



Director of Community and Economic Development

UPDATE

August 2, 2021

■ Form Based Codes w/ Alan Manoian

One of the projects looming for the Planning Board is developing a zoning district for the Town Center. You can read about the reasoning in the 2016 Master Plan. However, this is an important project given the need and interest in protecting the Center. There are two primary ways to approach this project. First, we could simply keep the base AR zoning and develop a zoning overlay¹ for the Center. This can be a bit easier but can cause a lot of confusion. The other alternative is to create a new base zoning district for just the Center. This is the path I would recommend and many communities have gone this route. But even if that matter is settled, the question then arises as to how it should be done to ensure that the character and pattern of the Center is preserved and protected. Conventional Euclidean zoning is a great model for suburban style lands, but does not work well either for existing historic areas or new development seeking to mimic this pattern.

This is where the concept of Form Based Codes (FBCs) can not only be a great tool for the Ayer Road Corridor but it could also be a good fit for the Center. This [article in Strong Towns](#) explains reasons why Form Based Codes can be a valuable tool and #5 relates to preserving a sense of place.

Alan Manoian is the Economic Development Director for our neighbors in Ayer. He will be joining us for a short primer on FBCs and why they work well for town centers. This may be a project we should consider pursuing in 2022.

■ Strategic Planning Session Agenda

We have a massive agenda for the August 7th Strategic Planning Session. Therefore, to provide a little background for some of the items may be beneficial. No need to read this section in depth until after the August 2nd meeting but if you have time...enjoy.

¹ An overlay zone is a way to introduce additional or alternative zoning criteria that would supersede the underlying zoning.

1. **Policy and Procedure** – CPTC training is highly recommended and many sessions are specifically for new and experienced Planning Board members. We can discuss specific topics they often have at the Session.
2. **Master Plan** – The [2016 Master Plan](#) is a very comprehensive policy document that contains a large number of goals and actions based on a vision for the future. Implementation of action items has been slow but steady and the Planning Board members each are a liaison to one or more other boards or committees to check on status and report back to the Board. We will distribute a matrix showing progress on the plan for the Session.

As a professional planner, I am for the most part impressed with the goals and action items and think they are targeted well related to the issues and challenges that Harvard faces. These action items have contributed significantly to the Planning Board's work program since adoption of the Plan.

3. **Transportation Advisory Committee** – There is a lot going on in the area of transportation and I'll touch on each briefly:
 - a. Complete Streets – The state's Complete Streets program is a means to design roads with a multi-modal concept (cars, pedestrians, cyclists, transit) and to enhance safety. A number of projects for Harvard were developed and one (Ayer Road sidewalks) has been completed. Grants for projects are available to apply for every year.
 - b. Safe Routes to School – Another grant program to allow communities to connect their schools to their students via sidewalks and pedestrian paths. Harvard has applied for the grant previously and has been denied due to low pedestrian counts.
 - c. Park & Ride Lot – Since at least 2017, the Regional Planning Agency (MRPC) has encouraged Harvard to find a location in town for a park and ride lot for commuters. Previous Planner Bill Scanlan did some research on potential sites, some were churches, but no real progress was made. I had contacted Lou Russo about the possibility of allowing access through the Bower's Brook development to a MassDOT ROW along Route 2. Russo wasn't interested in that but suggested that on the opposite side of Ayer Road, 203 Ayer Road, that if developed, he could allow such an access road. Russo and I had met with a MassDOT District 3 representative and a MassDOT Park & Ride Lot specialist but nothing has proceeded since that meeting.
 - d. Commuter Rail Shuttle – Another MRPC recommendation is for Harvard to use the designated Park & Ride lot as a place for a commuter shuttle to a nearby commuter rail station, preferably Littleton, as was determined in a survey conducted in 2017 by Mr. Scanlan. Harvard is allocated funds from the MBTA to partially fund such a service but we will still need additional funding plus the location for pick up and drop off.
 - e. MRPC DLTA Grant Project – This project is getting a late start due to it being a 3rd round funded project but also a backlog of MRPC projects, probably due to staffing issues. I remain guardedly optimistic that we can get this done this year

but if not (and I do not want it rushed), we will apply for a second-round next year. As a reminder, this project is to update the transportation chapter of the Master Plan and also weave in climate change goals so it can also be a part of the Climate Action Plan that CRWG is working on.

f. NRG – The Nashoba Regional Greenway group, of which Harvard is a part, is working on a regional bike and pedestrian network, and members of the TAC have been closely involved.

4. **Housing** – I will fill you in on the status of the Town’s Housing Production Plan (HPP), what it is exactly, and why it is important. Housing for seniors has been one of the primary foci of the Planning Board over the past year and will continue to be over at least the next two town meetings. We have a great deal of information from our research and the three surveys that we conducted for this project.

I will also cover the state’s Housing Choice program which is a designation grant program meaning that communities seek “Housing Choice Community” designation by meeting seven of fourteen criteria. I believe Harvard meets one currently and is close or it would not take much to reach a few more. This designation makes Harvard eligible for a wide range of Housing Choice grants which we currently do not have access to. It also makes us either eligible or more competitive for several other important grant programs.

Finally, the development of an inclusionary housing bylaw is one of the most proactive and powerful ways that a community can protect itself from “unfriendly” 40B projects and Harvard would benefit from adopting one soon before any new housing developments occur. Harvard’s current Subsidized Housing Inventory (SHI) percentage was most recently calculated in 2020 as 5.8% (well short of the required 10%) and the 2020 Census should result in a further reduction in that number.

Sorry, one more thing. At some point, Harvard, as an MBTA community, will need to identify and zone one or more properties for multifamily. We currently allow multifamily but have no zoning district for it. The state’s 2020 Economic Development Bond Bill will require all MBTA communities to zone land for multifamily at 15 units per acre by-right. So there are three reasons to move on this:

- a. To close a loophole in our current bylaw
- b. To comply with state requirement
- c. To provide additional opportunities for senior housing

5. **Ayer Road** – There are two projects with the name “Ayer Road” in the title: the Ayer Road Transportation Improvement Program (TIP) project and the Ayer Road Corridor Vision Plan project.

a. Ayer Road TIP Project – Another project that could be addressed through transportation projects, but it was thought that combining them under one subject heading could clarify and distinguish. The TIP is a means of federal highway and transit funding for local projects and is managed through the Metropolitan Planning Organizations (MPOs) which are part of the Regional Planning Agencies. MRPC’s TIP page is [HERE](#). The Ayer Road TIP project is to

rebuild the road bed, narrow the lanes, widen the shoulders, and build a Multi-Use Path (MUP) the length of the road project area. It is in the 25% design stage and is expected to be funded in 2026.

- b. Ayer Road Corridor Vision Plan – This project has been the subject of several warrant articles in past town meetings and is a three-phase program to develop zoning and other development facilitation for the commercial zoning district along Ayer Road. For the full range of information on the project background and details please see the [project page](#) and you may wish to start with the full strategy report.

6. **Protective & General Bylaw Amendments** – We will be discussing details in the regular meetings but for the purpose of the Strategic Planning Session, I will just touch on why we are pursuing these as priorities.

- a. Erosion Control – Presently, Harvard has no means to proactively address soil erosion from stormwater that occurs when a property owner leaves bare soil from a building or land improvement project. The soil erodes and in addition to the environmental and economic loss, it can wash onto adjoining properties, into water bodies, or into the ROW. This proposed bylaw is intended to rectify this situation short of having the Town declared an [MS4 community](#) which would be very costly to the Town..

- b. Senior Housing Bylaws – We have three articles for Town Meeting currently, as follows:

[1] *Sec. 125-2, Definitions* – This article will merely add a set of definitions that relate to the senior housing bylaws that we will be presenting.

[2] *Section 125-10, Multiple Residence Use* – We currently have this section but it is not very user-friendly and the proposed changes allow some conversions in the Center on smaller lots, which is something that many have expressed support for. This section is the lowest priority of the proposed amendments and an argument could be made to wait on it until zoning for the Center is developed.

[3] *Section 125-57, Senior Housing Development* – This will enhance the original 125-57 passed in May. It included adding the text for Assisted Living moved from 125-52 and adding a new section on Continuing Care Retirement Community—something indicated as a need in the surveys. The following will be elements of the CCRC that could be controversial:

[a] Scale: Project size is noted as between 5-12 acres. These are bigger developments than any one type of senior housing because they contain multiple types and need a certain scale for viability. Density targeted at 10 units/acre which is 50% less than what a multifamily district would have to have. Therefore, developments would be between 50 and 120 units overall

[b] Uses: A list of uses was provided that are typically a part of CCRC developments. I checked with several people in the industry and they

largely confirm that such uses are standard and valuable in marketing the facility to prospective residents. None of the proposed uses should be controversial or undesirable.

[c] Open Space: Projects will have to have from at least 40-50% of open space to provide buffers, scenic areas, and recreational lands.

[d] Types: Independent living, congregate care, assisted living, and nursing care are the four primary unit categories and only independent living is proposed to have multiple unit types because of the general range of users for such units. So single-family cottages, duplexes or townhouses, and apartments are all possible. Again, this mix is needed for marketability and should not create concerns.

c. **Scenic Roads** – Adjustments to clean up and clarify.

7. **Appoint Liaisons and Representatives** – No comments

8. **Miscellaneous Items** – There are a number of items in this category and they are as follows:

a. Organizational Chart – In order to provide better coverage of specific boards and also provide a more balanced structure, it is proposed to break the Land Use Boards into two departments—one for planning and economic development, the other for Conservation and Board of Health. This will be briefly discussed.

b. Montachusett Regional Planning Commission – MRPC has served as Harvard’s regional planning agency since the 1960’s and serves 22 communities overall in North Central Massachusetts. RPA are supposed to provide a range of services to their member local communities such as transportation planning, land use and environmental planning, economic development, and more. They are funded by an annual assessment of member communities based on population. They also receive grant funding from the state and also perform contract work for cities and towns. Harvard has used MRPC for a number of projects over the years, primarily using DLTA funded grants. Currently they have awarded Harvard two DLTA projects in 2021 as noted earlier. Over the last several years, we have had typically one project per year. We have noticed a decline in value of these services over the past few years and generally do not find their work to be on par with other RPAs or private consultants. They have also exhibited poor management and administration and have trouble attracting and maintaining capable staff. A competent RPA could be a great asset to Harvard but presently this does not exist.

Harvard had been looking to determine the possibility of leaving MRPC and joining MAPC (the Boston-area RPA) since the border is Boxborough and Stow. However, last year MAPC explained that they did not want to be engaged in “poaching” communities at the time. It may be useful to re-visit.

c. Electronic Filing – No comment at this time.

d. Grants – The grant landscape for us is as follows:

- [1] *DLTA Grants* – As noted above, these are from RPAs to towns and cities and are typically small, typically \$15,000 equivalent or less for planning and economic development projects. The cycle is calendar year and applications typically are due in January.
- [2] *MVP Grants* – Once communities become MVP designated, they are eligible for [MVP Action Grants](#) which can be for planning, study, and construction projects (e.g., culvert replacement). Harvard has received one such grant for the KLA project in 2020 and a second in partnership with Devens and Bolton in 2021.
- [3] *EOEEA Planning Technical Assistance Grants* – These grants are up to \$50,000 and are for planning projects that result in some legislative change or a development. We applied for one in March for Ayer Road Vision.
- [4] *Mass Cultural Council Grants* – These are for a variety of cultural-related projects. One subcategory from MCC was awarded to Harvard for the Old Library roof in 2021.
- [5] *One Stop for Growth Grants* – This new state grant program combines all of the growth and development-related grants into one single application so that multiple element projects can be funded by a single grant. We applied for \$200,000 in 2021 for Ayer Road Vision.
- [6] *Mass Trails Grants* – Annual cycle of grants from the state available for trails planning and construction.
- [7] *Green Communities Grants* – Funds for Green Communities (incl. Harvard) for energy goals.
- [8] *Housing Choice Grants* – As noted above, there are a range of grants available for communities that are Housing Choice designated. Funds could be used for planning, zoning, and a range of project applicability.
- [9] *MEMA/FEMA BRIC Grants* – Funds for Hazard Mitigation plan development but they have a very long cycle for fund awards.
- [10] *DCR Tree Planting Grants* – Funds for planting trees in communities.
- [11] *AARP Community Challenge Grants* – Grants for projects that meet the criteria established in the AARP Age-Friendly Community program such as transportation and land use.

There are many more grants so when we find them, we will let you know if they seem applicable to projects in Harvard.

e. Economic Development – Economic development has proven to be a major challenge in Harvard with some not wanting any commercial activity in town

and others wanting very small-scale projects. However, this is a list of prior, current, and proposed ED projects for the Town:

- [1] Ayer Road Corridor Vision
- [2] Economic Development Policy Plan
- [3] Rural Life (Agri- and Ecotourism)
- [4] Establish economic development commission
- [5] Create a development authority
- [6] Create a robust economic development website
- [7] Village centers business opportunities project
- [8] Marketing and branding Harvard for Business
- [9] In-Home Occupation bylaw amendments

- f. Municipal Vulnerability Preparedness – The MVP program is a state initiative to help communities adapt to climate change impacts and mitigate greenhouse gasses. Harvard started our participation in 2018 and has accomplished the following:

2018

- [1] 2018: Established MVP Subcommittee
- [2] Received MVP Prioritization Grant
- [3] Designated Director of Community and Economic Development as Administrative Liaison

2019

- [1] 2019: Completed Prioritization Plan with Harriman Associates; Received state certification; MVP Subcommittee dissolved
- [2] 2019: Created Community Resilience Working Group (Planning Board subcommittee); Applied for MVP Action Grant for Climate Action Plan
- [3] 2019 Harvard MVP Prioritization Plan
- [4] 2019 Harvard MVP Agricultural Prioritization Plan

2020

- [1] 2020 Harvard Agricultural Climate Action Plan Completed
- [2] Climate Action Plan Framework
- [3] Climate Action Plan General Branding and Logo
- [4] Climate Action Plan Agricultural Branding, Logo, Website, Brochure, Map
- [5] Participation in Apple Country Nature Based Solutions project with Bolton and Devens estimated to be completed by June 2021.
- [6] Received reduced MVP Action Grant and retained services of Kim Lundgren Associates; Applied for regional MVP Action Grant with Bolton and Devens (Apple Country Nature Based Solutions project) and retained services of BSC Group.
- [7] Organized three (3) action teams to work on current projects, including:
- [8] Apple Country Team
- [9] Outreach and Communications Team
- [10] Plan Development Team

2021

- [1] Developed draft Planning Board Report for Next Steps
- [2] Designed website, Facebook page and Instagram posts to announce CRWG, provide information about CRWG's work and plans and announce

events, actions residents can take and how to volunteer. These sites went live during the week of 4/4 and have been regularly updated.

- [3] Developed a draft climate action plan outline and a template for sections.
- [4] Apple Country Nature Based Solutions report has been completed and submitted to client communities.
- [5] Discussions with Fire Chief and Planner about participating in Hazard Mitigation Plan process.

- g. Website Reorganization and Development – Liz and I evaluated the Planning Board website and determined a number of changes that could make the site cleaner and easier to use. We have not had much time to implement but it is still on the stove.
- h. GIS and Mapping – There have been many emails and memos in Town regarding enhancing our GIS mapping capacity but so far no progress has been made. This tool would be a great benefit to our staff and other boards and departments. We can discuss when time allows.

■ Open Space Residential Development (OSRD)

The topic for August 2nd would be development density and this is a fairly dry topic (as I guess all zoning is) but essentially there are two ways in OSRD to calculate density—one is formulaic and the other is based on a Yield Plan.

1. **Formula Method** – After subtracting all primary and secondary open space, the base density (that allowed under the district regulations) is applied to the remaining lands plus any units awarded by density bonus.
2. **Yield Plan** – The Yield Plan method uses the four-step process advocated by concept pioneer Randall Arendt. Density is determined by the yield of a conventional subdivision on the same parcel. For example, if a 100-acre parcel could yield 58 house lots, then density is determined by applying 58 units to the buildable area after primary and secondary open space is set aside.

The Yield Plan method may be a bit more expensive than the Formula Method because the developer must spend the money to establish a plan that will never be used. This is one reason why our current Bylaw has not been used much.

I will provide a PowerPoint slide show in conjunction with this UPDATE for August 2nd and can go through it if time allows.