

**TOWN OF HARVARD
PLANNING BOARD AGENDA
MONDAY, FEBRUARY 5, 2024 @ 7:00PM**

Pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, and signed into law on March 29, 2023, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

UpperTH ProWebinar is inviting you to a scheduled Zoom meeting.

Topic: Planning Board

Time: Feb 5, 2024 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83724580109?pwd=VGVhNDU1ZlVZdXR1Ly9vN3F5Sm9WQT09>

Meeting ID: 837 2458 0109

Passcode: 612068

One tap mobile

+13052241968,,83724580109# US

+13092053325,,83724580109# US

Dial by your location

• +1 305 224 1968 US

• +1 309 205 3325 US

Meeting ID: 837 2458 0109

Find your local number: <https://us02web.zoom.us/j/83724580109?pwd=VGVhNDU1ZlVZdXR1Ly9vN3F5Sm9WQT09>

Public Comment

Old Business: a) Proposed Town Center Overlay District and Town Center Action Plan
b) 2016 Master Plan progress report
c) 2026 Master Planning steering committee & funding request

New Business: a) Request for Endorsement of Approval Not Required (ANR) under §133-1, §133-9 and §133-10, as well as to Frontage under §130-10 by the Applicants, Roginski Irrevocable Trust & Harvard Conservation Trust for parcels at 28 Deerfoot Trail, Harvard.
b) Discussion to authorize UTILE to proceed with Phase III: Form Based Code

Public Hearings:

7:15pm **Continuation of a Public Hearing pursuant to Massachusetts General Laws Chapter 40A, Section 3A,** to consider and receive comments from interested parties concerning proposed addition to Chapter 125 of the Code of the Town of Harvard the Protective Bylaw for a Multi-family overlay district. Potential updates to Draft Bylaw MBTA-3A Multi-family overlay district.

Standard Business: a) Review Metrics
b) Board Member Reports
 • Representatives & Liaisons Update
 • Community Matters
c) Master Planning for 2026
d) Approve Minutes
e) Approve Invoice: Town of Hudson Housing Consortium bill \$812.50

NEXT SCHEDULED MEETINGS:

MONDAY, FEB. 26, 2024

AS

The listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law, also.

TOWN OF HARVARD
The Commonwealth of Massachusetts



FORM A and CHECKLIST

APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED NOT TO REQUIRE APPROVAL UNDER
THE SUBDIVISION CONTROL LAW (Ch. 41)
(A.N.R.)

File ten (10) completed copies of this form, and associated plans as described in Planning Board Procedural Rules and Regulations, Chapter 133 of the Code of the Town of Harvard, with the Town Clerk and in accordance with the requirements of Section 81P

No. _____

January 12, _____, 2024

To the Planning Board:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons (circle as appropriate):

1. The accompanying plan is not a subdivision because the plan does not show a division of land.
2. The division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Protective (Zoning) Bylaw under Section _____ which requires _____ feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:
 - a. a public way or way which the Town Clerk certifies is maintained and used as a public way, namely _____; or
 - b. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely _____ on _____, and subject to the following conditions _____; or
 - c. a private way in existence on February 6, 1954, the date when the Subdivision Control Law became effective in the Town of Harvard having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____.

3. The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely Parcel "A" & Parcel "B" which adds to/takes away from/changes the size and shape of, lots in such a manner so that no lot affected is left without frontage as required by the Protective (Zoning) Bylaw under Section 125-29.B, which requires 180 feet.

4. The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically _____ buildings were standing on the plan prior to February 6, 1954, the date when the subdivision control law went into effect in the Town of Harvard, and one of such buildings remains standing on each of the lots/said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the subdivision control law is submitted as follows:

5. Other reasons or comments (See MGL Chapter 41, Section 81L) _____

The owner's title to the land is derived under deed from The Roginski Irrevocable Trust & The Harvard Conservation Trust, dated 8-16-2019 & 2-23-2022, and record in Worcester County Registry of Deeds, Book 60893, Page 371 or Land Court Certificate of Title No. _____, registered in Worcester District Book 67158, Page 62, and Harvard Assessors' Book _____, Page _____.

6. Fee paid (\$150 per lot) \$300.

APPLICANT'S NAME (Please print) The Roginski Irrevocable Trust & The Harvard Conservation Trust

Applicant's signature *King Ashe* *[Signature]* Phone No. 978-456-9292
P.O. Box 31

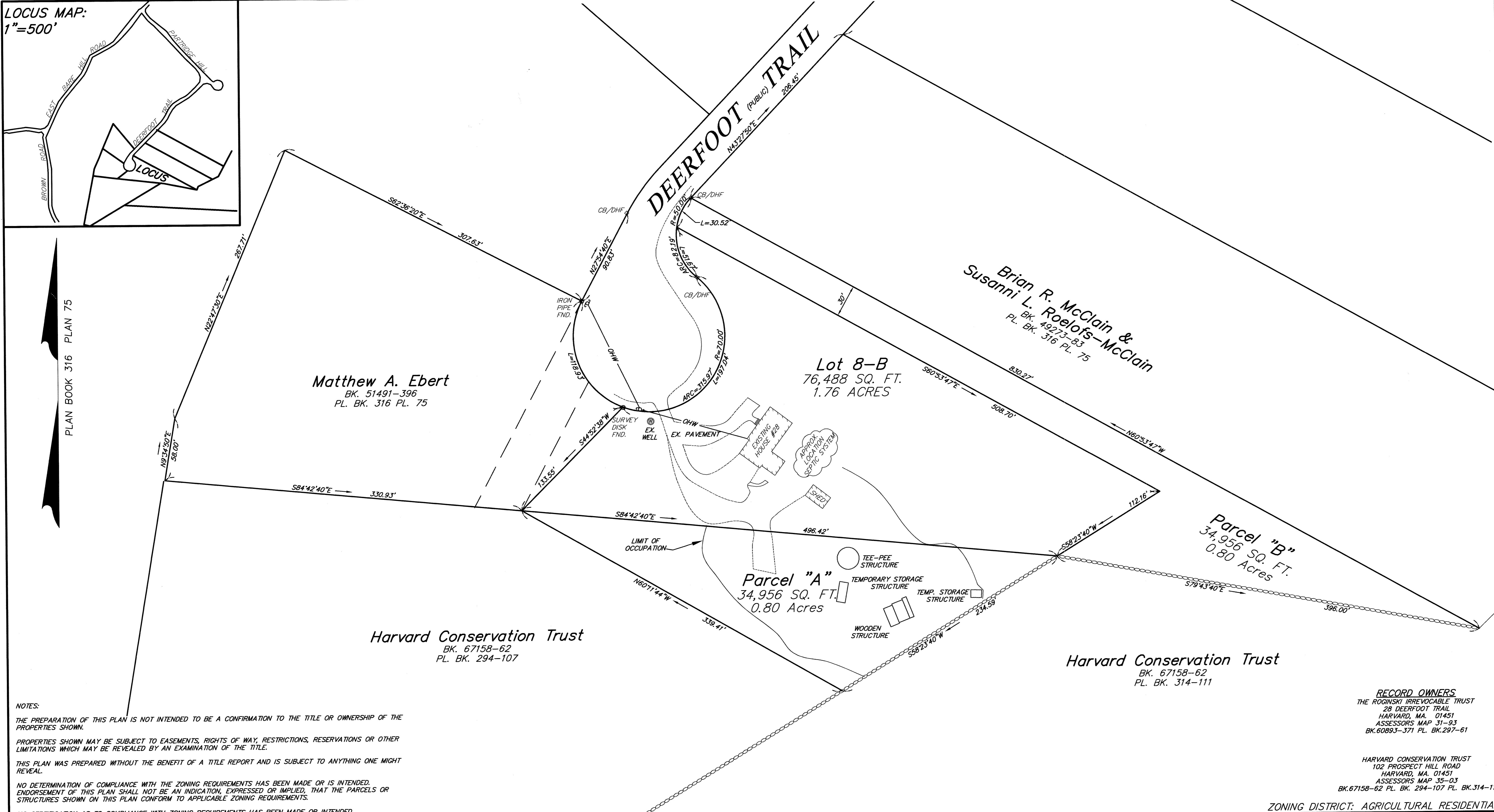
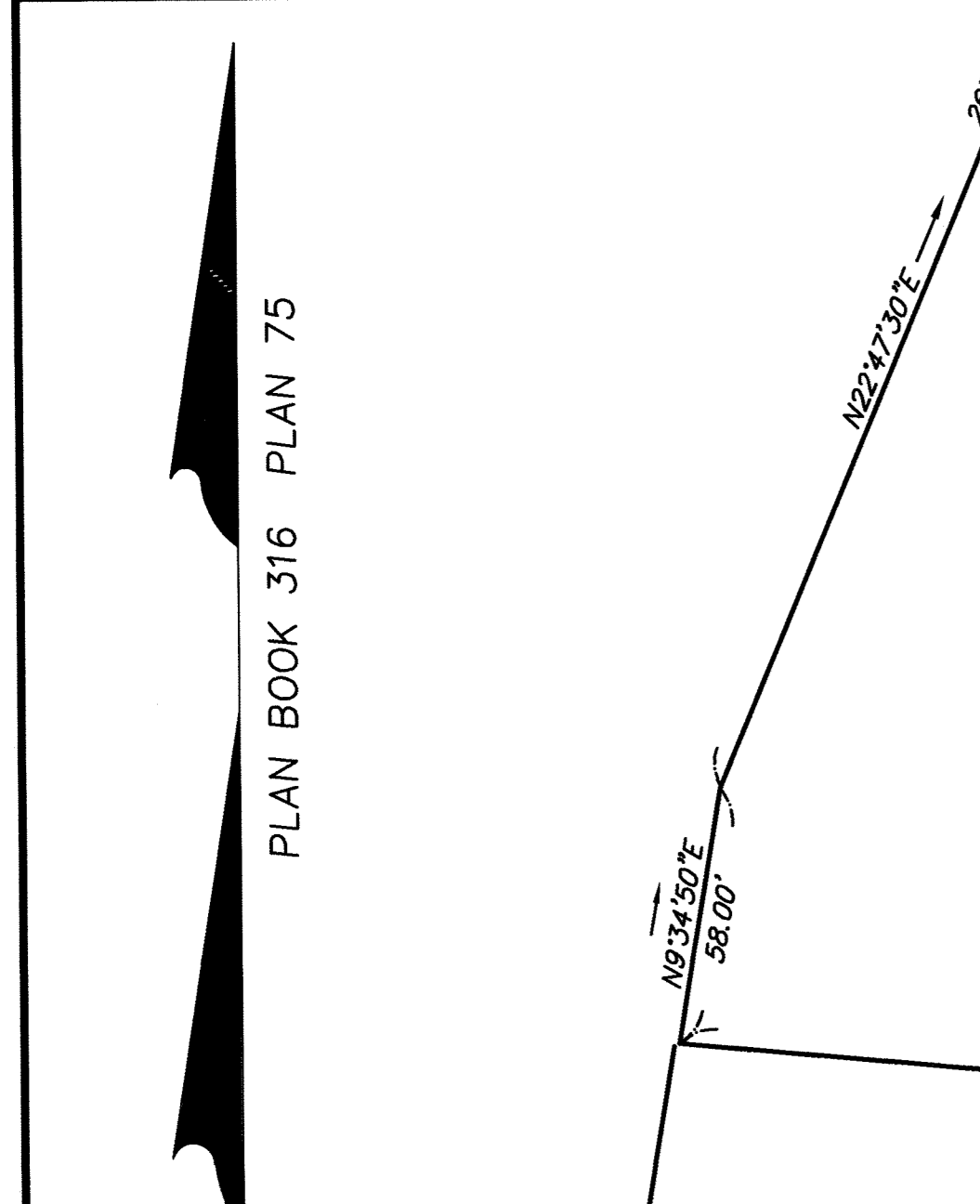
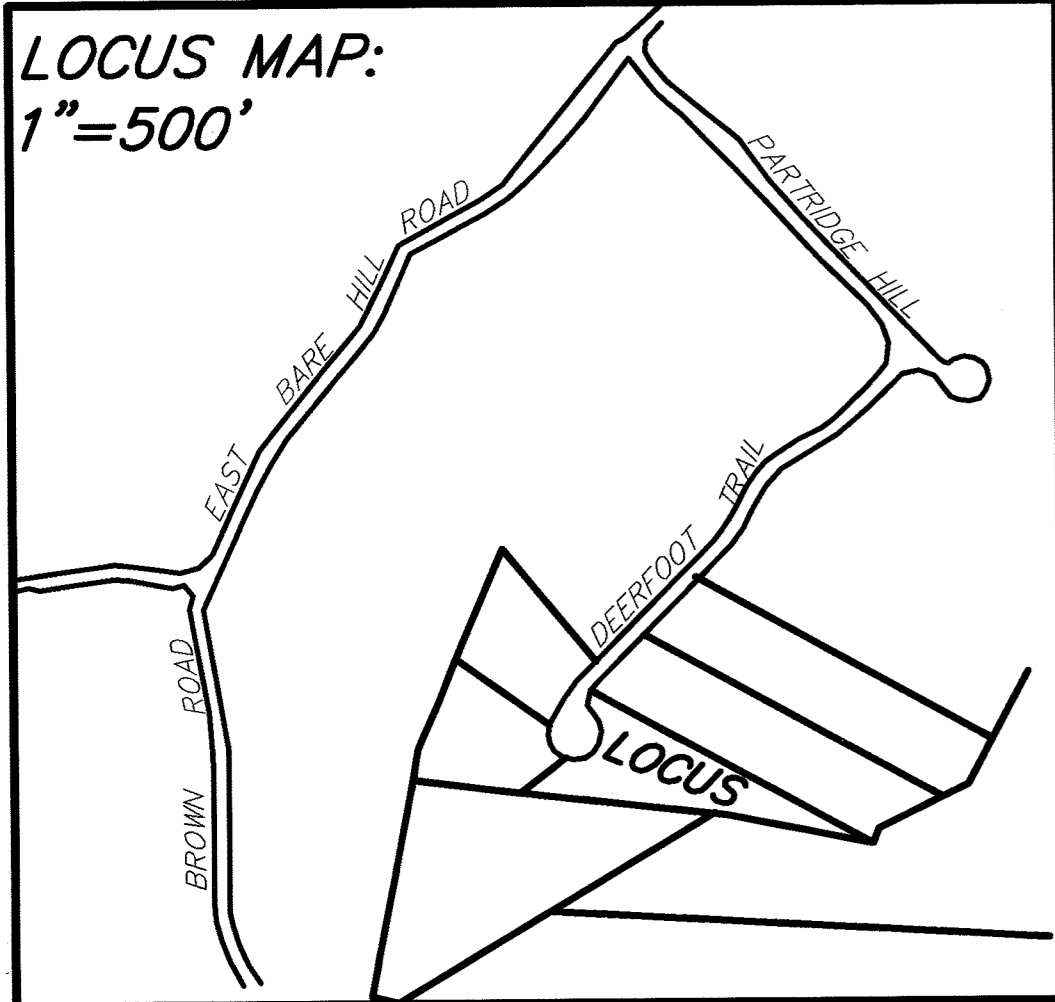
Applicant's address 28 Deerfoot Trail, Harvard, Ma. & 102 Prospect Hill Road, Harvard, Ma.

OWNER'S SIGNATURE and address if not the applicant, or applicant's authorization if not the owner

THE PLANNING BOARD'S ENDORSEMENT ON THIS PLAN, THAT THE APPROVAL UNDER THE SUBDIVISION CONTROL LAW IS NOT REQUIRED, SHALL NOT BE CONSTRUED AS THE PLANNING BOARD FINDING THAT THE LOTS CREATED BY THIS PLAN CONFORM TO THE REQUIREMENTS OF THE HARVARD PROTECTIVE (ZONING) BYLAWS EXCEPT AS TO AREA AND FRONTAGE.

Received by Town Clerk:

Date/Time: _____



NOTES:
 THE PREPARATION OF THIS PLAN IS NOT INTENDED TO BE A CONFIRMATION TO THE TITLE OR OWNERSHIP OF THE PROPERTIES SHOWN.
 PROPERTIES SHOWN MAY BE SUBJECT TO EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, RESERVATIONS OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.
 THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANYTHING ONE MIGHT REVEAL.
 NO DETERMINATION OF COMPLIANCE WITH THE ZONING REQUIREMENTS HAS BEEN MADE OR IS INTENDED. ENDORSEMENT OF THIS PLAN SHALL NOT BE AN INDICATION, EXPRESSED OR IMPLIED, THAT THE PARCELS OR STRUCTURES SHOWN ON THIS PLAN CONFORM TO APPLICABLE ZONING REQUIREMENTS.
 NO CERTIFICATION AS TO COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE OR INTENDED.

RECORD OWNERS
 THE ROGINSKI IRREVOCABLE TRUST
 28 DEERFOOT TRAIL
 HARVARD, MA. 01451
 ASSESSORS MAP 31-93
 BK.60893-371 PL. BK.297-61

HARVARD CONSERVATION TRUST
 102 PROSPECT HILL ROAD
 HARVARD, MA. 01451
 ASSESSORS MAP 35-03
 BK.67158-62 PL. BK. 294-107 PL. BK.314-11

Harvard Planning Board

APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED

CH. 41, S. 81-P. DATE: _____

1"=40'

ROBERT T. CONWAY
 No. 56614
 PROFESSIONAL LAND SURVEYOR

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

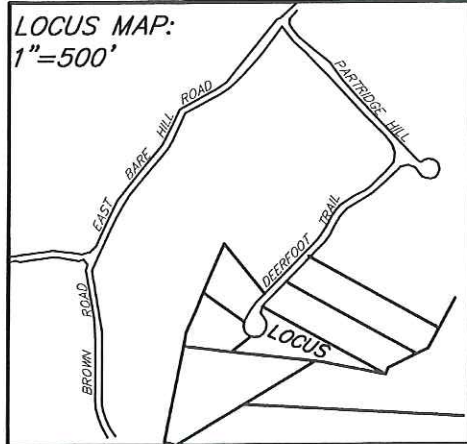
11/9/2023 DATE SURVEYOR

NOTES:
 PARCELS "A" & "B" ARE NOT BUILDING LOTS
 PARCEL "A" IS A DIVISION OF A PORTION OF THE PROPERTY DESCRIBED IN A DEED TO THE HARVARD CONSERVATION TRUST AND RECORDED IN BK.67158-62 AND PL. BK.294-107.
 PARCEL "B" IS A DIVISION OF A PORTION OF PROPERTY DESCRIBED IN A DEED TO THE ROGINSKI IRREVOCABLE TRUST AND RECORDED IN BK. 60893-371 AND PL. BK. 297-61.
 PARCEL "A" IS TO BE COMBINED TO AND ANNEXED WITH ADJOINING LOT 8-B TO FORM ONE UNDIVIDED LOT CONTAINING 111,444 SQ. FEET (2.56 ACRES) HAVING A LOT SHAPE FACTOR OF 13.1 PURSUANT TO CHAPTER 125 SEC.29-1 OF THE TOWN OF HARVARD PROTECTIVE BYLAWS.
 PARCEL "B" IS TO BE COMBINED TO AND ANNEXED WITH ADJOINING LAND OF THE HARVARD CONSERVATION TRUST TO FORM ONE UNDIVIDED LOT.

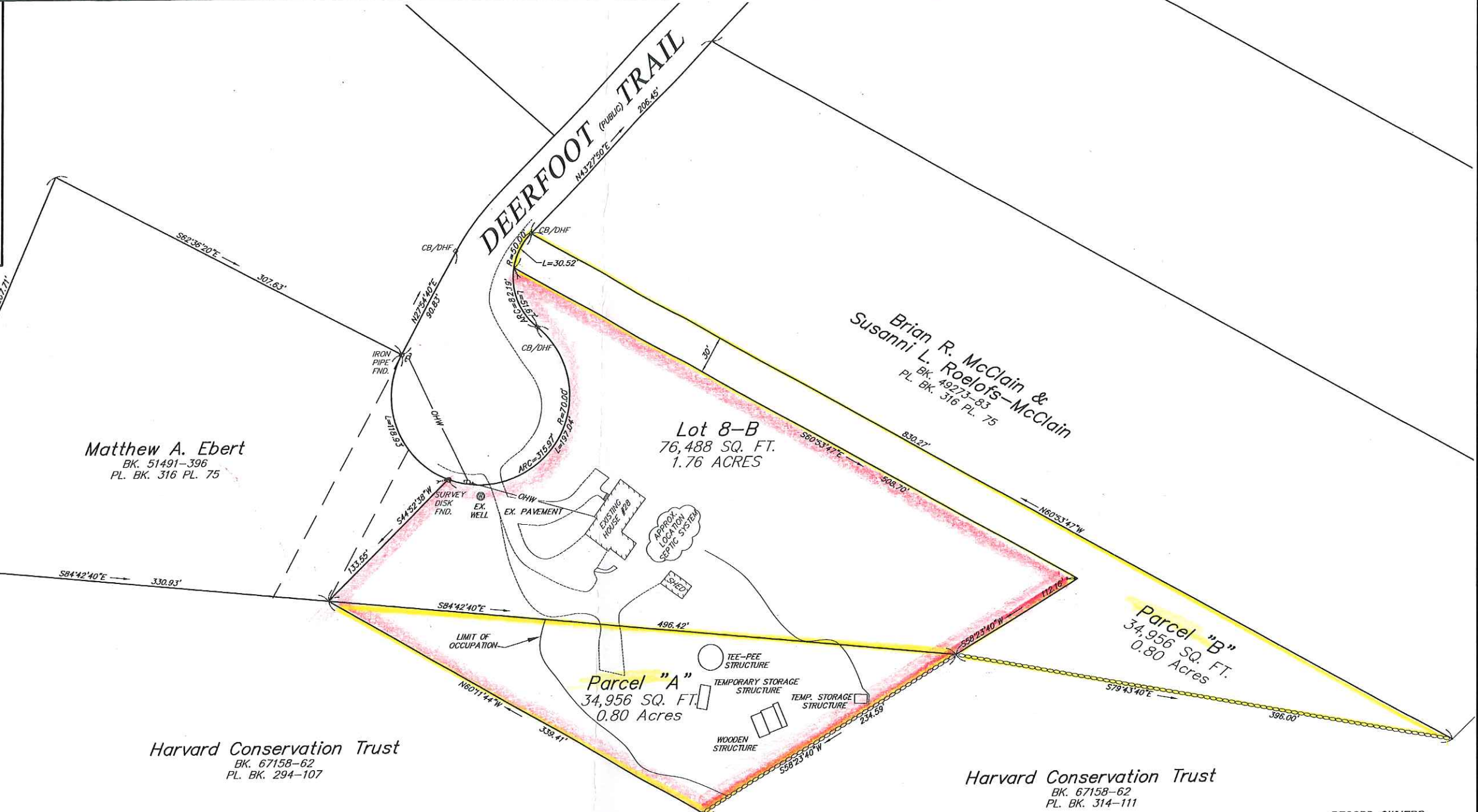
SURV: GSN CALC: SPM DRAFTED: SPM CK'D: RTC NB: 280-72 DEED: SEE ABOVE REF:

ZONING DISTRICT: AGRICULTURAL RESIDENTIAL

PLAN OF LAND IN
Harvard, Mass.
 PREPARED FOR
Thomas M. Roginski
 SCALE: 1"= 40' NOVEMBER, 2023
David E. Ross Associates, Inc.
 CIVIL ENGINEERS - LAND SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 PO BOX 795-6 LANCASTER COUNTY RD, HARVARD, MA 01451
 (TEL. NO. 978-772-6232)
 JOB NO. 34217 SHEET 1 OF 1 PLAN NO. L-14629



PLAN BOOK 316 PLAN 75



NOTES:
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RECORD OWNERS
THE ROGINSKI IRREVOCABLE TRUST
28 DEERFOOT TRAIL
HARVARD, MA. 01451
ASSESSORS MAP 31-93
BK.60893-371 PL. BK.297-61

HARVARD CONSERVATION TRUST
102 PROSPECT HILL ROAD
HARVARD, MA. 01451
ASSESSORS MAP 35-03
BK.67158-62 PL. BK. 294-107 PL. BK.314-111

Harvard Planning Board

APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED

CH. 41, S. 81-P. DATE:

1"=40'

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

11/9/2023 DATE

Robert T. Conway SURVEYOR

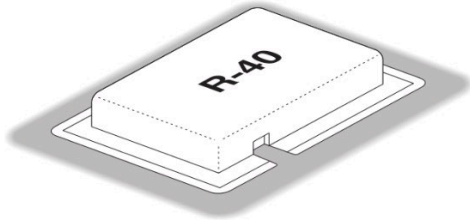
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SURV: GSN CALC: SPM DRAFTED: SPM CK'D: RTC NB: 280-72 DEED: SEE ABOVE REF:

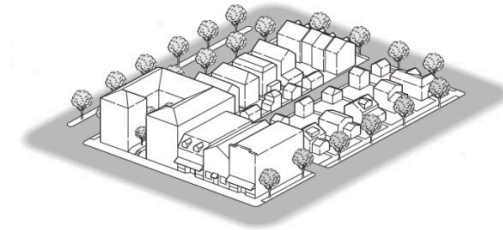
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Zoning for Village Common Revitalization

What is Form-Based Code?



VS



Existing zoning is “Use-based” with only a few dimensional standards like minimum setbacks and max height.

Form-based code gives greater design control, like building types, build-to lines, and façade build-out percentage.

Successful FBC Example: Higgins Beach, MA



Houses built according to traditional Use-based Zoning

Houses built according to new Form-based Code

Form-based Code Teach-in: The consultant team will present a “Teach-in” of Form-based Code to the Town staff and residents to familiarize them with its utility, difference from existing Euclidean zoning, and potential to achieve the Town vision.

Task 5: Development Guidelines and Zoning Recommendations

5.1 Draft Guidelines and Recommendations

Based on the preferred scenario outcomes, Utile and the Consultant team will draft a set of development guidelines and recommendations, synthesizing building and site dimensional thresholds and landscape arrangements. The recommendations will be summarized in written form and will accompany the final development illustrations and graphics created in Task 4.

5.2 Revised Guidelines and Recommendations

Following feedback from Town Staff, the development guidelines and recommendations will be refined and submitted as part of the Final Corridor Vision Plan.

Task 5 Deliverables:

- Draft and refined development guidelines and recommendations in written form to accompany final illustrations for the Vision Plan and inform Phase Three process.

Task 6: Final Corridor Strategy and Vision Plan

Based on any additional Town feedback and community input, our team will make final revisions to scenarios and content, and will stitch together a broader vision and district strategy communicating a flexible framework for incremental development along the Ayer Road corridor.

The Vision Plan will be in the form of a succinct

and clear slideshow presentation, synthesizing community and stakeholder feedback, parcel analysis, development prototypes, and scenario impact studies developed throughout the process. As described above, our team will outline a set of final development guidelines and recommendations for future zoning in the C District that will be cumulatively developed throughout Task 4. These recommendations can act as standalone deliverables for future consideration or carried over and integrated with Phase 3 tasks pending approval to proceed.

6.1 Updated Graphics, Illustrations and Presentations

Based on any feedback from Town staff, Utile will final make revisions to graphics, illustrations and presentation content as needed.

6.2 Final Documentation Package

Utile will compile the Vision Plan recommendations, supporting illustrations and engagement documentation into a single synthesized presentation for website and print production.

Task 6 Deliverables:

- *Final Vision Plan with supporting illustrations, delivered as a web-ready PDF presentation and document formatted for print production.*

Phase 3: Zoning and Regulatory Tools

Task 7: Zoning Diagnostic

7.1 Review and assessment of existing Zoning Bylaw

Concurrent with Task 5 on refining Scenarios and drafting design guidelines, Code Studio, the consultant team's form-based code experts, will review the Town's existing Zoning Bylaw and related regulations to determine the best structure for the new Form-Based Code. This task will determine how the new Form-Based Code will be integrated into the Town's Zoning Bylaw.

7.2 Zoning Framework Paper

The consultant team will meet with the Town staff to present a teach-in of the form-based code and share the initial results and assessments of the existing Zoning Bylaw. The consultant team will also discuss the capacity for departmental implementation.

7.3 Outline Zoning Bylaw Amendments

Synthesizing the results of the initial assessment of the existing zoning bylaws, the consultant team will meet with the Town Counsel. It is anticipated that at this meeting, the policy decision points will be outlined, and feedback will be gathered from the Planning Board, Select Board, residents, property owners, and business owners.

7.4 Form-Based Code Strategy Report

Utile and Code Studio will conduct an initial, internal working session with Mark Bobrowski, the consultant team's land use attorney who has drafted the zoning codes for multiple cities and towns across the Commonwealth, to discuss research findings and prepare an outline and descriptions of Zoning Bylaw changes, including a menu of building, site, and landscape regulations informed by results and recommendations coming out of the Phase 2 Vision Plan process.

A formal report will be prepared to outline the strategy for translating the preferred design character into code language. The report will illustrate the recommended building forms and outline the preliminary standards for the public and private sectors.

7.5 Meeting with Town Counsel #2

Utile will meet with the Town Counsel to present and discuss rationales for changes to the Zoning Bylaw to the Select Board, Planning Board, and staff.

Task 7 Deliverables:

- *Slidedeck showing the initial assessment of the existing zoning bylaw and how the new Code may be integrated.*
- *A written Form-Based Code Strategy Report outlining potential Zoning Bylaw changes, including preliminary standards for the public and private sectors.*

Task 8: Code Development

8.1 Draft Form-Based Code

A first draft of the form-based code will be prepared based on the outcomes of Task 7. The new form-based code will include the following main components:

- **Building Form Standards.** Standards to control building form, which may consist of building types,

building height, and transparency. Additional site standards such as landscaping, stormwater, parking, and sign controls may also be developed. Standards will be based on the precedents identified during the planning process, with appropriate design for the region’s climate.

- **Public Realm Standards.** Public realm standards that provide for key design attributes for safe, multi-modal streets, including vehicles, cyclists, and pedestrians, will be prepared. These standards include sidewalks, parking lanes, street trees, lighting, and green stormwater techniques.
- **Development Approval Process.** The proposed operation of the development review and approval process, including how nonconformities are dealt with under the new provisions.
- **Regulating Plan.** A map demonstrating the new Form-Based Code districts.

8.2 Meeting to Present the Initial Draft Cod

The consultant team will present the draft code to the Select Board and Planning Board, and other entities as necessary, to get initial buy-in to present the Code at a community-wide workshop.

8.3 Community Workshop / Open House

The consultant team will work with the Town Council to present and discuss the draft Form-Based Code with the Select Board, Planning Board, and staff. This will include a community workshop / open house to present the material and seek input. A public comment period during which the staff collects written comments will also be scheduled.

Task 8.4: Final Form-Based Code

Based on input and suggestions received to date from all stakeholders and residents, the final Form-Based

LOT STANDARDS

Lot Occupation Principles

- In keeping with Littleton Common's urban pattern of small lots with buildings spaced apart, new buildings are required to be setback from the front and side lot lines.
- To ensure buildings adequately frame and engage the public realm, new buildings also have a maximum setback and their facades are required to meet a minimum percentage of their front lot width (i.e., "frontage area build-out").
- To ensure parking lots do not interrupt the pedestrian experience, they are required to be placed behind new buildings. Rear lots are also encouraged to interconnect with other rear lots to maximize visitor convenience.

Building Setbacks	
Primary Front Setback (minimum)	10 ft / 20 ft
Secondary Front Setback (minimum)	10 ft / 20 ft
Side Setback (min)	5 ft
Side Setback abutting the R street (min)	10 ft
Rear Setback (min)	10 ft
Rear Setback abutting the R street (min)	20 ft

Parking Setbacks	
Primary Parking Setback	20 ft
Secondary Parking Setback	20 ft

Lot Development	
Lot Coverage (max)	60% (see Article XIV, A, after and under Resources District)
Frontage Area Build Out Percentage (min)	60%

Lot Standards Illustrated

This is an example of what 3 adjacent lots (or 1 large lot) might look like in the Village Common District

Please Place Sticky Notes Here

UTILE | DAN BARTMAN | FORT POINT ASSOCIATES, INC | UMARIS DONAHUE INSTITUTE LITTLETON COMMON FORM-BASED CODE DRAFT

BUILDING MASSING: THE "FARMHOUSE" TYPE

The "Farmhouse" building complex can be composed of up to three (3) Primary Massings and multiple building components.

Rooted in Littleton's agrarian history, the connected farm building provides an appropriate model for new mixed-use buildings in the Common. In particular, the "farmhouse" building type can accommodate a large contiguous building floorplate necessary for contemporary commercial use while also appearing as an assembly of smaller barn-like buildings.

Example Massing Combinations
Optional side and rear additions shown below in gray.

Massing Assembly Rules

- Up to three (3) Primary Massings can be attached per building.
- Primary Massings can be attached either directly or to side / rear addition(s).
- Primary Massings can be attached as long as there is an offset.
- If there are 3 Primary Massings, at least one gable has to be oriented in a different direction.

1 Primary Massing

2 Primary Massings

3 Primary Massings

Example of a Building Massing → **Example of a Building Design based on the building massing**

Please Place Sticky Notes Here

UTILE | DAN BARTMAN | FORT POINT ASSOCIATES, INC | UMARIS DONAHUE INSTITUTE LITTLETON COMMON FORM-BASED CODE DRAFT

Community Workshop Poster Boards: For the Littleton Form-based Code, Utile created a series of poster boards at community-wide meetings to explain the guiding principles of the proposed Code and solicit feedback from the stakeholders and residents.

Code will be prepared and a process for integrating into the existing Zoning Bylaw will be developed.

Task 8.5: Public Hearing to Present the New Code

Following the delivery of the final Form-Based Code, the consultant team will attend a Public Hearing and present the new Code to the Select Board, Planning Board, and staff. It is anticipated that this presentation will include an educational overview of the new Code, the submittal approvals process, and timeline for public adoption.

Task 8.6: Final Revisions and Adoption

Leading up to the Public Hearing and Town Vote, the consultant team will also help Town staff develop an adoption strategy for the Form-Based Code. It is assumed City staff will handle the formal adoption process. The consultant team will be available to


provide support and answer questions if needed. During the adoption process, the consultant team will make all necessary final revisions, if needed. Once all revisions have been made, a final copy of the Form-Based Code will be delivered to the Town, including all photos, images, and graphics in both digital and paper format.

Task 8 Deliverables:

- *Draft Code presentation (in slidedeck format) in written and graphic format for discussion with Town staff and community workshop*
- *Corresponding graphic posters for the public meeting illustrating the draft Code, including the regulating district boundary, development regulations, and appearance of potential development outcomes*
- *Final Form-based Code document*
- *Final Form-based Code district map*

03/20/2020

ARTICLE XXX, Village Common



§173-215 Intent

- A. To implement recommendations of the Littleton Master Plan, as amended.
- B. To implement recommendations of the Littleton Common Revitalization Plan, as amended.
- C. To create a mixed-use, inherently walkable, and environmentally sound town center with a hometown feel as a reflection of the existing community.
- D. To ensure that new development retains the characteristics of an established neighborhood of buildings that accumulated additions over time.
- E. To accommodate the diverse sizes and life stages of existing and future households at all income levels with housing types, unit sizes, and price points that may be uncommon in other areas of Littleton.
- F. To promote pedestrian safety and prioritize sidewalk continuity.

§173-216 Purpose

- A. To permit the development of mixed-use and multi-unit residential buildings that do not exceed two and a half (2.5) stories in height.
- B. To permit the modification of existing buildings in a manner that increases compliance with this Article.
- C. To use discretion in the permitting of curb cuts.
- D. To encourage vehicular access across rear parking lots, discourage new driveways, and consolidate curb cuts within the Village Common.
- E. To meet the intent and purpose of Article XIV Aquifer and Water Resource Protection District through the use of low impact and light imprint development techniques and other appropriate measures for stormwater management and groundwater protection.
- F. To support redevelopment and reuse of historic properties and resources.

1

*Final Form-based Code Document:
For the Littleton Form-based
Code document, Utile created
an editable Microsoft Word
submission, formatted with text and
corresponding graphic diagrams.*



Town of Hudson
Department of Community Development
78 Main Street
Hudson, MA 01749
EIN: 046-001-188

HOUSING CONSORTIUM INVOICE FY24-Q2

INVOICE DATE 1/29/2024

PAYMENT DUE 2/23/2024

	BERLIN	BOLTON	BOXBOROUGH	DEVENS	HARVARD	LANCASTER	LITTLETON	STOW
Past Due	\$ -		\$ -	\$ -	\$ -	\$ -	\$ (912.50)	\$ -
FY24Q1	\$ 525.00	\$ 450.00	\$ 1,050.00	\$ 262.50	\$ 262.50	\$ 375.00	\$ 562.50	\$ 450.00
	\$ (525.00)	\$ (450.00)		\$ (131.25)	\$ (262.50)			\$ (450.00)
				\$ (131.25)				
FY24Q2	\$ 300.00	\$ 262.50	\$ 637.50	\$ 225.00	\$ 562.50	\$ 225.00	\$ 487.50	\$ 450.00
Admin Fee	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
BALANCE	\$ 550.00	\$ 512.50	\$ 1,937.50	\$ 475.00	\$ 812.50	\$ 850.00	\$ 387.50	\$ 700.00