



Posted 10.28.2021 at 3:30pm by JAD

**SELECT BOARD
AGENDA
Tuesday, November 2, 2021
7:00pm**

The Select Board Regular Meeting is being held virtually in accordance with legislation S. 2475, an act relative to extending certain COVID-19 measures adopted during the Covid Pandemic state of emergency. Interested individuals can listen in and participate by phone and/or online by following the link and phone # below.

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Topic: Select Board

Time: Nov 2, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87875514007?pwd=N2lpY2hUYlBIMFIQNjZTQkppWGVWUT09>

Meeting ID: 878 7551 4007

Passcode: 883437

Find your local number: <https://us02web.zoom.us/u/kcgEHy9m4X>

+1 253 215 8782 US

One tap mobile

+1 301 715 8592 US

+13126266799,,123906012# US (Chicago)

+19294362866,,12390012# US (New York)

Agenda Items

- 1) Underground Storage Tank Hearing – 2 Brown Road (7:00)
- 2) Approve Minutes 10/5, 10/14 & 10/19 (7:10)
- 3) Public Communication (7:15)
- 4) Staff Report/Updates (7:20)
- 5) Action/Discussion items: (7:30)
 - a) Discuss fees for annual versus one time entertainment licenses and underground storage license
 - b) Act on request from the Board of Health for an insert with property tax bills about stable permits
 - c) Review Revenue Ideation Committee charge
 - d) Vote to endorse purchase and sales agreement for the unit located at 16 Lancaster County Rd, Unit No. 2 to be used for senior services (Council on Aging) contingent on election results
- 6) Select Board Reports

***Next Regular Select Board Meeting
Tuesday, November 16, 2021
7:00pm***

All times are approximate besides scheduled public hearings.



The Commonwealth of Massachusetts
 City/Town of Harvard

GIS Coordinates
LAT.
LONG.
License Number

FP-002
 (Rev. 1.1.2015)

License

Massachusetts General Law, Chapter 148 §13

New License Amended License

After notice and hearing, and in accordance with Chapter 148 of the Mass. General Laws, a license is hereby granted to use the land herein described for the purposes described.

Location of Land: 2 BROWN ROAD, HARVARD, MA MAP 35
Number, Street and Assessor's Map and Parcel ID
 Owner of Land: KWW HARVARD LLC
 Address of Land Owner: 2 BROWN ROAD, HARVARD, MA 01457

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases. All tanks and containers are considered full for the purposes of licensing and permitting. (Attach additional pages if necessary.)

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
<u>PROPANE</u>	<u>2.2</u>	<u>5000</u>	<u>GALLON</u>	<u>AST/UST</u>

LP-gas (Complete this section for the storage of LP-gas or propane)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 2,960 GALLONS
 * See addendum / map
 List sizes and capacities of all aboveground containers used for storage: 8 - 120 GALLONS & 2 1000 GALLON

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: 1000
 List sizes and capacities of all underground containers used for storage: 2 - 500 GALLON

Total aggregate quantity of all LP-gas to be stored: * See addendum / map 3,840 GALLONS

Fireworks (Complete this section for the storage of fireworks)

❖ Maximum amount (in pounds) of Class 1.3G: _____
 ❖ Maximum amount (in pounds) of Class 1.4G: _____
 ❖ Maximum amount (in pounds) of Class 1.4: _____
 Total aggregate quantity of all classes of fireworks to be stored: _____

THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED ON THE LAND FOR WHICH IT IS GRANTED.

Explosives (Complete this section for the storage of explosives)

- | | |
|--|---|
| ❖ Maximum amount (in pounds) of Class 1.1: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.2: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.3: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.4: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.5: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.6: _____ | Number of magazines used for storage: _____ |

Licensing Authority Use:

This license is granted upon the condition that the licensed activity will comply with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts General Law, Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00) as amended. The license holder may not store materials in an amount exceeding the capacities herein specified unless and until any amended license has been granted.

ADDITIONAL RESTRICTIONS:

Signature of Licensing Authority _____ Title _____ Date _____

THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED ON THE LAND FOR WHICH IT IS GRANTED.

September 28,2021

Town Of Harvard
13 Ayer Rd
Harvard, MA

Subject: Propane Storage License for the installation of additional propane tanks for back-up electric generator for various buildings on the property.

As an abutter within 300 feet of the proposed project please be advised that a Notice of Intent application has been filed with the Harvard Select Board for the purpose of holding a public hearing to grant a license for the storage of propane at the property.

Below is the pertinent information regarding this application:

Applicant: KWW Harvard LLC

Project Address: 2 Brown Road Harvard, MA 01451

PROJECT DESCRIPTION: Installation of Propane Tank for back-up generators.

Assessors Map: Map 35 / Block 35

Parcel: 035—035-000-000

Applicants Representative:

Mark Stec
Operations Manager
Eastern Propane and Oil
600 School St
Winchendon MA 01475
800-522-2000

PROPANE TANK COUNT ADDENDUM

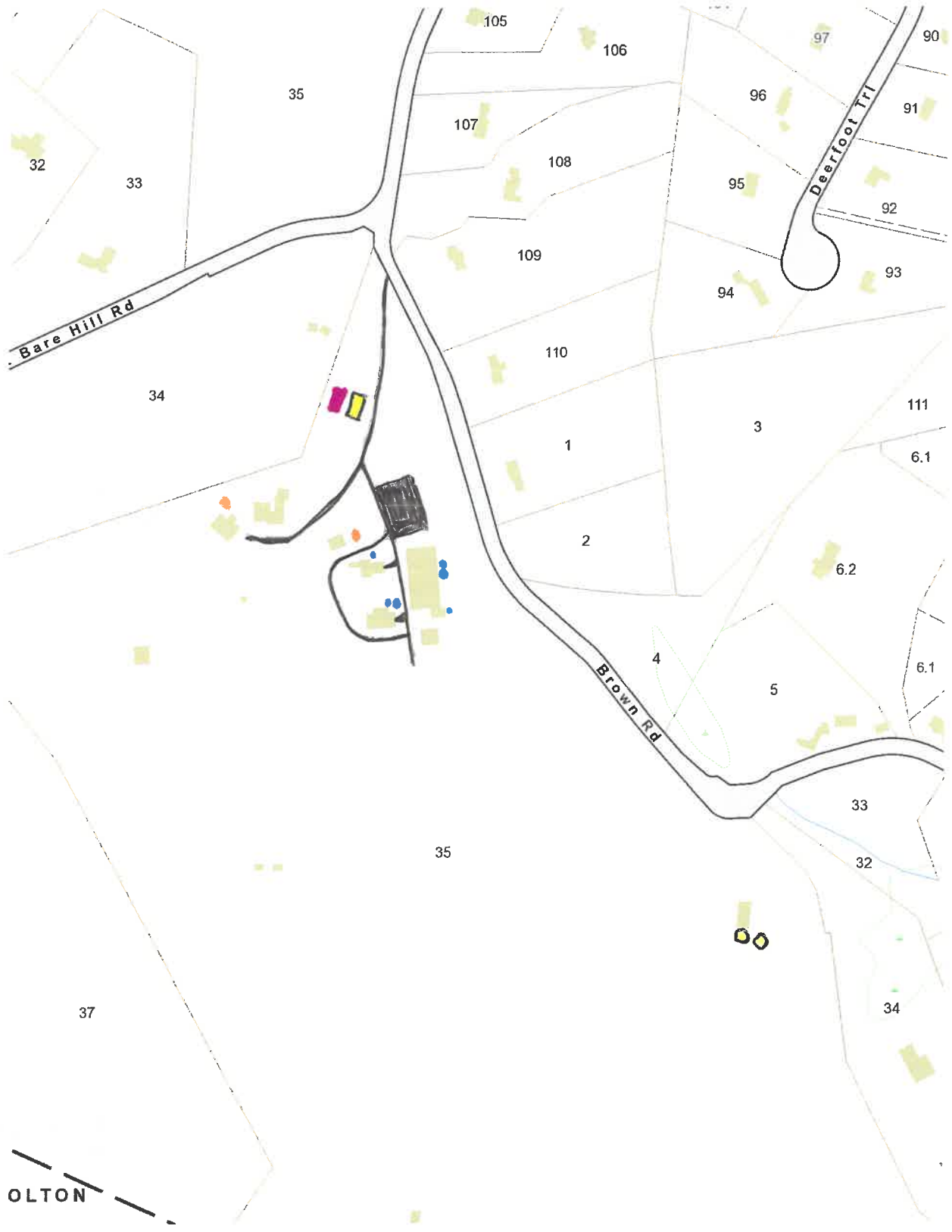
1. CURRENT ON PROPERTY:

6 – 120 GALLON ABOVE GROUND TANKS.	720 GALLONS
1 – 1000 GALLON ABOVE GROUND TANK	1000 GALLONS
2 – 500 GALLON BELOW GRADE TANKS	<u>1000 GALLONS</u>
TOTAL GALLONS	2720 GALLONS

2. ADDING:

1 - 1000 GALLON ABOVE GRADE TANK	1000 GALLONS
2- 120 GALLON ABOVE GRADE TANKS	<u>240. GALLONS</u>
TOTAL ADDING	1240 GALLONS
TOTAL ABOVE AND BELOW GRADE GALLONS	3,960 GALLONS

- **FILING FOR 5000 GALLONS TOTAL FOR ANY FUTURE EXPANSION NEEDED WITH IN THE PROPERTY**



- Proposed 1000 gallon Tank above grade
- Proposed 120 gallon Tank above grade
- EXISTING 120 gallon Tanks above grade
- EXISTING 500 gallon buried Tanks
- EXISTING 1000 gallon Tank above grade

Harvard Fire Department

13 Ayer Road
Harvard, Massachusetts 01451

Business Phone: (978) 456-3648
Fax: (978) 456-3381



September 29, 2021

To: Town of Harvard Selectboard
13 Ayer Road
Harvard, MA 01451

From: Chief Richard Sicard
Harvard Fire Department
13 Ayer Road
Harvard, MA 01451

Subject: Propane Storage License Application
2 Brown Road

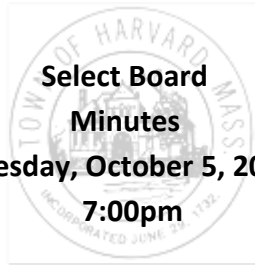
Honorable Selectboard members,

Please accept this letter as endorsement for the issuance of a Liquid Propane Gas Storage License for KWW Harvard LCC at 2 Brown Road. The property owner and Eastern Propane have presented their plan to the Fire Department and has met all our requirements for issuance of this license. Each tank installed shall be done so in accordance with applicable Massachusetts Codes and NFPA Standards.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Sicard", is written over the "Sincerely," line.

Richard Sicard
Chief of Department



**Select Board
Minutes
Tuesday, October 5, 2021
7:00pm**

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency and signed into law on June 16, 2021, this meeting was conducted via remote participation.

Select Board members present:

Stu Sklar, Alice von Loesecke, Kara Minar, Erin McBee, Rich Maiore

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro and Executive Assistant Julie Doucet

Additional participants:

Osterman Propane Rep. Bob Roy, Fire Chief Rick Sicard, Fire Lt. Andrew Perry, Scott Patterson, Christiana Santiago,

Underground Storage Tank Hearing - Osterman Propane

Stu Sklar opened the hearing and invited Bob Roy from Osterman Propane to explain the request. Roy said Craftsman Village will install nine-thousand-gallon underground propane storage tanks to provide heat, hot water, cooking, and a back-up generator for this new condominium development.

Fire Chief Rick Sicard and Lt. Andrew Perry reviewed and approved the request.

Select Board questions/comments

Sklar was curious with a high-pressure gas line because go with underground propane tanks. Roy explained this option offers more choices when it comes to the supplier and is generally a safer option. Kara Minar and Erin McBee asked about screening of tanks and about Conservation Commission review.

There was no public comment in favor or against the proposal.

The hearing was closed.

By a roll call vote, von Loesecke – aye, McBee – aye, Maiore – aye, Minar – aye, Sklar – aye, the board voted unanimously to approve application for underground storage tanks from Osterman Propane to be install at Craftsman Village on Ayer Rd as described.

Minutes

By a roll call vote, von Loesecke – aye, Maiore – aye, Minar – aye, McBee – aye, Sklar – aye, the board voted unanimously to approve minutes of 9/14, as amended.

By a roll call vote, von Loesecke – aye, Maiore – aye, Minar – aye, McBee – aye, Sklar – aye, the board voted unanimously to approve minutes of 9/21, as presented.

Halloween

The board decided in favor of holding Halloween Trick or Treating in the town center after feedback from residents in the area and the Board of Health. Trick or Treat will occur from 5pm to 7pm on October 31st. The following recommendations will be shared for a safe Halloween:

- To minimize congestion at doorways, the Board of Health (BOH) suggests that participating homes could place a table with Trick or Treat items at the end of their walkways or driveways where they meet the sidewalk. (The Harvard Schools PTO has volunteered to loan tables to homeowners for the evening.)
- All food items should be wrapped.
- Social distancing should be encouraged between people from different households.
- The BOH encourages everyone over the age of two wear a properly fitted mask consistent with the CDC's recommendation for use of masks in any public area where social distancing is difficult to maintain.
- The BOH reminds residents that not every property owner will feel comfortable participating in Halloween/Trick or Treating this year, and asks that all be respectful of this decision.
- Residents who live in the town center and do not wish to participate should leave their lights off.
- A one-way flow of walking traffic, is encouraged, clockwise around the Common.

By a roll call vote, McBee – aye, Minar – aye, Maiore – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to approve Halloween celebration on the common with Halloween Trick or Treating from 5pm to 7pm.

204 Ayer Road LLC (Harvard Bowling Alley) Liquor License Hearing

Sklar opened the hearing inviting property owner and applicant Scott Patterson and wife Christiana Santiago to speak.

Scott Patterson introduced himself and his wife as the new owners of the Harvard Bowling Alley. He said they were final able to purchase the property in July. His wife grew up in Ayer and has fond memories of the bowling alley. Patterson indicated construction has begun on a new septic system, new well and new roof. He and his family are excited to bring the bowling alley back to life as a place for families to enjoy. They plan to continue with candle pin bowling. Patterson explained a beer/wine on premise license is instrumental in helping the business be successful. They do not plan to have beverages on tap they will only be available in cans/bottles for purchase. He said as business owners they realize they must be creative to make the business viable.

Select Board questions/comments

Erin McBee asked if they plan to sell lottery tickets. Patterson has not yet thought of that. She expressed her appreciation that something will be done there to serve the community.

Alice von Loesecke and Kara Minar are thrilled about the new ownership and vision for the building suggesting maybe a wall of history.

Sklar wished the new owners the best of luck.

Public in favor

Resident Bev Rodrigues grew up bowling there. She said this is awesome news!
Local abutting business owner Ray Lyons (chatted in Zoom) he is very pleased to support this application.

Public opposed

None

The hearing was closed.

By a roll call vote, Minar – aye, von Loesecke – aye, Maiore – aye, McBee – aye, Sklar – aye, the board voted unanimously to approve the liquor license request for 204 Ayer Rd Harvard Bowling Lanes for a wine and malt general on premise license.

Staff report/updates (Attachment A)

The Select Board agreed to post a meeting for Thursday, October 14 at 4pm to review items for the Town Meeting.

Act on sign requests

DPW Director Tim Kilhart and Acting Police Chief James Babu jointly recommend the following sign proposals for consideration by the Select Board:

- 1) Issues on corner of Fairbank Street/Littleton Road – Blind Driveway on Littleton Rd prior to corner
- 2) Sharp curve on Old Schoolhouse where it turns to Littleton Country Road – advisory 20mph on the existing u-channel sign post.
- 3) Still River Road – School Zone signs

By a roll call vote, Minar – aye, Maiore – aye, von Loesecke – aye, McBee – aye, Sklar – aye, the board voted unanimously to approve sign requests for Fairbank St, Littleton Rd, school zone signs for Still River Rd and Old Schoolhouse Rd.

Public Communication

Bev Rodrigues worked on the citizen petition for the sale of the Bromfield House and land. She noticed the article title did not name the house. She asked Bromfield House be added to the article title.

Review of CARES Act funds; town and school expenses

Tim Bragan shared a document created by Finance Director Jared Mullane that included monies spent thus far. Bragan noted all funds must be in use prior to December 31st 2021. The board members briefly discussed a few ideas on how to effectively spend the remaining CARES balance.

Discuss fines for handicapped parking violations

Tim Bragan shared the legislation which allows funds received from fines for handicapped parking violations can be deposited into an account. Commission on Disabilities members Davida Bagatelle and Toni Spacciapoli were present and plan to utilize any funds received to support the commission with their efforts. By a roll call vote, Minar – aye, McBee – aye, Maiore – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to approve fines for handicapped parking violations be used to fund Commission on Disabilities.

Finalize Adhoc Advisory Committee (determine desired qualities) for Police Chief search

Assistant Town Administrator Marie Sobalvarro used the guidelines given by the Select Bord members and offered the following representatives in the areas specified:

Linda Dwight	School Department
Detective Danielle Fortunato	Police Union
Sharon McCarthy	Board of Health
Scott Hayward	Business person
David Bagatelle	Commission on Disabilities
Sarah Saleh	Arm & Arm
Jared Mullane	Finance Director
Debbie Thompson	Council on Aging Director
Fire Chief Richard Sicard	Fire Department/Emergency Management
Tim Kilhart	DPW Director
Mary Wilson	Library Director
Marie Sobalvarro	HR Director

Kara Minar recalled a police chief (our former or other) being involved in this group. However, her fellow board members noted the former chief will be involved in the initial vetting process of the applications but was not included in this Adhoc group. By a roll call vote, Maiore – aye, Minar aye, McBee – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to approve make up of Adhoc Committee as presented October 5th.

Review and discuss budget letter from the Finance Committee

Alice von Loesecke offered some suggested edits in the Finance Committee recommendation section. She asked the language include the Finance Committee will determine whether the FY23 budget will maintain a service level that is commensurate to an expected progression of service, based on pre-pandemic service levels. The Select Board members were overall pleased with the budget memo. By a roll call vote, Minar – aye, McBee – aye, Maiore – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to approve memo for Fiscal 2023-year budget, as amended.

Review and sign the October 16, 2021 Town Meeting warrant

The Select Board members reviewed each article. Some questions arose around the Planning Board articles however with the short timeframe to the Town Meeting to make any changes now would be complicated. Town Administrator Tim Bragan will update the title for the Home Rule Petition.

By a roll call vote, Minar – aye, Maiore – aye, McBee – aye, von Loesecke -aye, Sklar – aye, the board voted unanimously to approve the town meeting warrant for October 16, 2021, as amended.

By a roll call vote, Minar – aye, Maiore – aye, McBee – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously in support of articles 1 – 7.

By a roll call vote, Maiore – aye, Minar – aye, McBee – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to support article 8 (Erosion Control) with amendments as stated for section C (7) to include not alter terrain, groundcover or drainage patterns and in the definition, section add reconstruction.

By a roll call vote, Maiore – aye, Minar – aye, McBee – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to support article 9 with amendment to add shall.

By a roll call vote, Maiore – aye, Minar – aye, McBee – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to support articles 11, 12, 13, 14, 16, 17 and 18.

They did not vote on article 15 alternate article for town commons land or the Citizens Petition.

Select Board reports

Kara Minar reported on safety issues at the McCurdy Track playground with the slide. Grant funding for this repair is being investigated.

Alice von Loesecke reported the Municipal Affordable Housing Trust is active and working on rebuilding their budget.

Kara Minar reported the Revenue Ideation Committee will be meeting soon. Minar said she has some interested individuals for the at large positions.

The meeting was adjourned at 10:50pm.

Documents referenced:

Underground Storage Tank – Craftsman Village – dated 8.31.2021

Halloween Board of Health memo -dated 9.30.201 and public safety email dated 10.6.2021

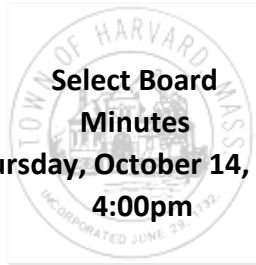
204 Ayer Rd – Bowling Alley Liquor License – dated 9.7.2021

Sign Requests – memo dated 9.27.2021

Handicapped parking violations – copy of legislation – dated 9.23.2021

Finance Committee Fiscal 23 memo – dated for October 22nd

Draft ATM warrant – dated 10.16.2021



**Select Board
Minutes
Thursday, October 14, 2021
4:00pm**

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency and signed into law on June 16, 2021, this meeting was conducted via remote participation.

Select Board members present:

Stu Sklar, Alice von Loesecke, Kara Minar, Erin McBee

Rich Maiore entered the meeting at 4:35.

Town Department attendees:

Town Administrator Tim Bragan, Executive Assistant Julie Doucet, Council on Aging Director Debbie Thompson

Water Main Improvements

Tim Bragan asked the board to act on the bid from R.H. White Construction for the Pond Road water main emergency improvements. By a roll call vote, von Loesecke – aye, McBee – aye, Minar – aye, Sklar – aye, the board voted unanimously to approve bid received from R.H. White Construction for the Pond Rd project cost \$273,442, funding source from ARPA funds the town has received.

Discuss Finance Committee and Capital Planning Investment Committee (CPIC) recommendations

Senior service building/Council on Aging

Stu Sklar attended the Finance Committee meeting when they voted unanimously to support the project. Tim Bragan confirmed CPIC voted unanimously in favor of the project as well. Alice von Loesecke was appreciative of the efforts put forth by the Permanent Building Committee (PBC) to make significant cost savings. The only add alternate for the project will be a generator. Kara Minar asked if the more efficient air source heat pumps were included. All were in agreement the location and property are great to provide CoA services.

Fire Truck

Everyone is grateful for the grant funds obtained by the Fire Chief. Sklar acknowledged the great work done to help attain the new truck and the best way to implement the truck into the fleet. The Finance Committee and CPIC also voted favorably for this article.

Kara Minar confirmed the Planning Board has closed their hearings therefore any changes would need to be made as a friendly amendment at the town meeting.

Rich Maiore entered the meeting.

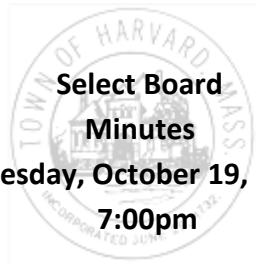
Hildreth House future uses

Stu Sklar said it is important town residents understand there are plenty of other municipal uses for the Hildreth House if the Council on Aging operations were to move. He noted all the recent repairs done to the building making it fully code compliant. Sklar revisited the concept from 2011/2012 when town hall was renovated. Due to project cost increases at the time, it was decided to only renovate the existing building eliminating any expansion opportunity at the time. The other board members agreed space at Town Hall is certainly limited therefore office space at the Hildreth House makes sense. Sklar has even heard the Fire Department may have a use for the third-floor area during extreme weather events. They also agreed the idea of the Hildreth House being used for a non-municipal use seems unlikely given the proximity to the Town Hall and Fire Station. Tim Bragan spoke about this concept at the Finance Committee meeting and they too agreed this use makes sense. Everyone agree this concept is acceptable to speak to at the Town Meeting if need be.

Sklar reminded his fellow board members they have a posted meeting for 11:30am on Saturday.

They decided not to amend the home rule petition for speed limits as written but to come up with a process to codify any changes for the future.

The meeting was adjourned at 4:50pm.



**Select Board
Minutes
Tuesday, October 19, 2021
7:00pm**

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency and signed into law on June 16, 2021, this meeting was conducted via remote participation.

Select Board members present:

Stu Sklar, Alice von Loesecke, Kara Minar, Rich Maiore
Erin McBee was absent

Town Department attendees:

Town Administrator Tim Bragan, Assistant Town Administrator/HR Director Marie Sobalvarro and Executive Assistant Julie Doucet

Additional participants:

John Connell, Frank Carlson

Carlson Orchards Entertainment License Hearing

Stu Sklar opened the hearing by first confirming appropriate notice was made to the abutters and publish in the Harvard Press. Carlson's attorney John Connell confirmed notices were mail and Executive Assistant Julie Doucet confirmed the legal notice ran in the press.

Applicant Frank Carlson is requesting 14 one day entertainment licenses:

October 22, 23, 24, 29, 30, 31 & November 5, 6,7, 12,13,14,19,20

Initially they applied for an annual entertainment license but due to septic capacity limitations that was not an option. Connell confirmed they have applied to the Board of Health for portable restrooms to address the issue with capacity. They have received approval for temporary use of portable toilets for a period not to exceed the 14 calendar days and times being requested. Frank Carlson expressed his frustration with the process but is trying to be legal in his operations.

Sklar asked if there had been any feedback submitted through the Select Board office from the public. Doucet confirmed she received one email from abutter Susan Tarrant which was shared with the board members.

Sklar opened the hearing to the public.

Public speaking in favor

Linda Hoffman owns Old Frog Pond Farm. Her orchard is smaller in comparison to Carlson's but she still understands how much work it takes to grow apples, maintain the farm and find ways to bring the public in. She said the town should do all they can to show support for the orchards.

Beth Williams said we need to support our orchards as best we can so they do not end up as open fields or 40B developments.

Karen Fisher lives across the street from Carlson Orchards and said the communication from Frank Carlson and his daughter Katie has always been very collaborative. Her and her husband enjoy the music. They attended the meeting to show their support.

Bill Carrol lives on Old Mill Road spoke in favor of the request. He views this as an opportunity to enjoy live music outdoors and with the early end time he cannot imagine this could be an issue.

Arlene Genova lives on Still River Road and supports entertainment ending by 7pm.

Sue Reedich lives on Partridge Hill Rd and supports the request. She enjoys visiting Carlson's as a wonderful place to get together and listen to live music.

General comments/feedback

Robin Calderwood lives on Woodchuck Hill Rd. She asked if the weekend traffic detour would be put in place for entertainment dates. She said more monitoring or enforcement of speed limits will be necessary if that is the case. She has witnessed a large increase in traffic since the detour began and wondered if it makes more sense for traffic to be directed through the town center instead of windy back roadways.

Susan Kilroy-Ames lives on the corner of Slough Road and Woodchuck Hill. She has noticed a constant volume of cars from when the detour began and is surprised there has not been an accident. She agrees a route toward the center may make more sense.

Stu Sklar expected a roving officer to help with the traffic detour. He recalls speaking with Acting Police Chief James Babu and Mr. Carlson about two details; one at the entrance and one roving.

Gwen Leonard lives on Woodchuck Hill Road. She asked for clarification on the hours being requested and on capacity limits from the Board of Health. Attorney Connell confirmed hours being requested are 1pm to 7pm. Leonard added in a previous hearing Attorney Connell alluded to the fact that some neighbors had sued the Carlson's which she stated was not true. She agrees speeding and volume of traffic has increased in the area and suggested Harvard consider a noise ordinance.

Pat Cooper is working as the entertainment director for Carlson Orchards. She said they are always very careful with volume when bands are playing. She has been in direct contact with neighbor Karen Fisher about this very issue. She said sometimes bands are even unplugged but when music is amplified, they are always mindful of the volume. She indicated Carlson's does not charge admission or a cover charge for the entertainment and are doing it primarily as a way to say thank you to their customers.

Public speaking against

Susan Tarrant lives at 136 Oak Hill Road. She said the noise level from music has been reasonable thus far. She suggested detail pay for officers at the corners to monitor speed especially in the darker evenings.

Don Green lives at 80 Oak Hill Road. He expressed his concern the board has given Carlson Orchards all they have asked for but they may want to go back and review to be certain everything is in order. Green said he is not against the request but feels it is imperative to make certain it is all being done legally. He also expects all orchards in town to be treated fairly. Green does not believe there is any potential threat of the Carlson family selling their property to developers.

Kerri Green lives on Oak Hill Road. It was important to her to point out some possible conflicts in the hours of operation for the pouring permit and the requested entertainment. Her understanding is that when alcohol is served and entertainment is offered a license for that entertainment is required. Green noted the action of the board to allow the extension of hours originally was in the height of the pandemic with patio allowances to expire in the spring. She also noted live entertainment is not allowed in the commercial district. She asked the board to consider postponing any decision to allow time for outstanding questions to be answered. This would assure the licenses are being granted correctly.

Gwen Leonard who spoke previously asked about the occupancy of 66 set for the building. Town Administrator Tim Bragan said this limitation by the Board of Health has been addressed for these dates by requiring portable restrooms.

Chris Green lives on Oak Hill Road in the same neighborhood and questions the need for this excess and what precedent this sets.

The public portion of the hearing was closed.

Select Board deliberations

Alice von Loesecke read allowed the memo from the Board of Health (Attachment A).

Kara Minar spoke about the desire to help the orchards be successful and wondered if there may be a better way to handle these requests with public concerns.

Rich Maiore asked Frank Carlson if they have had any noise complaints over the past few months. He has not neither has town hall or the public safety department. Frank Carlson said he met with Susan Kilroy-Ames resulting in an additional sign at the corner of Woodchuck and Slough to help with the traffic issues. Maiore agrees traffic has increased therefore he supports another review of the traffic plan. Maiore is confident the town has done everything right up to this point. All necessary hearings have been held. He understands there is frustration however unless there is evidence otherwise, he remains confident in what has been done thus far.

Alice von Loesecke was able to locate the current conditions. She noted the conditions state all patrons shall leave the licensed premises no later than one hour after the end of alcoholic beverages being served and amplified sound will cease at that time in addition, when any events occur where there will be an estimated 100 or more attendees/participants a police detail will be necessary. She is in agreement with what Rich Maiore stated earlier that all approvals have been done in accordance with town policies and state laws.

Stu Sklar asked if the requirement of an additional roving police detail should be a condition on the entertainment license but fellow members von Loesecke and Maiore did not agree. As a matter of public safety, they view it as the towns' responsibility. Frank Carlson spoke out that he too was not entirely sure about paying for a detail beyond his establishment. Maiore offered to meet with Acting Police Chief James Babu to discuss this further. He believes traffic is an issue regardless of the entertainment.

Town Administrator Tim Bragan made it known that various town departments have been doing their best to work with Carlson Orchards and their ever-changing requests. It is not only frustrating for neighbors but for town staff as well.

By a roll call vote, Maiore – aye, Minar – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to approve entertainment licenses as submitted by Upton, Connell and Devlin letter October 5, 2021.

Sklar thanked everyone for their input and assured residents' issues raised will be addressed.

Public Communication

SusanMary Redinger, Ayer Road, urged the Select Board members not to rush into adopting a code of conduct before comments can be given by committee/board/commission members. She suggested naming it a code of governance. On a separate note, she asked about the traffic sign on Bolton Road and suggested they revisit signs with flashing lights as another way to try and slow traffic.

Follow up from town meeting

Stu Sklar began by remarking on how well attended the meeting was along with how successful it was with the majority of articles passing. Everyone was very pleased with the outcomes for the senior center and the fire truck. Tim Bragan will start the next steps related to the speed articles. Alice von Loesecke noted an article will be required in the spring to finesse some of the language in the erosion control bylaw. In the meantime, the DPW can file with the Planning Board if need be. The board members decided to discuss the town election vote on the Bromfield House and the letter from the School Committee related to educational uses for the building at their November 16th meeting.

Discuss upcoming budget season

Tim Bragan finalized the budget calendar and memo after input from the board members. He reported the information will go out to all boards/committees/commissions and town departments this week.

Staff Report/Updates (Attachment B)

Agricultural Advisory Commission appointment

By a roll call vote, Maiore – aye, Minar – aye, von Loesecke – aye, Sklar – aye, the board voted unanimously to appoint Matthew Varrell as a voting member on the commission from an alternate member.

Act on chapter land notice of intent – 39 Glenview Drive

Tim Bragan explained the notice of intent is from residents Dan and Anne Ferguson. They are dividing their property to create a buildable lot. Executive Assistant Julie Doucet confirmed no interest from pertinent town departments or the Harvard Conservation Trust. By a roll call vote, von Loesecke – aye, Minar -aye, Maiore – aye, Sklar – aye, voted unanimously not to exercise their right of first refusal on 39 Glenview Drive.

Discuss adopting the code of conduct

The board members asked the draft they discussed at their Strategic Planning Session be shared with all board/committee/commissions for their input as well. They set a deadline for the end of November. They will discuss and or act on this at their second meeting in December.

Select Board Reports

Rich Maiore asked about the Revenue Ideation Committee. Kara Minar may have two citizens at large interested. Maiore suggested revisiting the charge to remove any obstacles so the committee can get underway.

Alice von Loesecke said a resident contacted her to let her know how wonderful Marlene Kenney is as our Town Clerk. She wanted to mention this publicly.

The meeting was adjourned at 9:00pm.

Documents referenced:

Carlson Orchards – Entertainment License

Application dated 9.12.2021 and letter amending the request dated 10.5.2021

Chapter Land Notice of Intent – dated 9.14.2021

Draft Code of Conduct – June 2021

STABLE PERMIT REMINDER

Do you keep barn animals (e.g. horses, ponies, donkeys, cattle, sheep, goats, llamas, alpacas, or swine)? Mass. General Laws Ch. 111, Sec.155, requires the Board of Health to issue Stable Permits. A permit is not required for chickens or other fowl.



The Board of Health asks those with barn animals to fill out a free Stable permit application each year. The application is available in the Board of Health office or on the website at: www.harvard-ma.gov/board-health/pages/animals and select “Stable permit application.”

Applications should be submitted by Feb. 28, 2022.

Please contact the Board of Health at boh@harvard-ma.gov or 978-456-4100 x328 with questions.

Town of Harvard Revenue Ideation Committee Charge

April 20, 2021

Background

- Town of Harvard is facing long-term financial challenges
- Residential property taxes are nearly all (93%) of the town's revenue source
- This approach is not sustainable, given the town's financial obligations to deliver basic level of services to its residents

The Need

- The Town must identify additional revenue sources to diversify its revenue sources

The Charge

- Research, vet and prioritize potential non-tax revenue sources for the Town based on the town's existing assets. This may include but not limited to:
 - The sale of town land
 - The sale of surplus buildings and equipment
 - Leasing of town property for use of solar or wind power
 - Leasing of cell towers on town land
 - Securing corporate sponsorship of Town assets—ballfields, trails, etc.
 - Work with State representatives to improve state aid and to develop a home rule petition (preferably with other communities) to not assign the commercial tax rate to farms
 - Other opportunities as identified by the committee
- Conduct benchmark research of comparable towns (size, assets, geography) to gain insights and ideas on approaches to non-tax revenue sources
- Develop and deliver an initial report to the Select Board by October 2021 outlining research methodology; prioritized recommendations for new sources of revenue, considerations and estimated revenue projection for each option, potential timing and recommended next steps/action items

Committee Composition

The committee will include 7 members made up of the following:

- One member of Finance Committee
- One member of Select Board
- One member of School Committee
- One member of Park & Recreation
- One member of Energy Advisory Committee
- Two residents at large