include the establishment of a special group or committee to help facilitate and build project backing. Once the project scope has been fully developed, these tools will be clearly identified.

#### **Funding Options and Approaches to Development**

As previously noted, the funding for all phases of this project will be extensive and thus far, elusive. While municipal funding support for any phase of this project is unlikely, the Town, through the office of the Director of Community and Economic Development, could continue to seek grant funds from sources such as:

1. EEA Planning Technical Assistance Grants
2. MRPC District Local Technical Assistance Grants
3. MassDevelopment Real Estate Technical Assistance Grants
4. MassDevelopment Commonwealth Places 50-50 Match
5. Crowd Funding (ioby, GoFundMe, Patronicity)
6. Private Trust Funding and Other Private Capital Funding
7. Private Foundation Funds (Ford Foundation, Kresge Foundation, Levitt Foundation)
8. National Association of Realtors Smart Growth Grants
9. USDA Rural Jobs and Innovation Accelerator Challenge
10. Funders' Network for Smart Growth and Livable Communities

The most inefficient way to approach it in this way would be to separately communicate with each agency and apply for as many as show eligibility. A more coordinated approach would begin a dialogue with agencies that were interested in a team process where the appropriate grants could be assembled matching the task and need to the source. Another method could be to have the Town establish a development authority, with non-profit status, that could control the process, accept all forms of funding, acquire and own property, and coordinate with entities related to public utilities, infrastructure, and other aspects of corridor planning and development.

#### **Conclusion**

There is no question that the two biggest challenges to the full realization of this proposed program are budgetary and legislative. Even the least expensive pathway to achieving all three phases could cost as



much as \$125,000 and at this price point, grants are more likely to pay for a large measure of the work. However, the “Cadillac” version of the process could cost as much as \$310,000 and only a small portion could likely be grant funded (unless very creative and well-coordinated grants seeking were utilized).

The other challenge is legislative and the difficulty in achieving a super-majority affirmative vote in Town Meeting, particularly with a “bylaw” that will be very technical and unfamiliar, will be great. The amount of outreach and due diligence may be unprecedented for a Town like Harvard. Once the bylaw language and graphics are completed, it may require a full year of additional outreach to be ready for action.

And while these challenges are great, the risk of inaction may be much greater. Allowing unplanned, random commercial and light industrial development along the corridor, very little of which is of an optimal quality of design or siting, risks losing further opportunity for a generation or longer. The current sprawled character of this development to-date, instead of preserving character and open space, actually degrades the character significantly.

Resistance to change of any kind is somewhat understandable given the tremendous assets and character that Harvard possesses. However, even if Harvard doesn’t want to change and grow strategically, the wider world will inexorably move forward, possibly overwhelming Harvard in the process. To be proactive and shape the future carefully and thoughtfully is a far better option than being reactive and ending up with unplanned and unwanted development. Every community in the commonwealth is in competition with the others. There are some zero-sum aspects to the game of growth and development. What others may get, we may not. We have to strive to attract the right development, in easily absorbable quantities, and assure that impacts are minimized.

There should be development in this corridor which compliments and is in harmony with the design ethic that has been established over the past 250 or more years by wise founders and residents such as Willard, Alcott, Lane, Palmer, Lee, Sears, and others. As planners from the notable Eliot II up to today have been urging, this strategic corridor could be a significant asset in a number of ways for the community, and the time is now to shift from reactive and vulnerable to proactive and putting destiny in the hands of the Town.

**Chapter 75 of the Acts of 2003: AN ACT AUTHORIZING THE DEVENS ENTERPRISE COMMISSION TO GRANT CERTAIN LICENSES:**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

**SECTION 1.** Notwithstanding any general or special law to the contrary, in addition to any licenses issued pursuant to clause (h) of paragraph (5) of section 11 of chapter 498 of the acts of 1993, the Devens Enterprise Commission may grant: (1) a license for the sale of all alcoholic beverages to be drunk on the premises, to a restaurant; and (2) a license for the sale of wines and malt beverages to be drunk on the premises, to a hotel. Licenses granted under this section shall not decrease the number of such licenses authorized to be granted by the towns of Ayer, Harvard and Shirley.

**SECTION 2.** Except as provided in section 1 and notwithstanding any other general or special law to the contrary, the Devens Enterprise Commission shall not grant any additional licenses for the sale of all alcoholic beverages or for the sale of wines and malt beverages for a period of 5 years following the effective date of this act. After the expiration of the 5-year period, the Devens Enterprise Commission shall not grant any licenses for the sale of all alcoholic beverages or for the sale of wines and malt beverages unless local approval is first received from the board of selectmen in each of the towns of Ayer, Harvard and Shirley. (Effective 9/19/03)



**TOWN OF HARVARD  
Offices of the Select Board**

**GENERAL LICENSE  
APPLICATION**

Please check all boxes that apply:

- One Day Liquor License**      \$50.00
- Farmers Market License**      \$50.00
- Carry-In (BYOB)  
For Common Victualler**      \$50.00
- Common Victualler License**      \$25.00
- Entertainment License**      \$25.00
- Entertainment License**      \$75.00  
With Carry-In (allows patrons to bring in beer and/or wine)

August 29, 2019

Franklyn W. Carlson

<b>Applicant</b>	<b>Date</b>
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Carlson Orchards, Inc.

<b>Business Name</b>	<b>DBA (if different)</b>
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115 Oak Hill Road, P.O.Box	978-456-3916	fcarlson@carlsonorchards.cor
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<b>Street Address/PO Box</b>	<b>Telephone</b>	<b>Email</b>
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Harvard	MA	01451
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<b>City/Town</b>	<b>State</b>	<b>Zip</b>
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**The licensed premises, activity, or equipment shall be located at the following address:  
(include what zoning district the business will be in)**

115 Oak Hill Road, Harvard, MA. 01451, Agricultural, Residential

**This license is requested for the following expected hours of operation and days of the week.**

11am to 6pm Thursday & Sunday, 11am 8pm Friday, Saturday & Holidays

**Describe activity in the space below details of the license you're applying for (include any floor plan, if necessary):**

Sampling & tasting of our Carlson Orchards "Oak Hill Blend" Hard Cider and other Carlson Orchards blends of Hard Ciders.  
The building will also be used for events.

**Entertainment License Application**  
**Pursuant to M.G.L. c. 140, §183A**  
(Only if you are applying for an entertainment license)

**Please check all that apply:**

*Dancing:* By Patrons \_\_\_\_\_ By Entertainers \_\_\_\_\_ No Dancing \_\_\_\_\_

*Music:* Recorded \_\_\_\_\_ Juke Box \_\_\_\_\_ Live Music \_\_\_\_\_

Amplification System \_\_\_\_\_ No Music \_\_\_\_\_

*Shows:* Theatre \_\_\_\_\_ Movies \_\_\_\_\_ Floor Show \_\_\_\_\_

Light Show \_\_\_\_\_ No Shows \_\_\_\_\_

*Admission Charges:* Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, how much (or submit an admission schedule) \_\_\_\_\_

*Other (Indicate Quantity):* Televisions \_\_\_\_\_ Video Games \_\_\_\_\_ Pool/Billiard Tables \_\_\_\_\_

Does the facility have a sprinkler system? Yes \_\_\_\_\_ No \_\_\_\_\_

**Please fully describe the proposed entertainment** (Type, dates, hours of operation, indoors/outdoors, number of maximum patrons/attendees, etc. You may also submit a separate narrative to answer this question in deeper detail if more space is required):

The dates we plan to be open:

Sept 5,6,7,8,12,13,14,15,19,20,21,22,26,27,28,29,

Oct 3,4,5,6,10,11,12,13,14,

**In addition, please submit the required documentation as part of your application:**

1. Floor Plan of the proposed licensed premises;
2. Proof of adequate liability insurance (including alcohol insurance for on-premises liquor licenses)
3. Proof of Worker's Compensation Insurance certificate;
4. Adequate TIPS certified documentation only for proposed Manager of on-premises liquor licenses).

**I certify under pains of perjury that I, to the best knowledge and belief, have filed all state tax returns and paid all state taxes required under law, and that all the information in this application are to the best of my knowledge correct.**

*Franklyn W. Carlson*

Key: ab2a2b78f1edcc814e4d5650dc9055b

08/29/2019

**Signature**

**Date**