



**SELECT BOARD
AGENDA
Tuesday, September 17, 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) *Planning Board review of Protective Bylaw Amendments for the fall Special Town Meeting (7:00)***
- 3) *Public Communication (7:30)***
- 4) *Approve minutes 8/27 & 9/3 (7:35)***
- 5) *Town Administrator report – miscellaneous issues & discussion items (7:40)***
- 6) *Action/Discussion Items:***
 - a) Discuss potential capital requests***
 - b) Act on easement permit for the Hildreth Elementary School project***
 - c) Appoint Michelle Catalina to the Community Preservation Committee***
 - d) Finalize FY21 budget memo for the All Boards meeting***
 - e) Discuss disbanding Ad Hoc Committees***
 - f) Discuss water/sewer line request from the Town of Ayer***
 - g) Recognize resignation of Eric Broadbent from the Energy Advisory Committee***
- 7) *Executive Session:*** The Board will enter into executive session, as authorized by Chapter 30A, Section 21.3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Board will reconvene into open session only to adjourn.

***NEXT SCHEDULED MEETING
Town Hall Meeting Room
October 8, 2019
7:00pm***

Definitions

[To be added to §125-02 by amendment]

Adult day care: Daytime services, such as skilled care and supervision, group activities, provision of meals, transportation, trips, and light exercise, provided to elderly adults and the physically challenged who require assistance with daily needs of living.

Adult day health: A community-based and non-residential service that provides nursing care, supervision, and health related support services in a structured group setting to MassHealth members who have physical, cognitive, or behavioral health impairments. The adult day health (ADH) service has a general goal of meeting the activities of daily living (ADL), and/or skilled nursing therapeutic needs of MassHealth members delivered by a MassHealth agency-approved ADH provider that meets the conditions of 130 CMR 404.000.

Bandshell: A concave, acoustically resonant structure at the back of an outdoor bandstand. ●

Bed & breakfast establishment: The renting of not more than five (5) rooms as a lodging, without separate cooking facilities but serving breakfast as the only meal along with high tea or cocktails, and for not more than eight (8) persons for a term of residence of less than eight (8) days. These establishments shall be residential in both character and appearance, and off-street parking areas shall be screened from abutting residential uses in a manner defined by Section _____ of this By-Law. The owner of a bed and breakfast establishment shall be required to reside either on the premises of the establishment or on an abutting parcel. ●

Block: A block is the smallest area that is surrounded by streets. Blocks are the space for buildings within the street pattern of a city or town, and form the basic unit of the town's pattern of development. Blocks may be subdivided into any number of smaller land lots usually in private ownership, though in some cases, it may be other forms of tenure. Blocks are usually built-up to varying degrees and thus form the physical containers or 'streetwalls' of public space. Most town centers are composed of a greater or lesser variety of sizes and shapes of block. †

Building heritage: "Heritage building" means a building possessing architectural, aesthetic, historic or cultural values which represents the character of the Town of Harvard as has been provided in historical commercial, institutional, residential, and agricultural buildings. Heritage buildings may be designated historic, be located within a historic district, or may be locally identified by the Historic Commission or Cultural Council as having local significance or representative character. ●

Country inn: A building, which contains a dwelling unit occupied by an owner or resident manager, in which up to twenty (20) lodging rooms or lodging rooms and meals are offered to the general public for compensation, and in which entrance to bedrooms is made through a lobby or other common room. "Inn" includes "tourist lodge." ●

Floor Area Ratio: The ratio of total gross building square footage to the surface area (in square feet) of the lot (see Figure 1 below). †

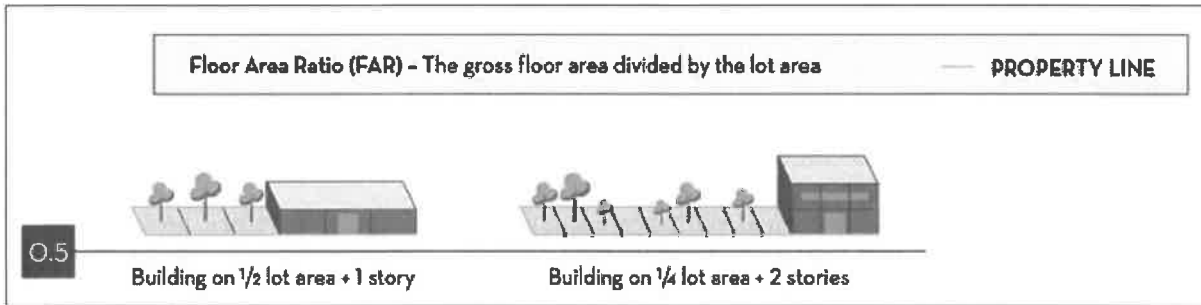


Figure 1- Floor Area Ratio Diagram

Four-sided architecture: Using the same material on all four sides of a structure so that, no matter what vantage point it is viewed from, the design is never interrupted and all the parts are perceived as part of a unified whole. ●

Function space or reception facility: A meeting facility which may also include on-site kitchen/catering facilities. The banquet/reception hall's primary purpose is a location for activities such as weddings and other such gatherings by appointment. ●

Lot Coverage Ratio: lot coverage ratio is a percentage measure of intensity of land use that represents the portion of a site that is impervious (i.e., does not absorb water). This portion includes but is not limited to all areas covered by buildings, parked structures, driveways, roads, sidewalks, and any area of concrete or bituminous asphalt. ●

Micro-Brewery, Micro-Cidery, Micro-Distillery, Micro-Winery, Micro-Meadery: A facility, licensed under the relevant state and federal statutes, for the production and packaging of malt, wine, or hard cider beverages for distribution retail or wholesale, on or off the premises, with a capacity of not more than 5,000 barrels per year. (One barrel contains 31 U.S. gallons). A tasting room is permitted as an accessory use.

[Added 11-6-2017 STM by Art. 2; amended 10-11-2019 SFM by Art. ____]

Manufacturing, artisan: means the *small-scale* manufacture of *limited quantities* of products. Typical artisan manufacturing uses include, but are not limited to, food and bakery products; non-alcoholic beverages; printmaking; leather products; jewelry and clothing/apparel; metal work; furniture; or glass or ceramic production. ●

Outdoor recreation, limited: Limited outdoor recreation facilities consisting of woodlands, water courses, trails, fields, and other outdoor lands used for active and passive recreational activities that do not require significant modifications to the existing setting, including but not limited to, hiking trails, PARS courses, orienteering, mountain biking, zip lines, polo, ice skating, cross country skiing, and the like. This shall specifically not include any motorized sports, athletic fields, swimming pools or water parks, model airplane or drone flying, or any other activity, in the opinion of the SPGA, would result in excessive noise or other nuisance. ●

Rural retreat center: A facility used for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins

(with or without baths), or in such other temporary quarters as may be approved, but kitchen and dining facilities shall be located in a single centrally located building or buildings. ●

Smart growth: Includes a range of development and conservation strategies that help protect our health and natural environment and make our communities more attractive, economically stronger, and more socially diverse. They include a range of principles including creating a range of housing opportunities and choices; creating walkable neighborhoods; encouraging community and stakeholder collaboration; fostering distinctive, attractive communities with a strong sense of place, making development decisions predictable, fair and cost effective; mixing land uses; preserving open space, farmland, natural beauty and critical environmental areas; providing a variety of transportation choices; and establishing sustainable communities that are energy efficient, economically diverse, and socially responsible. Smart growth also includes the concepts of new urbanism and neotraditional development. †

Spa, health or fitness: A commercial establishment or designated area within a commercial establishment providing services and facilities devoted to health, wellness, and fitness. ●

Tourism, Eco-: Responsible and sensitive travel and tourism to areas with natural assets that protects and conserves the environment, sustains the well-being of the local people and economy, and may involve interpretation and education related to those assets. ●

Tourism, heritage: Traveling to experience the places, artifacts, and activities that authentically represent the stories and people of the past. Heritage tourism can include cultural, historic, and/or natural resources. ●

Tourism, rural: Tourism providing a 'country experience' which encompasses a wide range of attractions and activities that take place in agricultural or non-urban areas and intended to provide education and experience related to rural assets and facilitate their sustainability and viability. This shall include any forms of tourism that showcases rural life, art, culture, and heritage at rural locations, thereby benefiting the local community economically and socially. Rural tourism enables interaction between the tourists and the locals for a more enriching tourism experience. ●

§ 125-12 Small-scale commercial uses.

[Added 3-4-1972 ATM by Art. 44; amended 3-27-1982 ATM by Art. 38; 4-5-1986 ATM by Art. 39]

Uses are subject to § 125-39, Site standards.

- A. Legal, accounting, consulting, architectural, engineering, surveying, real estate, insurance, travel agent, or similar professional office.
- B. Offices for agents for industrial, distributing, and wholesale companies.
- ~~C. Travel agency or office.~~
- ~~DC. Secretarial services; telephone answering service.~~
- ~~E. Photocopying service.~~
- ~~FD. Artisan and craft studio including Photo-photography studio; artist studio's, craftsman such as silversmith or woodworker's, locksmith's, or other artisan's studio.~~
- ~~GE. Florist, gift, stationery, or antiques shop.~~
- ~~HF. Repair and alteration of non-motorized or electronic small personal goods such as but not limited to shoes and leather wares, wearing apparel and accessories, and musical instruments.~~
- ~~I. Repair shop for musical instruments.~~
- ~~JG. Banking, automated teller machine.~~

§ 125-13 Medium-scale commercial uses.

[Added 3-4-1972 ATM by Art. 44; amended 3-25-1978 ATM by Art. 23; 4-5-1986 ATM by Art. 39]

Uses are subject to § 125-39, Site standards.

- A. General retail store including pharmacy, grocery or food market, hardware, dry goods, or other general retailing uses but not including automobile sales. Retail stores shall be limited to 15,000 square feet unless a larger retail store, which serves a public purpose and has a public benefit, is approved by Special Permit.
- B. Medical or dental office.
- C. Artist's space where artists create original and creative works (such as books, writings, paintings, sculptures, traditional and fine crafts, creation or acting of films, creating of dance), but not performance or residential use
- ~~B. Automated teller machine.~~
- ~~CD. Barber or beauty Personal or business service shop including barber or beauty salon, laundry or dry cleaning, shoe repair, tailoring, business or trade schools, photocopying, and locksmith.~~
- ~~DE. Repair of non-motorized household goods such as but not limited to home furnishings, including appliances, electronics, and upholstery.~~
- ~~EF. Repair and Sales, rental, and repair of non-motorized bicycles.~~

- FG. An inn or bed-and-breakfast establishment. [Amended 3-29-2003 ATM by Art. 39]
- GH. Dry cleaning and laundry pick-up station: An establishment where customers drop-off and pick up garments or articles that are sent to another location for cleaning or laundering. A dry cleaning and laundry pick-up station does not include on-site dry cleaning or laundry facilities.~~Collection agency for utilities; pickup for laundry or dry cleaning.~~
- HI. Nursery school, kindergarten, or day-care center for preschool children.
- J. Adult or family day health or day care.
- IK. Sales and service for outboard motors, lawn mowers, snow-throwers, garden tractors, snowmobiles, and similar small engine equipment for off-street use only and not including rental for driveaway operation.
- J. ~~Store, showroom, salesroom for the conduct of retail business, including a grocery, hardware, clothing, drug, or general store, not including auto sales, which uses shall not exceed 15,000 square feet of gross floor area of building space. [Amended 3-27-2004 ATM by Art. 39]~~
- KL. Sales and distribution of medical supplies and equipment, but not storage of toxic or virulent substances.
- LM. Catering service,~~delicatessen or other food market or a permitted eating establishment.~~
- MN. Research and Development Services. Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories, but excludes manufacturing, except of prototypes, or medical testing and analysis.~~Laboratory for engineering, research, experimental, or testing activities.~~
- NO. Accessory farm stand for sales of natural produce.
- OP. Banking or equivalent financial institution, with or without automated teller facility.
- PQ. Restaurant or other food service establishment whose principal business is the sale of prepared foods or beverages that are either consumed on the premises or carried out by retail customers from the premises.~~Eating establishment and not furnishing mechanical or live entertainment.~~
- QR. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding Personal Wireless Service (PWS) facilities. This classification includes but is not limited to radio, television, or recording studios; and telephone switching centers.~~Broadcast station,~~
- S. Newspaper, publishing, or printing.
- RS. Commercial entertainment and outdoor recreation, limited (≠ outdoor and daylight hours only); golf, swimming, tennis, equestrian or polo, playground, tennis, fishing, boating, skating, swimming, fitness, or similar sports, but not motorized sports or a golf driving range.
- ST. Shops and sales of supplies for plumbing, electrical, carpentry, cabinetmaking, plastering, masonry, glass, and similar work.
- TU. Landscaping services involving equipment parking.
- UV. Kennel and/or veterinary services.
- VW. Mortuary.

~~WX~~. Nursing home; extended or intermediate-care facility licensed or approved to provide full-time convalescent or chronic care.

~~XY~~. Mobile storage, transfer, and distribution of fuel and petroleum products, not to exceed 5,000 gallons.

~~YZ~~. Warehousing and storage of common household goods, personal property, office equipment supplies and records, inventory and equipment owned by a municipality or any type of business allowed under § 125-12, Small-scale commercial uses, and this § 125-13, Medium-scale commercial uses. Stored/warehoused motorized vehicles and equipment shall contain no more than 3/4 of a tank of petroleum-based fuel per vehicle or piece of equipment, and while stored/warehoused shall remain disconnected from all electrical sources, including batteries. All propane tanks/cylinders not physically mounted on, or in, a stored/warehoused vehicle/piece of equipment shall be stored in one securely caged location per building. However, the following uses are specifically prohibited: warehousing or storage of toxic or virulent materials, hazardous or medical wastes, and self-storage facilities. [Added 12-8-1998 STM by Art. 14]

ZAA. Mixed-use village development (MUVD). [Added 3-27-2004 ATM by Art. 39]

- (1) Multifamily residential use, where such use is integrated with a commercial use constituting 30% or more of the proposed development or total gross floor area.
- (2) Grocery store greater than 15,000 square feet of gross floor area, subject to the issuance of an Ayer Road Village Special Permit, § 125-52.
- (3) Eating establishments with live musical entertainment.
- (4) Small screen arts theatre with not more than one screen.

AAAB. Assisted living facilities. [Added 4-5-2016 ATM by Art. 52]

ABAC. Micro-brewery, micro-cidery, micro-distillery, micro-winery, micro-meaderery: [Added 11-6-2017 STM by Art. 3]

- (1) Retail sales of beverages produced on the premises are permitted along with retail sales of products associated with the brand, such as glassware, clothing and other marketing or promotional articles. Retail sales area may occupy no more than 25% of the floor area devoted to beverage processing and storage.
- (2) Tasting rooms may only serve alcoholic beverages produced by the facility.
- (3) A taproom, where beverages produced on the premises are sold and consumed on the premises, requires a special permit from the Planning Board.
- (4) Special events and activities, such as factory tours, weddings, and marketing events, are permitted, subject to obtaining special event permits that other departments may require.
- (5) This section is not intended to restrict the ability to conduct any use incidental to agriculture allowed by M.G.L. c. 40A, § 3, and the definition of agriculture in M.G.L. c. 128, § 1A.

AD. Commercial filming. Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year.

§ 125-14 **Large-scale commercial uses.**

[Added 3-4-1972 ATM by Art. 44; amended 3-3-1973 ATM by Art. 37; 3-27-1982 ATM by Art. 38; 4-5-1986 ATM by Art. 39]

Uses are subject to § 125-39, Site standards.

- A. Commercial greenhouse and nursery.
- B. Light manufacturing in which no more than 12 persons are engaged at any one time in forming, assembly, processing, and similar actual manufacturing operations, and in which all raw materials and finished products are stored inside the structure.
- C. Machine, welding, brazing, or similar shop.
- D. Commercial entertainment and recreation: indoor with sound isolation from other premises; bowling alley, skating rink, theater, swimming pool, racquet sports, fitness center.
- E. Farm machinery sales and service.
- F. Auto repair garage or body shop; sales of auto accessories with installation on the premises. For purposes of this subsection "auto" includes cars, trucks up to 7,500 pounds gross vehicle weight, buses, motorcycles, and other vehicles for on-street use.
- G. **Marijuana establishment.** In the C district, a marijuana establishment may be allowed by special permit (see § 125-46, Special permits) authorized by the Planning Board if in compliance with site plan standards and design review in § 125-38 provided that: [Added 4-1-2014 ATM by Art. 45; amended 5-5-2018 ATM by Art. 33]
 - (1) A marijuana establishment shall not be sited within a radius of 500 feet of a public or private school, day-care center, or any facility in which children commonly congregate. The five-hundred-foot distance shall be measured in a straight line from the nearest point of the facility in question to the nearest point of the proposed marijuana establishment;
 - (2) The Planning Board shall not approve a special permit for more than one marijuana establishment;
 - (3) The total square footage of a marijuana establishment shall not exceed 6,000 square feet, of which not more than 1,500 square feet shall be retail floor sales space; all activity shall be contained within a permanent building;
 - (4) The site plan shall show all exterior proposed security measures for the premises, including, but not limited to, lighting, fencing, gates and alarms, ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity;
 - (5) Hours of operation shall be between 10:00 a.m. and 8:00 p.m. seven days per week;
 - (6) Prior to obtaining a certificate of occupancy or operation, an applicant shall possess a license from the Cannabis Control Commission to operate a marijuana establishment and comply with the Commission's regulations at all times; and have negotiated and entered into a host community agreement with the Select Board; [Amended 10-22-2018 STM by Art. 2]
 - (7) No building or parking area of a marijuana establishment shall be located within 200 feet of an Agricultural Residential District;

- (8) Signs advertising brands of marijuana products shall not be visible from a public way and shall comply with § 125-41, Signs;
- (9) The applicant shall negotiate a host community agreement and impact fee with the Select Board prior to opening; and as part of the site plan review, applicant must get approval of the security plan from the Chief of Police; [Amended 10-22-2018 STM by Art. 2]
- (10) A special permit is granted exclusively to the applicant and may not be transferred.

H. Adult entertainment uses: [Added 3-28-2015 ATM by Art. 43]

- (1) Purpose. This bylaw is enacted pursuant to the Town's authority under the Home Rule Amendment to the Massachusetts Constitution to serve the compelling Town interest of preventing the clustering and concentration of adult entertainment enterprises as defined herein because of their deleterious effect on adjacent areas and in response to studies demonstrating their effect in generating crime and blight.
- (2) Special permit criteria. In the C District, the Planning Board shall grant a special permit for an adult bookstore, adult video store, adult paraphernalia store, adult motion picture theatre, or establishment which displays live nudity for its patrons unless the Board finds that:
 - (a) The adult use would adversely affect the public health, safety or welfare.
 - (b) The adult use would have severe traffic safety or congestion impacts that cannot be remedied without severe disruption to the neighborhood.
 - (c) Sound produced by music, loudspeakers, or patrons would be discernible by the public beyond the walls of the premises.
 - (d) Sign content identifies only the name of the establishment and contains no advertisement for activities within.
- (3) Standards. The adult use shall conform to the site plan standards in § 125-38 and the following requirements:
 - (a) No such use may be located within 500 feet of a property in residential use, 200 feet of the Commercial District boundary, 400 feet of Ayer Road, or 500 feet of a school, church, child care facility, park, playground or another adult entertainment use.
 - (b) No special permit shall be issued to any person convicted of violating the provisions of M.G.L. Ch. 119, § 63, or M.G.L. Ch. 272, § 28.
 - (c) No store which rents and/or sells videos shall have any adult videos openly displayed in the same public viewing area as non-adult videos. Said adult videos shall be displayed in a separate room from the non-adult videos, which is to be constructed to prevent the view of adult video stock by the general public unless they enter the room itself. Said enclosure shall have only one entrance and be located to ensure proper monitoring.
 - (d) No pictures, publications, videotapes, movies, covers, or other implements, items, or advertising that fall within the definition of adult entertainment enterprise merchandise or are erotic, prurient, or related to violence, sadism, or sexual exploitation shall be displayed in the windows of, or on the building of, any adult entertainment enterprise, or be visible to the public from pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such establishments.

§ 125-39 Site standards.

[Amended 4-13-1968 ATM by Art. 37; 3-22-1969 ATM by Art. 40; 3-7-1970 ATM by Art. 46; 3-6-1971 ATM by Arts. 33 and 34; 3-4-1972 ATM by Art. 47; 3-3-1973 ATM by Arts. 36 and 37; 3-30-1974 ATM by Art. 36; 11-12-1974 STM by Art. 6; 3-27-1976 ATM by Art. 29; 3-26-1977 ATM by Art. 29; 3-25-1978 ATM by Art. 23]

- E. Fire protection.** Where the site abuts area in a W District, development shall provide water supply for fire protection, with suitable access, except where a water hole, pond, hydrant, or other suitable supply already exists within 1,000 feet of each building on the site within the Town of Harvard.

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§ 125-52 Ayer Road Village Special Permit (ARV-SP).

A. Purpose and objectives.

- (1) The purpose of this section is to provide an opportunity to present viable alternatives to conventional commercial sprawl-type development; specifically, to assist the Town in creating and maintaining a village identity for commercial properties on Ayer Road. A further purpose of this section is to discourage property owners from subdividing commercial lots into multiple parcels, which may result in multiple curb openings, uncoordinated access, circulation and signage, and less coherent design, and to encourage the merging of smaller parcels into well-planned sites. Additional objectives of this section include:
 - (a) Promotion of ~~mixed-use~~mixed-use development.
 - (b) Promotion of shared access in properties, with appropriate links to adjoining properties, lessening the need for curb openings on Ayer Road.
 - (c) Promotion of development that emphasizes pedestrian accessible walkways, benches, pathways, bicycle racks, and pedestrian-scale lighting and signage.
 - (d) Encouragement of building and site designs compatible with the local architecture, rather than generic designs.
 - (e) Avoidance of ~~excessive~~inefficient building massing and unbroken building facade treatments.
 - (f) Subordination of parking, loading docks, on-site utilities, heating, ventilation and air conditioning equipment (HVAC), utility lines, and solid waste dumpsters to building form.
- (2) In order to promote the creation of a village commercial identity for commercial properties located on Ayer Road, and to accomplish the goals and objectives set forth for this area in the Town's Master Plan adopted by the Planning Board (as may be amended, and as described in this section), the Planning Board may more flexibly apply dimensional regulations and site standards as set forth below.

B. Applicability. An applicant who is the owner (or with the permission of the owner) of land may apply for an Ayer Road Village Special Permit (ARV-SP) based on the following criteria:

- (1)~~Land~~ that is zoned Commercial C
- (2)~~, with a~~ A minimum of 300 feet of frontage on Ayer Road ~~two (2) acres of land, may apply for an Ayer Road Village Special Permit (ARV-SP). Existing Special Permits may be amended by adding lesser land area.~~
- (3)It is desirable that eligible properties possess a minimum of 200 feet of frontage on a public way. However, other properties may be eligible based on the strategic location related to district planning vision.
- (4)~~Selected~~ Mixed-use village development uses also requires a Special Permit under this section and pursuant to § 125-13. The Planning Board is the special permit granting authority for special permits issued pursuant to this section and § 125-46.

- C. **Submittal requirements.** An application for an ARV-SP, together with an application for site plan approval, shall be filed with the Town Clerk and submitted to the Planning Board in accordance with § 125-38 and any additional site plan rules and regulations adopted by the Planning Board. A registered landscape architect, architect, and professional engineer must participate in the preparation of such site plan.
- D. **Review criteria and considerations.** In reviewing a proposed development pursuant to this section, the Planning Board may adopt design guidelines to assist it in the review of applications, and shall give due consideration to the following considerations and criteria:
- (1) In mixed-use projects, new development should be located, grouped, and sited in a manner to respect the context of any adjoining existing residential uses. All uses in the new development should be clustered appropriately.
 - (2) Where appropriate, historical significance shall be considered with special consideration for preservation of historic buildings on the site or on adjacent or neighboring properties.
 - (3) Development should be designed to for-integrate pedestrian and bicycle passageaccess.
 - (4) Building and site design should mitigate potential adverse impacts of a proposed development upon neighboring properties and the streetscape. Such mitigation efforts may include but not be limited to the following:
 - (a) Parking lots shall not dominate the front yards of properties and shall be broken into small increments with internal landscaping. Not more than 25% of parking spaces proposed to serve the development shall be located in front of a building or buildings where a preference is for parallel spaces along public or private streets.
 - (b) Landscaped, required open space and green areas, in addition to their aesthetic value, shall be designed to reduce the rate and volume of stormwater runoff compared to pre-development conditions. Massachusetts Department of Environmental Protection (DEP) Stormwater Best Management Practices and other measures to minimize such runoff and improve water quality shall be implemented.
 - (c) Solid waste shall be handled so as to avoid negative off-site impacts (noise, odor, and visual) on neighbors and neighboring properties. The use of trash compactors, fencing and screening, or the containment of all solid waste storage and handling within the building(s) of the development is encouraged.
 - (d) Loading docks shall be located and designed to minimize negative off-site impacts (visual and operational) on neighbors and neighboring properties.
 - (e) Proposed structures shall be designed and sited to minimize scale-related impacts on neighboring lots and any adjacent open space.
 - (f) Changes in grade on the lot shall be designed to minimize the need for structural retaining walls close to neighboring properties and property lines.
 - (5) Consistent with the principles of smart growth and new urbanism and include the Commercial Design Guidelines adopted by the Planning Board.
- E. **Sewage disposal.**
- (1) Privately owned and maintained on-site sewage disposal or treatment systems may be approved to serve buildings and lots in an ARV-SP development, if maintained and operated by an owner, notwithstanding the provisions of § 125-32D of this Bylaw, if such disposal or treatment facility

or system is approved by the Town's Board of Health and in compliance with the requirements of Title 5, 310 CMR 15.00, or is approved in accordance with the requirements of 314 CMR 5.00 (the Ground Water Discharge Permit Program). Such an approved system may be located on land owned in common by the owners of the building(s) or lots within the development. The minimum setbacks of such system and any absorption area can be different from the minimum setback distance set forth in § 125-32C(2)(b), provided that such setback complies with Title 5, 310 CMR 15.00, the Town Board of Health's regulations, or is approved in accordance with the requirements of 314 CMR 5.00 (the Ground Water Discharge Permit Program).

(2) Notwithstanding the provisions of §§ 125-32(C)(1), 125-32(C)(2)(a), 125-32(D), and 125-20(D), an ARV-SP project may also connect to public wastewater systems provided:

(a) All appropriate and applicable permits, whether federal, state, or local, must be obtained related to sewer system connection, road or other public way openings, septic system abandonment, or any other action required as part of connecting to a public sewer system.

(b) Such permitting shall be provided to the Planning Board at the appropriate time in the project review and development process and no required surety may be returned until all required permitting has been completed.

(c) Public wastewater systems may include any wastewater treatment system owned or operated by any local, state, or federal entity or agency.-

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F. **Hearing and decision.** After notice and a public hearing in accordance with Massachusetts General Laws Chapter 40A, Sections 9, 11 and 15 and after following the procedure outlined in this Bylaw, the Planning Board may grant such a Special Permit with any appropriate conditions, safeguards, and limitations.

G. **Incentives for specific uses.**

(1) In reviewing and acting on applications for an ARV-SP and for mixed-use village development special permits pursuant to § 125-13, and in order to provide for flexible zoning requirements in such developments, notwithstanding any provisions of this Bylaw to the contrary, the Planning Board may permit development standards and building criteria that meets smart growth and new urbanist principles such as:

(a) Permit alternative building siting without regard to a lot width circle.

(b) Permit more than one structure or main building on a lot.

(c) Apply alternative building and structure setback requirements, except where lot boundaries abut property in the AR District, where a minimum of a sixty-foot setback shall apply.

(d) Apply alternative site standards relative to parking, loading, and driveways, including the establishment of minimum and maximum parking ratios.

(e) Apply alternative site standards relative to lighting and signs, including the imposition of more restrictive requirements than those set forth in this Bylaw.

(2) Additionally, in reviewing and acting on applications for special permits issued pursuant to this section for a mixed-use village development, the Planning Board may authorize the following:

(a) ~~Up to 10% more floor area~~ Allow a floor area ratio (FAR) than that exceeds that allowed under § 125-30B up to but not greater than 0.4 except in the case of density bonuses which increase maximum FAR to no more than 0.5.

(b) Greater total building size than allowed under § 125-37, Subsection A, provided that no building shall exceed 30,000 square feet of gross floor area. Blocks developed as integrated buildings may exceed 30,000 square feet provided that the block be articulated into different facades, of which none may exceed 30,000 square feet of floor area individually.

(3) The variations enumerated in Subsection G(1) and (2) above may be authorized by the Planning Board upon it finding that the purposes and objectives and the review criteria of this section have been met by the subject ARV-SP development proposal, and that such development, when completed, will result in one or more of the following:

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(a) Preservation of an agricultural use, natural resources, including but not limited to woodlands, wetlands, streams and/or fields, or land with historic structures or other unique features.

(b) Connectivity between adjoining sites, or provisions for curb-cut reduction, shared access, and shared parking.

(c) Inclusion of multifamily use integrated within the development. Multifamily units should be developed to be in close proximity to non-residential uses so that they may be within walking distance, and may also be included as the upper floors of a building with commercial uses on the ground floor.~~with~~

(d) May provide a set-aside of affordable housing units that shall be qualified for inclusion on the Commonwealth of Massachusetts' Subsidized Housing Inventory (SHI). A density bonus of 0.1 shall be available if at least 20% of the units are designated for inclusion on the SHI.

H. Waiver of site plan requirements.

(1) In cases where a use is proposed to be located on a site subject to an existing ARV-SP, or within an existing building that has been approved as part of an ARV-SP, and no changes are proposed to the site plan, the Planning Board may waive the requirement for a new, additional site plan submission in conjunction with such a special permit application, and require the applicant to add an appropriate notation to the previously approved plan.

(2) Applicants may request relief or waiver from the requirements of the underlying zoning district, including the provisions of Sections 125-38 and 125-39, provided that such request is consistent with the provisions of Section 125-52 (D) above.

I. Assisted living facility. An assisted living facility may be permitted in an ARV-SP as a stand-alone use or as part of a mixed-used development. The lot on which an assisted living facility is located shall have a minimum land area of 1.5 acres and at least 3,500 square feet of land area for each assisted living unit, inclusive of the 1.5 acres minimum land area, within the Commercial District and shall comply with all dimensional requirements for lots set forth in § 125-29. The maximum building size shall be 55,000 square feet of gross floor area. The following additional standards shall apply: [Added 4-5-2016 ATM by Art. 52]

(1) At least 50% of the development shall be open space, of which not more than half shall be wetland. The open space calculation may include land within required setbacks.

(2) Unless otherwise modified by the Planning Board per § 125-52G(1)(c), no building shall be located closer than 100 feet to an AR District boundary, and no parking area or accessory structure shall be located closer than 60 feet to an AR District boundary.

(3) Permitted accessory structures include maintenance buildings, and other customary accessory structures for use of the residents and staff.

(4) The proponent shall be required to pay for an independent fiscal impact analysis, to be contracted

by the Planning Board, which shall demonstrate likely revenues generated by the development and the estimated costs of providing municipal services. The Select Board may negotiate and enter into an agreement with the developer or owner of an assisted living facility which provides for, among other things, for payments to the Town to offset the Town's costs of providing services to the development and/or for the provision of services to the development by service providers other than the Town at the developer's expense. **[Amended 10-22-2018 STM by Art. 2]**

§125-58, RURAL LIFE PRESERVATION SPECIAL PERMIT v 6.0

A. Purpose and Intent

The Town of Harvard possesses a wide variety of significant rural and historical landscapes that are an important part of the cultural heritage of the community, may be costly to maintain, and under threat of development due to the significant demand for large developable tracts. The Rural Life Preservation (RLPSP) Special Permit is intended to insure the preservation of the significant elements of these lands while allowing limited and appropriate types of commerce that is intended to facilitate that preservation and contribute to the economic base of the town, all without detracting from the essential character of the town, and provide an opportunity for rural tourism that shares the culture of the town with residents and visitors alike.

B. Applicability

For lots within the AR zoning district that meet the minimum site requirements as noted below. Applications for the RLP shall be based on the following goals and objectives:

- (1) Preservation of rural parcels that exhibit some facet of traditional Harvard landscapes or rural life. Such elements can include: rural viewsheds, forests, fields, stone walls, historic homes and other rural buildings, fences, streams or ponds, or any other element deemed by the Historical Commission, Cultural Council, or Conservation Commission to be worthy of preservation for the enjoyment of the community at large.
- (2) Allowance of appropriate and limited commerce in order to encourage the preservation of the elements noted in Subsection 1. above.
- (3) The facilitation of water supply protection or the protection of natural resources.
- (4) Limited to three (3) RLPSP applications annually.
- (5) Limited to a cap of nine (9) RLPSP approvals in place at any one point in time distributed as follows:
 - (a) Type A = 4
 - (b) Type B = 4
 - (c) Type C = 1
- (6) No RLPSP may be approved within 2500' of any other property with a RLPSP measured from the nearest property line.

C. Uses Permitted By-Right

The following uses are allowed by-right with site plan review (see §125-38) on lots that have been approved for an RLPSP under this Special Permit:

- (1) Uses permitted by-right in the underlying AR district (see §125-21A).

- (2) Caretaker cottage (limited to two [2] and combined no more than 7.5% of total built sq. ft. on site).

D. Special Permit Uses

The following uses are allowed by Special Permit by the Planning Board on an RLP lot, by Type:

(1) Type C – Small-Scale (10 acres to 30 acres)

- (a) Uses permitted by right or Special Permit in the underlying AR district (see §125-21)
- (b) Rural tourism
- (c) Ecotourism and heritage tourism
- (d) Art gallery and artist's studio
- (e) Bed and Breakfast, hostels, or sharing economy accommodations
- (f) Restaurant, sit-down, including indoor live entertainment
- (g) Business, professional, and medical/dental/veterinary offices
- (h) Accessory apartment. Up to three (3) accessory apartments may be established within existing primary residence or accessory structure provided that the sum total of the square footage of the accessory units does not exceed the square footage of the primary residential square footage.

(2) Type B – Medium Scale (30 acres to 50 acres)

- (a) All uses in Type C, plus the following:
- (b) Indoor function space or indoor reception facility. In some cases, a bed and breakfast and/or restaurant may be associated with a reception facility. Types of function space could include:
 - [1] Indoor function space which shall be limited to an area of 3,000 sq. ft. of useable space within a barn or other architecturally compatible building on the site.
 - [2] Shall be limited to indoor spaces except that such facilities may provide a three-season deck area limited to 10% of the capacity.
- (c) Health or fitness spa
- (d) Outdoor recreation, limited.
- (e) Workshops, classes, lectures, festivals, training, and other similar gatherings and events.
- (f) Country inn (limited to 20 guest rooms).

(g) Micro-brewery, micro-cidery, micro-distillery, micro-winery, micro-meaderly.

(h) Artisan manufacturing.

(3) Type A – Large Scale (50 acres or more)

(a) All uses in Types B and C above, plus the following:

(b) Outdoor Function Space which shall be limited to an area of 25,000 sq. ft. of useable space within a three-season gazebo or other open-air facility, either roofed or not, but with a foundation or other permanent floor. Minimum lot size 50 acres.

(c) Research and development

(d) Rural Retreat or conference center (including corporate meeting facilities)

E. Accessory Uses: Accessory retail and service uses (limited to 5000 sq. ft. each and combined no more than 10% of primary use sq. ft.).

F. Area, Bulk, and Dimensional Criteria

Area, bulk, dimensional and other parcel criteria for the three (3) types of RLPSP projects are provided in Table 1 below.

Table 1 - Area, Bulk, and Dimensional Criteria

| | Type A Large-Scale | Type B Mid-Scale | Type C Small-Scale |
|---|-------------------------------|-----------------------------|-------------------------------|
| Minimum Lot Size (Acres) (See Note 4 below) | 50 | 30 | 10 |
| Maximum Buildout (new floor area, s.f.) | | See Note 1 below | |
| Front, Side, and Rear Setbacks | | See Note 2 below | |
| Buffers | | See Note 3 below | |
| Lot Coverage Ratio/Maximum Impervious Surface | 7.5%/20% | 10%/20% | 12.5%/20% |

1. For the purposes of determining the total new floor area which may be developed on the lot, the applicant may construct new floor area in the development such that the total resulting floor area does not exceed the product of 2,000 square feet times the number of dwelling units which could be developed under normal application of 1.5 acre zoning requirements under the "Town of Harvard Rules and Regulations Governing the Subdivision of Land" and in accordance with this Section. The applicant shall provide with the application for Special Permit a site plan with verifiable soil tests indicating the number of buildable lots possible under detached single-family zoning, the State Environmental Code, Title V, the requirements of the Board of Health, the Wetlands Protection Act, and the Harvard Wetlands Protection Bylaw and Rules and Regulations. Such soil tests shall be conducted as if they were actual percolation tests in accordance with the above-referenced requirements and shall be verified and attested to by a registered professional engineer.
2. New buildings approved as part of RLPSP plus any activities approved as a part of the Special Permit shall be evaluated by the Planning Board on the basis of the specifics of the individual property and its unique features, the surrounding properties and uses, and the specific buildings and uses proposed. Setbacks shall be established so as to minimize potential nuisances and impacts and relief such as buffers, screening, and limited operations may be established as well (see Note 3 below).
3. Buffer requirements shall be contingent on the uses proposed, the layout and size of the property, and proximity to adjacent other uses and shall be established by the Planning Board as necessary to minimize nuisances.
4. Minimum lot size shall require single-ownership (or control) of one or more contiguous parcel(s) except that any portion of the project parcel that is conveyed for conservation purposes as part of the special permit approval, that land area may be reduced from the required minimum acres.

Applications may include multiple parcels in common ownership or control that collectively meet the area, bulk, and dimensional criteria in this section.

Specific uses may require additional setbacks, buffers, and other measures intended to minimize nuisances.

G. Development Standards

- (1) Properties subject to a Rural Life Special Permit may have the following owner-occupancy or property management options:
 - (a) Owner-occupant: It is preferred that RLPSP projects include a resident owner-occupant who may reside either in a primary residence or accessory dwelling; or
 - (b) Resident-manager: Alternatively, RLPSP projects may employ a resident-manager who shall reside on site and be responsible for day-to-day property management and address any aspects of this bylaw and RLPSP decision.
- (2) Alternative building siting is allowed without regard to lot width circle.
- (3) More than one (1) structure or main building may be permitted per lot.
- (4) Each subtype RLPSP has a maximum buildable area per lot and a maximum number of buildings per lot. Applicants may allocate this square footage any way they wish within these requirements. Refer to Section F. above for complete dimensional requirements.
- (5) A specific portion of the property at the time of the approval of the Special Permit, excluding wetlands, shall remain open and undeveloped/unimproved in order to retain a scenic viewshed, and/or natural, historic, and cultural resources on the property. The unimproved area, including the preservation of elements such as viewsheds and natural, cultural, or historic elements which should be detailed on the site plan.
- (6) If any of the commercial uses fail, the Special Permit must be amended to establish a new or replacement use. If all commercial uses fail, the Special Permit will be invalidated, and a new application would be required to reconsider RLPSP. An existing Special Permit may be transferred to a new owner provided the transfer is reviewed and approved by the Planning Board. No public hearing is required for a transfer if the same uses and conditions are adhered to.
- (7) The development shall not adversely affect surrounding residential properties in terms of noise, odors, light pollution, and other nuisances or disturbances. The Planning Board, in consideration of any RLPSP application, may impose specific performance standards for noise, glare, light, hours of operation, vibrations, heat, odor, hazardous materials, electric or other electronically generated interference, and other potential nuisance as may be applicable.
- (8) Open Space Requirement: A minimum of forty percent (40%) of the lot shall either be:
 - (a) Conveyed to the Town of Harvard and accepted by it for open space use;
 - (b) Conveyed to the Commonwealth of Massachusetts as part of a state forest, park, or wildlife management area;
 - (c) Conveyed to a non-profit corporation, the principal purpose of which is the conservation of open space, and made subject to a conservation restriction prepared in accordance with

the provisions of Section 31 and 33, inclusive, of Chapter 184 of the General Laws of the Commonwealth of Massachusetts; or

- (d) Made subject to a conservation restriction prepared in accordance with the provisions of Section 31 and 33, inclusive, of Chapter 184 of the General Laws of the Commonwealth of Massachusetts running in favor of either the Town or, upon the approval of the Planning Board, a non-profit corporation, the principal purpose of which is the conservation of open space. The conservation restriction shall provide that such land shall be kept, in perpetuity, in an open or natural state, in accordance with the above-noted sections of Chapter 184 of the General Laws. In designating the open space, the applicant shall consider adjacent public open space tracts or trails that could connect to trails established within the designated open space. At least a portion of the open space shall be available for use by the general public, unless the applicant can provide compelling reasons to the Planning Board why such access would be infeasible. If it is deemed necessary to achieve the purposes of this subsection, the Planning Board may increase the open space minimum requirement by not more than ten percent (10%).
- (9) Where appropriate, historical significance shall have special consideration for preservation of historic buildings on the site or on adjacent or neighboring properties. Please refer to Section I. below for specific criteria to be considered by the applicable Boards and Commissions for evaluating significant site elements.
- (10) The conversion of historic structures and barns to commercial use is encouraged and set-backs and height restrictions do not apply to buildings in existence before 2017.
- (11) Parking areas shall be designed to preserve views of the landscape and historic resources, to provide screening for near-by residences, and to protect environmental resources through the use of natural systems to manage stormwater runoff. Parking area requirements include:
 - (a) Each parking area shall provide an area for (9' x 19') spaces and (26' wide) aisles equivalent to 300 sq. ft. per space.
 - (b) Parking areas shall be clearly delineated and signed and located to the side or behind buildings, located internally on the site and hidden from the lot frontage to the extent possible.
 - (c) The perimeter of the parking lot shall provide for a lawn area in which trees (planted at a maximum spacing of 20 feet) and shrubs will be planted so as to allow ample snow storage capacity yet avoid damage to plantings from same. To the extent practical, parking areas should be compacted gravel and not asphalt or grass.
 - (d) Parking requirements for each use sought in the application shall be applied cumulatively based on Institute for Traffic Engineers (ITE) parking generation standards for each use unless the applicant provides a parking plan that clearly indicates that specific uses will not temporally overlap.
 - (e) Applicants may meet their parking requirements with off-site parking areas provided that either a dedicated pedestrian way connects the remote parking area with the primary site if within a 5-minute walking distance or with a shuttle if beyond 5-minutes.

- (f) Special events venues shall provide sufficient spaces based on dividing the number of “seats” or capacity by 3.5.
- (12) Loading docks shall be located and designed to minimize negative off-site impacts (visual and operational) on neighbors and neighboring properties.
- (13) Water and Sewer Infrastructure:
 - (a) The development shall be served by a water system deemed adequate for fire protection and domestic use by the Board of Health or Water & Sewer Commission and by the Fire Chief.
 - (b) The development shall be served either by the Town's sanitary sewer system or by one or more on-site disposal systems conforming to the State Environmental Code, Title V and the regulations of the Board of Health. If, however, in the judgment of the Board, the topography and/or soil conditions are such that it would be more efficient to allow (1) a private central sanitary sewer system, and/or (2) allow an underground common septic system or individual septic systems to be placed in the preserved open space, this configuration may be permitted. Prior to making such judgment, the Planning Board shall seek the review and recommendations of the Board of Health, Water & Sewer Commission, and the Conservation Commission. All systems are subject to approval by the Board of Health and any other governmental authority having jurisdiction.
- (14) Applications must provide evidence that any proposed use will not overtax the capacity of local infrastructure, including local roads. In particular, events or uses that attract significant patron numbers such as fairs and festivals, concerts, weddings, or fireworks displays must provide a narrative or report describing specific anticipated impacts including patronage, parking capacity for events, traffic circulation on site, use of traffic controllers, timing of use patronage, hours of operation including start and end times, frequency of activity, and how the applicant proposes to minimize impact on infrastructure. This narrative shall accompany the traffic impact assessment and the project impact assessment as part of the application.
- (15) Phasing: Phasing of the RLPSP, as approved by the Planning Board, shall be permitted either pursuant to phasing described in the initial Special Permit application or in subsequent Special Permit or site plan review applications. The Special Permit and site plan approval shall not be deemed to have lapsed so long as the applicant shall have commenced use of the RLPSP Special Permit or site plan approval in substantial accordance with the phasing time frames set forth in the Special Permit and site plan approval application. The Planning Board shall have the authority to require a performance bond or other similar mechanism if it determines that such a mechanism is necessary to ensure that the key components of the project are satisfactorily completed.

H. Design Requirements

The design of buildings and/or grounds shall adhere to the following design requirements. The Town of Harvard is protective of its rural, agricultural and small-town heritage, and the present-day community largely reflects this philosophy. Any new project or development that seeks to utilize this Special Permit must respect this heritage and the desire to prevent change that would detract from this

perspective. Therefore, applicants for the RLPSP shall design their project based on the following requirements, except as may meet the criteria of subsection 9 below.

Note that the Planning Board, based on the scale of the development and/or the particular significance of the preserved element(s) of the site, may direct the applicant to submit additional consultant fees for design review. Consultant reviewer will assess the narrative, site plan, significant elements, photographs, and elevation drawings to make a recommendation to the Board that the plans either meet or do not meet the design review requirements described below.

- (1) Buildings shall be constructed to be harmonious with their natural and built surroundings while avoiding repetition and monotony. Building designs shall utilize high-quality materials that reflect a rural character. Cedar or clapboard siding, stone and brickwork, or other comparable materials that achieve the same quality in appearance are acceptable. Aluminum, vinyl siding, tilt-up concrete or other concrete block, and steel are not acceptable.
 - (a) New buildings shall correspond in height, width, proportion, relationship to roadway, roof forms, composition, rhythm, proportion of openings, materials, and color to the other heritage buildings on site, in the vicinity, or in town generally.
 - (b) If a proposed site possesses an identifiable historic architectural style or is designated as historic, any new buildings or building additions shall adhere to this style as a design theme within the development. Designated historic buildings may require approval through a local, state or federal historic commission. Any such requirement shall be made part of the application process.
 - (c) Proposed structures shall be designed and sited to minimize scale-related impacts on neighboring lots and any adjacent open space.
 - (d) In mixed-use projects, new development should be located, grouped, and sited in a manner to respect the context of any adjoining existing residential uses. All uses in the new development should be clustered appropriately.
 - (e) All designs are subject to review and approval by the Planning Board and their design consultant. Plans should show building elevations of structures to either side of the proposed structure and must show the compatible scale.
- (2) Floor heights on main facades shall appear visually in proportion to those of adjoining buildings. There should be no more than a one-story difference between a new building and those on either side. New buildings shall reflect the characteristic rhythm of facades along the street, if applicable. If the site is large, the mass of the facade can be broken into a number of smaller bays. The characteristic proportion (relationship between height and width) of existing facades shall be maintained.
- (3) Roof types such as mansard, hip, shed, butterfly, gambrel, flat, or other roof shapes not characteristic of the architectural history of the area shall not be allowed. Rolled roofing, tar and gravel and other similar roofing materials are prohibited except that such materials may be used on flat or slightly sloped roofs which are not visible from the ground. It is strongly encouraged that existing roof coverings such as slate should be continued on new buildings and additions. Roof top mechanical installations shall be appropriately screened so as to block the view from

adjacent streets and properties. Such screening shall match or complement the overall theme of the building.

- (4) Landscaping shall be designed to complement the built and natural environment of the subject project and adjacent sites. Existing tree lines should be preserved. If removal of existing tree lines is required due to its undesirable nature, new planting that results in no less of a screening effect shall be required when adjacent to residential uses. Landscaping and buffering shall be evaluated based on said complementarity and align with the historical, natural, and cultural assets of the site and the larger surrounding neighborhood. Historic stone walls and fencing should be retained to the extent feasible and new walls and fences should complement existing structures.
- (5) Signage shall be designed in unity with the building design through the use of the same or similar materials and colors. Ground, monument signs, or wall mounted signs made of wood, hanging from a wooden or wrought iron mount are acceptable. Signs that suit the architectural elements of the building are acceptable. Neon tubed exterior accent light, external neon tubed signs and internally illuminated signs are not permitted.
- (6) Lighting shall be down cast, zero-degree tilt, cutoff, light emitting diode (LED) fixtures not exceeding 15 feet in height (including the light pole base and/or pedestal). Lighting shall be positioned so as not to cause glare on adjacent properties and streets. At a minimum, site lighting marking the entrance to businesses shall match or complement that which may be chosen by the Town as standard decorative street lighting. Site lighting shall meet the requirements of §125-40 in its entirety. Uniform, decorative street lighting that promotes the character of the area and adds aesthetic value shall be used. A black, cast iron, fluted post with a simple lantern luminaire is ideal.
- (7) Upon a minimum of four (4) affirmative votes of the Planning Board members, designs which present variations on the standards expressed in this subsection may be permitted if it is found that:
 - (a) The proposed design sets an exceptional standard whose design, quality, longevity, durability, and value will equal or exceed that which this document endeavors to promote.
 - (b) The proposed design will not create substantial detriment to adjacent properties.
 - (c) The proposed design will not establish an undesirable precedent.
 - (d) A quality design that maximizes the value of the proposed project, while protecting or enhancing neighborhood values is required.
 - (e) Four-sided architecture that utilizes similar building materials and design for all sides of a proposed structure is required.

I. Evaluation Criteria

- (1) General Evaluation of Application – The Planning Board may set conditions such as hours of operation, number of employees, parking, signage, or other conditions that they deem appropriate when granting a special permit pursuant to this section. In order to maintain the character of the property, the uses provided for herein (excluding those uses for which a

specific maximum is provided above), and any associated parking, shall occupy no more than 5% of the land area of the parcel(s). The Planning Board may require that the special permit, including all conditions, be recorded at the Registry of Deeds. The special permit shall recite the circumstances under which the special permit is being granted (e.g. the characteristics and features of the site) and shall include a condition requiring that the given circumstances continue to exist.

- (2) Site Element Criteria – The applicant shall prepare a packet for the board(s) or commission(s) applicable to the element(s) that is/are proposed to be protected. It is recommended that the applicant seek their review from these bodies, as may be applicable, prior to submittal of the Special Permit application in order to save time and money in case no element is deemed significant, although applicants may still apply for the Special Permit to seek Planning Board approval regardless of the review findings. Applicants may also choose to disregard this preliminary step and the element evaluation process shall be made a part of the regular review process. Please note that, at minimum, one significant element must be present and noted as part of the Special Permit application, for the proposal to be approvable.

(a) Conservation Commission

- [1] Properties that possess site elements such as landscapes, views and vistas, fields, ponds or streams, forests or tree copses, or individual heritage trees;
- [2] Any other natural element that is noted as significant in the 2016 Open Space and Recreation Plan or that members of the Conservation Commission otherwise identify as embodying the rural natural landscape of Harvard and would be important to protect.

(b) Cultural Council

- [1] Properties that possess site elements or have cultural significance recognized by the Cultural Council;

(c) Historical Commission

- [1] Properties that possess site elements such as local, state, or federally designated historic buildings or structures;
- [2] Any other building, structure, or landscape that is noted as significant in the 2016 Open Space and Recreation Plan or any historic inventory that members otherwise identify as embodying the rural character and landscape of Harvard and would be important to protect. Additionally, any resource not so listed but located within a designated historic district.



**Select Board
Minutes**
Tuesday, August 27, 2019 at 7:00pm
Town Hall Meeting Room, Harvard, MA

The meeting was called to order at 7:00pm by Chair Alice von Loesecke in the Town Hall Meeting Room. Select Board members Lucy Wallace, Stu Sklar, Kara Minar and Rich Maiore were in attendance as well as Town Administrator Tim Bragan, Assistant Town Administrator Marie Sobalvarro and Executive Assistant Julie Doucet.

Council on Aging appointment

CoA Co-Chair Beth Williams introduced Chester Hooper for appointment. Hooper was recruited by another CoA member and is happy to volunteer on the board. On a Wallace/Sklar motion, the board voted unanimously to appoint Chester Hooper to Council on Aging.

Old Library Accessibility project update

Wallace announced final inspection is expected for next week. She explained the committee learned last week that the hardware required to enable the full functionality electronic key card reader system to control and monitor access to the building was neither specified nor ordered by the General Contractor. As a result, additional equipment is required to return the building access to its original functioning state. OLAC believes that the cost for this additional hardware, and its installation, should be supported by the project's budget. Sobalvarro confirmed this component was not included in the original scope of the project. On a Minar/Maiore motion, the board voted unanimously to allow OLAC to proceed with the card swipe system. Sobalvarro will settle cost estimates from Jasonics and the locksmith to include prevailing wages.

Community Choice Aggregation

Energy Advisory Committee members Ellen Leicher, Brian Smith and Eric Broadbent were present to review the recommended plan options. The committee based their recommendation on survey data, cost projections, supply contracts and Colonial Power's (aggregation consultant) past experience with other towns.

Based on those considerations, they are recommending a plan including two options for Harvard's customers with a third non-participation option:

- 1) 100% renewable supply – 36 month term
- 2) Lowest cost supply – 36 month term
- 3) Opt out of the program

Assistant Town Administrator Marie Sobalvarro was able to attain usage estimates for all accounts that would be affected which indicating the cost for renewable supply to be \$6.68 higher on an annual basis than the lowest cost option for the average residential user.

On a Wallace/Minar motion, the board voted unanimously to designate 100% renewable supply source as the default.

The board members thanked the committee members for their efforts on the project commending them for their great work.

Minutes

On a Sklar/Wallace motion, the board voted unanimously to approve the 8/6 minutes, as presented.
(Minar – abstained as she was not present)

Special Event Permit

On a Minar/Maiore motion, the board voted unanimously to approve the special event permit request from the Harvard Lions Club for the Fall Festival run from Bromfield school to the pond.

Fire Station architect

On a Wallace/Sklar motion, the board voted unanimously to endorse contract with Kaestle Boos as articulated in the contract as amended with a date for completion of feasibility report.

Public Comment

Beth Williams, Co-Chair on the CoA, announced they are holding a ham & bean dinner the night of the on September 18th.

Town Administrator Report

- The Park and Recreation Committee voted to move forward for a grant to make the beach house bathrooms accessible. This will entail getting a design developed and then getting their approval. Will look at CPC, CPIC and Small Warrant Article for funding the design and then applying for the grant funding to do the project.
- Moving ahead and will be applying for hearing devices to be used at public meetings in Town Hall by individuals with hearing issues. They are called Assisted Listening Devices.
- The building committee has been working with CBI to do the preliminary work and development of the specifications for the Old Library roof and top courses of brick and are looking at the second candidate, Gale, to possibly do the job.
- The Assessor's office updated the application form for the Means Tested Senior Exemption program and has set Monday, September 16, 2019 as the deadline for applications.
- No additional questions have come from the Moderator or Department Heads with respect to splitting the annual Town meeting into a Spring and Fall Session. So far Town Counsel has said we can do it and that when the Spring session ends you adjourn it to the date, time and place of the fall session rather than being dissolved and it is called under 2 warrants. He asked the Select Board members, to send me any questions you may have so they can be answered before the All Boards meeting in September.
- Public Hearing Notice from Ayer has been received regarding the proposed Pond View development off of Shaker Road. The hearing is this evening and should the Board wish us to send a letter of concerns then I will be happy to do so.
- He provided a list of vacant board and committee positions and it is available on our website. There is a correction in that there are now two associate positions available on the Finance Committee
- The Finance Committee is meeting on the 11th to prepare for the All Boards Meeting on the 18th of September and will also start the discussion on issues discussed in our recent Standard and Poor's rating.
- Attached is a draft calendar for the upcoming budget season. The Chairs of the Select Board, Finance Committee, and Capital Planning and Investment Committee along with Marie, Julie, and Lori have either reviewed it and do not see anything wrong with it. I ask the Board to review it and make any changes necessary at the next meeting.
- Attached is the easement received from National Grid on Friday, along with Town Counsel's input and comments from the Chair of the School Building Committee, SusanMary Redinger. This will have to be approved at a Town Meeting.

- The Moderator is available for a Special Town Meeting on Monday, October 28, 2019. There are a number of items that could be addressed at this meeting and they include:
 - Up to 7 zoning articles currently being worked on by Planning Board and the Economic and Community Development Director.
 - Funding to extending hours at transfer station. (Select Board and DPW)
 - Deal with other (non-school) bond premiums from our recent borrowing. (Finance Director)
 - Automatic Article Closeout after three years. (Finance Director)
 - Other articles as needed or submitted.
- As you may know that Water Department had to close down well five due to bacteria getting into the system. Tim Kilhart worked with DEP and the Water and Sewer Commission and believes it was due to a crack in the well wall. DPW sealed the crack today. This is the second time in a few months that our wells have been off-line due to issues. The DPW Director is getting concerned that DEP may end our ability to have "Raw Water" (non-treated water) and may require us to start treating our water which could get very costly. The Water and Sewer Commission discussed this issue at their last meeting and are concerned about future operating issues and cost to a small water system. They believe we need to start looking at all of our options (new well, expand system to cover operational costs, connecting to Devens) so that we can plan for the future as opposed to having to react to a decree from DEP.

Request from Town of Ayer to install water/sewer pipes

DPW Director Mark Wetzel and Town Administrator Robert Pontbriand from Ayer came to review their request in more detail. They reported the Ayer Planning Board was holding a hearing this evening on the proposal. They are mindful of the concern for this development and acknowledged it is in the preliminary stages. They discussed options for the area with respect to wetlands and traffic. Wetzel estimates the developer is at least a couple of months away from finalizing anything. All parties were in agreement they are seeking a project that will be good for both towns. Von Loesecke explained the board is not opposed to the request however they are not ready to take action. Wallace agreed that input from the Ayer Planning Board, Ayer Conservation Commission and Harvard Conservation Commission is imperative prior to any decisions being made. The Town of Ayer will follow up with Harvard once they have more thorough information.

Carlson Orchards – one day liquor licensing

Frank Carlson asked the board to consider rescinding his requests for July and August and instead allowing him to use dates in September and October. Carlson stated he only used the one day licensing for four days in August and no dates in July. The board was amendable to this and will take action at their next meeting.

Resident Gwen Leonard from Woodchuck Hill spoke briefly about her concern for the impact this licensing may have on the overall community with respect to noise and our scenic roadways.

Intermunicipal agreement – MAJIC Regional Housing group

Von Loesecke said Community & Economic Development Director Chris Ryan assisted in Harvard becoming a member of this group. She explained they will be able to assist in monitoring all affordable house units and tracking sales. On a Wallace/Maiore motion, the board voted unanimously to approve signing the Intermunicipal agreement with the MAJIC Regional Housing Group subject to correction of typos.

Select Board Reports

Maio reported the Planning Board is working on seven articles for the Fall Special Town Meeting. He expects the Chair Erin McBee to attend an upcoming meeting to review. He confirmed the Community & Economic Development Director Chris Ryan will visit with the Select Board at their next meeting to review his Ayer Road Development Plan. Maio will be meeting with the Agricultural Advisory Commission to discuss some areas of interest with them.

Minar noted again the hard work of the Energy Advisory Committee on the Community Aggregation. She also reported on the recent meeting held by the Board of Health to address Eastern Equine Encephalitis (EEE). She explained one mosquito in town tested positive for the virus. An action plan was discussed but no roadside mosquito spraying will be done it is up to personal responsibility at this time.

Sklar reported the new SMART program at the Transfer Station is going well so far and they have received positive feedback.

Von Loesecke reported the first Hildreth Elementary School construction meeting has been held and one will happen each week.

**** On a Wallace motion, the Board voted unanimously by a roll call vote:

(Wallace – Aye, Maio – Aye, von Loesecke – Aye, Minar – Aye, Sklar – Aye) to enter into executive session at 8:50pm, as authorized by Chapter 30A, Section 21.3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. The Board will reconvene into open session only to adjourn. ****

The meeting was adjourned at 9:30pm.

Documents referenced:

Hooper vol form – dated 7.21.2019

OLAC – memo dated 8.27.2019

Community Choice Aggregation progress report - 8.23.2019

Special Event request – dated 7.30.2019

Intermunicipal Agreement – dated 8.14.2019



**Tuesday, September 3, 2019 at 7:00pm
Town Hall Meeting Room, Harvard, MA**

The meeting was called to order at 7:00pm by Chair Alice von Loesecke in the Town Hall Meeting Room. Select Board members Lucy Wallace, Stu Sklar, Kara Minar and Rich Maiore were in attendance as well as Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

Ayer Road Corridor Development Plan

Community & Economic Development Director Chris Ryan gave a presentation for development of the commercial district on Ayer Road. Ryan spoke about the problems with the area and previous attempts at planning efforts. He described the proposed project in three phases: market analysis & fiscal impact assessment, Ayer Road corridor vision plan and development of appropriate zoning tools. Ryan proposed a form-based code zoning tool as a far more robust means to establish and ensure that development will conform to desires and expectations of the community. He also offered funding options and approaches to achieve the development. Ryan reviewed his next steps and vision for the future. Von Loesecke asked her fellow board members to send any comments they may have to Ryan.

Public Communication

Gwen Leonard, 53 Woodchuck Hill Road, is a big supporter of new businesses understanding how much work it can be. She believes Carlson Orchards is entering a very competitive market. Her concern for Harvard is how can we do it better, smarter and safer? She mentioned the need for speed and no passing signs in the area surrounding Carlson's.

Carlson Orchards – Request to transfer one-day licenses from July & August to September & October

Mr. Carlson withdrew his request. He will await approval for his Farmer Series Pouring Permit to avoid any conflict.

Devens Enterprise Commission (DEC) liquor licensing

Bragan explained the gas station in Devens is interested in attaining an off premise license however they are currently only able to grant on premise licenses. Special legislation is required to acquire this type of license.

All Boards Meeting

Bragan distributed the FY21 budget request memo and asked for input from the board members. Von Loesecke volunteered to work on the document so they can finalize it at their next meeting.

Special Town Meeting

On a Minar/Maiore motion, the board voted unanimously to set October 28th, 2019 for fall special town meeting.

Announcements

Bragan informed the board of the pricing for Community Choice Aggregation was lower than estimated. Bragan said the required easement for the school project will be on the next agenda. Bragan announced the Fellowship Hall has events scheduled for 9/8, 9/13 and 9/14

The meeting was adjourned at 8:22pm.

Documents referenced:

Ayer Road Corridor Development Plan – dated 9.3.2019

Carlson License request – dated 8.29.2019

All Boards – Fiscal 20 budget request memo – dated Oct 15,2019

Property Address: 27 Massachusetts Avenue f/k/a Bromfield Street and Fairbanks Street, Harvard, MA

GRANT OF LICENSE

The **TOWN OF HARVARD**, a municipal corporation with a usual place of business at 13 Ayer Road, Harvard, Massachusetts 01451, a municipal corporation duly organized and existing under the laws of the Commonwealth of Massachusetts (hereinafter referred to as the Licensee), for consideration of One (\$1.00) Dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, a Massachusetts corporation with its usual place of business at 40 Sylvan Road, Waltham, Massachusetts 02451 (hereinafter referred to as the Licensor) a License to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current and for the transmission of intelligence, an "UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM" (hereinafter referred to as the "UNDERGROUND SYSTEM") located in Harvard, Worcester County, Massachusetts, consisting of lines of buried wires and cables and lines of wires and cables installed in underground conduits, together with all equipment and appurtenances thereto for the transmission of intelligence and the furnishing of electric service to the herein described premises, and without limiting the generality of the foregoing, but specifically including the following equipment; namely: manholes, manhole openings, bollards, handholes, junction boxes, transformers, transformer vaults, padmounts, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the License area of the hereinafter described property.

Said "UNDERGROUND SYSTEM" is located in, through, under, over, across and upon a parcel of land situated on the easterly side of Massachusetts Avenue f/k/a Bromfield Street and the westerly side of Fairbanks Street, being more particularly described in a deed dated April 29, 1894, recorded with the Worcester South District Registry of Deeds in Book 1782, Page 20.

And further, said "UNDERGROUND SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Licensee) is approximately shown on a sketch entitled: "EXHIBIT 'A' NOT TO SCALE; 27 Mass Ave License Sketch Harvard Ma; Date: 8/14/2019; Designer: J.Morales; Work Request: 27462907; nationalgrid", said sketch is attached hereto as "Exhibit A," copies of which are in the possession of the Licensor and Licensee herein, but the final definitive locations of said "UNDERGROUND SYSTEM" shall become established by and upon the installation and erection thereof by the Licensor.

WR #27462907

05 HARVMA GEN

Also with the further right from time to time to pass and repass over, across and upon said land of the Licensee as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate, patrol and otherwise change said "UNDERGROUND SYSTEM" and each and every part thereof, but not the general location thereof, and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Licensor, its successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "UNDERGROUND SYSTEM" is located as shown on the sketch herein referred to, of such trees, shrubs, bushes, structures, objects and surfaces, as may in the opinion and judgment of the Licensor interfere with the safe and efficient operation and maintenance of the "UNDERGROUND SYSTEM" and other related electrical equipment. However, said Licensor, its successors and assigns, will properly backfill said excavation or excavations and restore the surface of the land to as reasonably good condition as said surface was in immediately prior to the excavation or excavations thereof.

It is the intention of the Licensee to grant to the Licensor, its successors and assigns, a License as aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within the Licensee's land an "UNDERGROUND SYSTEM" for the transmission of intelligence and for supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch.

If the herein referred to locations as approximately shown on the Sketch are unsuitable for the purposes of the Licensee or the Licensor, then the locations may, subject to the prior written consent of Licensor, which consent shall not be unreasonably withheld, be changed to areas mutually satisfactory to both the Licensor and the Licensee herein; and further the newly agreed to locations shall be indicated and shown on the Sketch by proper amendment or amendments thereto. Any relocation so requested shall be at the sole cost and expense of the requesting party.

It is agreed that said "UNDERGROUND SYSTEM" and all necessary appurtenances thereto, shall remain the property of the Licensor, its successors and assigns, and that the Licensor, its successors and assigns, shall pay all taxes assessed thereon.

Licensor and Licensee agree that this License shall terminate upon the recording of a permanent easement granted by Licensee to Massachusetts Electric Company for the above noted location as described in this License.

For Licensee's title, see deed dated April 29, 1894, recorded with the Worcester South District Registry of Deeds in Book 1782, Page 20.

IN WITNESS WHEREOF, the Town of Harvard, acting by and through its Board of Selectmen, being duly authorized, have executed this License this _____ day of _____, 2019.

TOWN OF HARVARD
Acting by and through its Board of
Selectmen

By: Alice von Loesecki
Its: Selectperson

By: Richard D. Maiore
Its: Selectperson

By: Kara McGuire Minar
Its: Selectperson

By: Stuart Sklar
Its: Selectperson

By: Lucy B. Wallace
Its: Selectperson

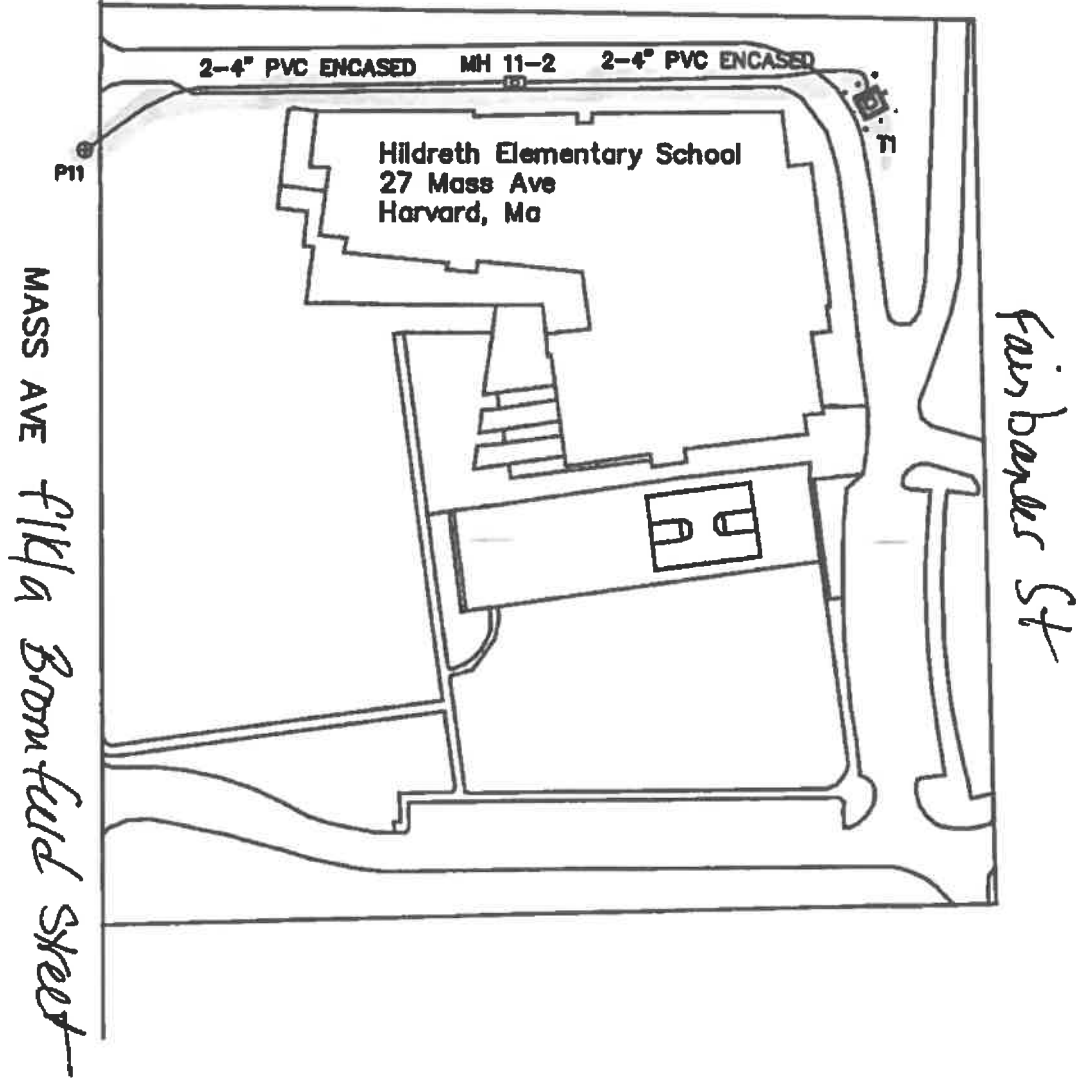
WR #27462907

The provisions of Massachusetts
General Laws, Chapter 183
Section 6B, are not applicable.



EXHIBIT 'A' NOT TO SCALE

The exact location of said Facilities to be established by and upon the Installation and erection of the Facilities thereof.



MASS AVE
aka Bromfield Street

Fairbanks St

Hildreth Elementary School
27 Mass Ave
Harvard, Ma

2-4" PVC ENCASED MH 11-2 2-4" PVC ENCASED

P11

T1

LEGEND

- Existing JO pole
 - Proposed man hole
 - Proposed transformer with oil containment and bellards
- 2-4" PVC encased

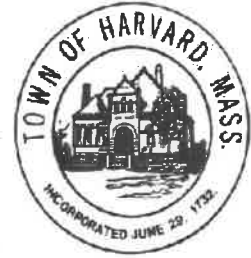
Harvard
27 Mass Ave
License Sketch
Ma

Date: 8/14/2019
Designer: J. Morales
Work Request: 27462907

nationalgrid

TOWN OF HARVARD

VOLUNTEER APPLICATION (12/02/2008)



Thank you for your interest in serving the town of Harvard. Please complete this application to be kept informed of volunteer opportunities and/or to apply for a specific position or fill a vacancy when one occurs. You may be also be contacted based on your stated areas of interest for other opportunities to volunteer. Your application will be kept on file for 3 years.

Date of Application: September 04, 2019

Applicant Information:

Name: Michelle Catalina

Address: 37 Old Littleton Rd

Home/Work Phone #9784248175

Mobile Phone# 9784248175

Email Address: shelbycatalina@gmail.com

Indicate below which Board(s) or Committee(s) are of interest to you:

Community Preservation Committee

Have you previously been a member of a Board, Committee or Commission (either in Harvard or elsewhere)? If so, please list the Board name and your approximate dates of service:
Economic Dev. Comm 2009 - 2010, Harvard PB 2010 - 2013, 2014-2018, CPC (PB rep) 2014 -2018,

Do you have any time restrictions? YES NO

Are you a registered voter? YES NO

Please list your present occupation and employer (you may also attach your résumé or CV)
Senior Scientist AMPEL BloSolutions

Do you, your spouse, or your employer have any current or potential business relationship with the Town of Harvard that could create a conflict of interest? (If YES, please describe the possible conflict) No

Please outline any education, special training or other areas of interest you have that may be relevant to the appointment sought.

Data analytics
Institutional knowledge

Received by Town of Harvard

Return to: Town Of Harvard, 13 Ayer Road, Harvard MA 01451 or email jdoucet@harvard.ma.us

Fiscal 2021 Budget Memorandum

To: Department Heads, Boards, Committees and Commissions
From: Board of Selectmen
Subject: FY 2021 Budget Request Submission Process
Date: October 15, 2019

This document provides direction for your FY 2021 budget request submission, which is to be **completed and returned by December 2, 2019.**

Updated Budget Process

The due date to return budgets will be the beginning of December, and both the Select Board and Finance Committee will ask their questions in a combined format. This year the meetings will be with the Finance Committee and the Select Board members will attend as they deem necessary. Thank you to all who attended the All-Boards meeting on September 18th and shared thoughts and feelings about the process to be used and your department's, board's or commission's goals.

We know the timeline for this year's process is tight, but by working together we can achieve each deadline. The following are the timeframes and deadlines for the FY2020 budget process:

- December 2, 2019: Completed budget documents **due** to Town Administrator by 2PM.
- December 23, 2019: Questions from the Select Board and Finance Committee sent out.
- January 2, 2020: **Answers due** back to Town Administrator's office by 2PM
- January 8, 15, 22 and 29: Departments, Boards and Committees will be scheduled to meet with Finance Committee and Select Board, to review budgets and answer any additional questions.
- January 31, 2020 all financial warrant articles are due to the Town Administrator by 12 noon.
- February 26, 2020: Finance Committee final budget and recommendations delivered to the Select Board.
- March 3 and 17, 2020 the Select Board review and make changes to the budget if necessary.
- March 18, 2020: Finance Committee finalizes their budget recommendation based on the Select Board's final budget.
- March 30, 2020: Budget book sent to print.
- May 2, 2020: Annual Town Meeting

¹ tbragan@harvard.ma.us, jdoucet@harvard.ma.us, msobalvarro@harvard.ma.us

Budget Goals

After reviewing the Select Board's goals, the Master Plan, and the ideas and goals presented at the All-Boards meeting, the goals for the 2021 budget will include the following:

- **Initiate programs that improve service delivery to residents, while controlling costs.**
- **Enhance residents' quality-of-life through activities, programs and well-maintained facilities.**
- **Maintain the Town's physical resources.**
- **Promote responsible economic development, and generate a climate where existing businesses can expand, new ones are welcomed, and decisions surrounding Devens are assessed in a fair environment.**

We believe the Town will move forward and be well-served by these goals. As we review budgets and compile the complete Omnibus Budget, your budget documents will be evaluated in the context of the prior goals.

Financial Expectations

The Select Board and Finance Committee have set the following financial expectations for the FY21 Budget.

Like previous years, we are asking you to provide us with a:

- **A level-service budget** (A level service budget takes into account inflation but does not include additional goods or expanded services.),
- **A prioritized list of the top additional spending needs** and **why** you would like these added to the level service budget, and
- **A prioritized list of cuts** in the event revenues are not sufficient to support the level service budget.

This does not guarantee that we will be able to address all (if any) of these budgetary needs, but it will give us a better picture of what our additional operational needs are.

Over the years most if not all of you have shown that you can be creative in how you provide services with dwindling resources. This type of approach has helped us to get where we are, and may be necessary moving forward. We believe there are still more creative ideas that you have that would be beneficial to the Town's operations, and encourage you to propose any initiative which may cost money this year but will help address our budgetary needs and save money going forward.

We expect a **detailed budget report explaining each budget**, how it fits with our goals and what decisions you (as department head, board, committee, or commission) have made with regards to what services will be provided.

We are also asking you to project beyond FY2021 and tell us what you see in each fiscal year from FY22 to FY26 for both personnel and expense budgets. Please be as detailed as possible with regards to the explanations. We know these numbers are fluid yet it provides an outline of what future budgets will require, and allows us to lay the groundwork for meeting those future challenges.

Specific Guidelines for Budget Development

All budgets should use the following guidelines:

1. Explain the goals and objectives of your budget, how this compares to prior years' goals, and how these address the overall budget goals.
2. Be certain the correct FY20 Grade and rate is shown for your staff. Given the adoption of the new Classification Plan for Town employees, the grade/step of FY18 and prior years is no longer in effect. The Personnel Board voted a **X.X%** COLA for FY21. For FY22-FY26, add an additional 1.5%² to payroll as an estimated base increase. Please reflect if someone within your department may be retiring, and provide as much information and detail in your budget narrative, especially where there are changes.
3. Expense budgets should be level service budgets. Identify and explain what changes are being made or contemplated within your budgets to *maintain your current level of service*. Blanket percentage increases across these lines are not acceptable. **Actual anticipated changes are to be used and the reason for the increase/decrease thoroughly explained.**
4. The sum total of your personnel and expense budgets **may not exceed a 2.5% increase** over your current FY budget. If this threshold is exceeded, itemize those items/costs and provide an explanation.
5. Explore any changes to your service delivery that will realize savings. This includes any ideas or plans that may cost more in year one but would decrease costs going forward. Can you combine your departmental costs with other departments or communities to improve services and/or reduce costs? Are there new sources of revenue or grant funding that could reduce the net cost of your operations?
6. Provide a detailed report of **all non-tax revenues anticipated or received** in FY20 and anticipated in FY21 and FY22. Include the dollar amounts received, what the money was/is used for/intended to be used for.
7. All budget forms must be completed as directed, and submitted **electronically along with one (1) signed hard copy**. Use the forms and format provided and include your narrative with this submission. Should you submit anything not in the form or format required, your budget will not be reviewed by the Finance Committee or Select Board.

² This is merely an estimated projection, based on the five-year average CPI-U change from 2014-2018.

If you have questions regarding how to fill out these forms please ask ***Tim or Marie***³. The forms need to be filled out accurately and explained in detail. **All budgets are due no later than 2PM on December 2, 2019.**

Finance Committee's Basis for Their Recommendations

The Finance Committee will be determining whether the budgets are substantially consistent with:

- Maintaining current levels of services to the townspeople while addressing increased demand for services in certain areas;
- Providing sufficient funds for building and other infrastructure maintenance to ensure that capital facilities and equipment are properly maintained; and
- Maintaining adequate reserves and contingency funds for certain future expenses and unforeseen circumstances.
- The budgets can be supported by the Town's tax base and other revenue sources, without jeopardizing the Town's credit ratings and ability to service its debt in coming years.

³ tbragan@harvard.ma.us or msobalvarro@harvard.ma.us

BUDGET CALENDAR for FY21



SB: Select Board

FC: Finance Committee

CPIC: Capital Planning and Investment Committee

| | | |
|------------------|---|--|
| September | 18 th | Budget Process Kick-off Meeting for all boards and committees |
| | 25 th | Deadline for submission of articles required to be acted on at the Special Town Meeting |
| October | 2 nd | FC Meeting |
| | 3 rd | CPIC Requests due to the Town Administrator's office by 3 p.m. |
| | 7 th | CPIC Meeting to review CPIC requests |
| | 8 th | SB Meeting |
| | 10 th | CPC Applications due back to the Town Administrator's office by 4 p.m. |
| | 16 th | Budget Documents distributed to Departments |
| | | FC Meeting |
| | 21 st | CPIC questions distributed to requestors |
| | 22 nd | SB Meeting |
| | 28 | Special Town Meeting |
| November | 1 st | Answers from CPIC questions due back for distribution to CPIC |
| | 4 th | CPIC Meeting: Review requests, applicant meetings |
| | 5 th | SB Meeting |
| | 6 th | FC Meeting |
| | 18 th | CPIC Meeting: Review requests, applicant meetings |
| | 19 th | SB Meeting |
| | 20 th | FC Meeting |
| December | 2 nd | Budgets due back to the Town Administrator's office by 2 p.m. |
| | | CPIC Meeting: Rating request, deliberation, applicant meetings, preliminary capital plan |
| | 3 rd | SB Meeting |
| | 4 th | FC Meeting |
| | 6 th | Compiled FY20 budgets distributed to the SB and FC |
| | 16 th | CPIC Meeting finalize draft plan |
| | 17 th | SB Meeting: CPIC presents proposed FY20 Capital Budget |
| | 18 th | FC Meeting |
| | 20 th | Budget questions due back from the SB and FC |
| | 23 rd | SB and FC questions re. FY20 budget distributed to Departments |
| 30 th | FC sends Initial Budget Roll-up to SB | |
| January | 3 rd | Departments' answers to questions due back to Town Administrator's office |
| | 6 th | Answers distributed to the SB and FC |
| | 7 th | SB Meeting |
| | 8 th | FC Meeting |
| | 15 th | FC Meeting |
| | 21 st | SB Meeting |
| | 22 nd | FC Meeting |
| | 29 th | FC Meeting |
| 31 st | Financial Warrant Articles are due per bylaw. | |

(BUDGET CALENDAR for FY21 continued)

| | | |
|-----------------|------------------|--|
| February | 4 th | SB Meeting |
| | 5 th | FC Meeting |
| | 12 th | FC Meeting |
| | 25 th | SB Meeting |
| | 26 th | FC Meeting: Final Budget Ready to send to SB per bylaw |
| March | 3 rd | SB Meeting |
| | 11 th | FC Meeting |
| | 17 th | SB Meeting: Final Adjustments to Budget |
| | 18 th | FC Meeting: Final FC Budget |
| | 19 th | SB Meeting |
| | 25 th | FC Meeting: Warrant Booklet Finalized |
| | 30 th | FC Warrant Booklet (Budget Booklet) sent to printer |
| April | 7 th | SB Meeting |
| | 15 th | FC Meeting |
| | 21 st | SB Meeting |
| | 22 nd | FC Meeting |
| May | 2 nd | Annual Town Meeting |



Message

Wed, Sep 11, 2019 9:15 AM

From: Christopher Ryan
To: Planning Board List '18
Cc: Tim Bragan Tim Kilhart Alice von Loesecke

Subject: Ayer Open Space Subdivision (previously known as Pond View)

All

I attended the Ayer Planning Board meeting last night and want to provide you with a summary of the discussion and my thoughts.

1. Drainage from stormwater runoff will be handled on site and not discharged onto Shaker Road.
2. Sewer is a force main to be pumped off site and under Shaker Road. The DPW Director acknowledges that permission from Harvard will be required and that this hasn't been received as yet.
3. Ayer Town Planner recommended a traffic study to address ADT and trip turns and distribution and also taking into consideration County Club traffic and truck traffic. Applicant requested a scope and cost but did not commit to it.
4. Ayer DPW Director DID NOT see the need for a traffic study but only a look at the road configurations and geometry.
5. Several Board members, after several Shaker Road residents spoke of concerns over traffic, agreed that a study should be considered. These residents included Kathleen Shields, Melissa Tracy, and Daniel Tracy.
6. Board agreed to let Town Planner, DPW Director, and MASSDOT to determine if a traffic study will be needed and to what level of detail.
7. Kathleen Shields asked about the Country Club and allowed turning movements. Board Chair directed her to make that inquiry to the Town of Harvard where the jurisdiction resides.

I would respectfully recommend that BOTH the Planning Board and Select

Board direct communications to the Ayer Planning Board, DOT, and the staffers authorized to come up with a traffic analysis recommendation.

This communication, in my opinion, would strongly urge the authorization of a "Traffic Impact Study" that would include the following components:

- Proposed development size and phasing
- Study location extents, primarily intersections and corridors of travel
- Existing traffic, turning movement counts including cars, trucks, and other...and hose counts
- Times of days, days of week, and horizon years (future years to be studied)
- Expected traffic increase without development
- Expected nearby (off-site) developments
- Accident history

Please let me know if you have any questions regarding this summary.

Thanks,

Chris

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Christopher J. Ryan, AICP
Director of Community and Economic Development
Town of Harvard, MA
13 Ayer Road
Harvard, MA 01451
Phone: 978.456.4100 x.323
Email: cryan@harvard.ma.us
Blog: <https://harvardtownplanning.blogspot.com/>
Web: <http://www.harvard.ma.us>

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September 12, 2019

To whom it may concern,

Effective September 12, 2019 I must resign from the Harvard Energy Advisory Committee.

It is with regret but also hope for the future that I am sending this letter of resignation from my position as an appointed member of the Harvard Energy Advisory Committee, which I have been fortunate enough to be a member of since our very first meeting in May of 2008.

The expansion of HEAC's scope to become a Sustainability Committee is very exciting and represents an opportunity to serve the town in reaching larger goals, adding to my regrets that I will no longer be able to serve while also raising my hopes for Harvard's future.

The Select Board has been a solid supporter of the Energy Advisory Committee's initiatives in the past, and while I am stepping away I remain hopeful of continued support as HEAC takes on these larger goals on behalf of Harvard.

It has been my great privilege to serve the town of Harvard and have the opportunity to learn from others on this tremendously talented and well run committee, and I look forward to hearing about the work going forward as well as providing any assistance I can upon request.

I extend congratulations to Brian Smith for having led HEAC from the very beginning through a series of significant accomplishments, and rest assured that his effective and inclusive leadership will guide the committee well into the future.

Thank-you very much,

Handwritten signature of Eric Broadbent in black ink, appearing as "EB Broadbent II".

Eric Broadbent
51 Hillcrest Drive
Florence, MA 01062
978-906-5592
ebroadbent@mac.com