

**TOWN OF HARVARD
PLANNING BOARD AGENDA
MONDAY, FEBRUARY 6, 2023 @ 7:00PM**

Pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022, 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.

Hildreth Pro is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/86918164242?pwd=SDM3SnBaZEdHT2w1Z3dEUVB4bFBEUT09>

Meeting ID: 869 1816 4242

Passcode: 154970

One tap mobile

+13017158592,,86918164242# US (Washington DC)

+13052241968,,86918164242# US

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

Meeting ID: 869 1816 4242

Find your local number: <https://us02web.zoom.us/j/kcXWSGA6YI>

Public Comment

- New Business:**
- a) Joint Discussion with the Design Review Board - 203 Ayer Road
 - b) 2022 Annual Town Report
 - c) Perspective MBTA Multi-family zoned district
 - d) District Local Technical Assistance funds
 - e) Ayer Road Market Analysis & Fiscal Impact Statement
 - comments / concerns
 - pursue Phases II & III (vision plan & zoning to facilitate vision) RFP with funds from Rural & Small Town Grant award

- Old Business:**
- a) Review Draft Site Plan Approval – Chris & Emily Goswick, 184 Ayer Road, for Mixed Use building (Residential unit & medical office)
 - b) Ratify the Termination of the Protective Bylaw Hearing
 - 125-7 Agricultural uses
 - 125-59 Town Center Entertainment Overlay District)
 - c) Open Space Residential Development Bylaw Amendment (\$125-35)

Public Hearings:

NONE

- Standard Business:**
- a) Board Member Reports
 - Representatives & Liaisons Update
 - Community Matters
 - b) Approve Minutes
 - c) Invoices:
 - Weitzman & Associates \$10,000.00 (Ayer Road Vision & Fiscal Impact)
 - MetroWest Housing Consortium / Town of Hudson \$662.50 (Quarterly dues)

NEXT SCHEDULED MEETING: MONDAY, FEBRUARY 27, 2023

AS

OFFICE OF THE
PLANNING BOARD

13 AYER ROAD HARVARD, MA 01451

978-456-4100

www.harvard-ma.gov



Memo

Date: 17 JAN. 2023

To: Richard Cabelus, Chair & Members of the Planning Board

From: Frank O'Connor, Jr., Director of Planning *FOCJA*

RE: Design Review Board comments on 203 Ayer Road

The Design Review Board members completed the categories on the matrix (attached) regarding the proposal to build three mixed-use commercial / residential buildings at 203 Ayer Road. They were instructed to utilize the design guideline through the lens of Bylaw §125-38(F) as the DRB's controlling document. Primary areas of concern were parking, the roof, "massing" and energy use. More than one DRB member explained that they separated Building A from the other two buildings when preparing their comments.

There were questions about size, materials and the façade, specifically to Building A, a proposed sixteen court badminton facility. They expressed these concerns due to perceived limited information provided by applicant. However, many of those items will be addressed by the Building Inspector. There was a question about how the Building Inspector would make certain the energy efficiency standards were being met or exceeded. Design Review Members requested more information about exterior lighting from applicant. One DRB member did inquire as to what lighting requirements the applicant must meet.

The parking situation drew sharp contrasts among DRB members. Some felt it was acceptable because the parking was more than seventy-five percent behind the building. Other DRB members felt there were too many parking spots in total, considering the use of the building. Some DRB members agreed there was a lot of parking but wondered if it could be broken up. However, the applicant made many efforts to explain the need for parking during tournaments on weekends and that some of the parking spaces could be used by residents and clients of the two other buildings on the site.

DRB members focused on the badminton facility roof being too flat, that the roof lacked variations and that it was not in spirit with the Design Review guidelines. While the applicant explained that the shape of the roof and building were dictated by the use of the facility, one member suggested a spire be added to the roof. More than one DRB member suggested faux doors on the building might create the appearance of a barn, and help with sight lines. Applicant explained that windows would allow natural light, which would adversely affect the badminton games.

Concerns were expressed by DRB members that the building would outlive the proposed business, and that the main building lacked longevity of design to avoid it becoming a de facto warehouse. Some DRB members wanted more trees in the parking areas and restructured parking areas. The other smaller buildings were acceptable to DRB but it was suggested a focal point was needed among all the buildings other than the parking lot. Further discussion may be needed about screening along the road.

The applicant stated previous drafts of the proposal did try situating the large building differently and that the proposal was to permit all three buildings. Applicant reminded the DRB that Harvard does not have the infrastructure to line up large anchor tenants. The proposal is based on a vehicle approach and the facility will draw people to Harvard from other towns. Applicant said the only entrance to the facility is in front of the building.

Applicant referenced the that limited parking in front of the building and that the proposal meets the parking requirements of the bylaw. Applicant mentioned the town administration requested the building be closer to the street, and added there needed to be more flexibility applying the guidelines because the commercial uses are not all the same. Applicant said the grades of the road and the site will diminish the size of the building.

DRB members added that material guidelines and energy guidelines needed to be addressed. Some DRB members liked the proposed connectivity for pedestrians and how to maximize it. DRB members discussed if and how conditions were to be put on any Special Permit to ensure use and adherence to bylaws.

Town of Harvard Design Review Board Scoring Matrix

Members of the Design Review Board will rate the proposed development for compliance with the the Town of Harvard Bylaw §125-38(F) using the following scale: Yes (Compliant); No (Not compliant); or Needs improvement and why.

Building Guidelines	Recommendations	Score
A. Roof Guidelines		
B. Façade Guidelines		
C. Building Compositing Guidelines		
D. Guidelines for Organization of Buildings and Uses		
E. Building Materials Guidelines		
F. Energy Guidelines		
Landscaping and Site Standards	Recommendations	Score
A. Parking Guidelines		
B. Parking Lot Landscaping Guidelines		
C. Site Landscaping Guidelines		
D. Access Management Guidelines		
E. Guidelines for Connectivity		
F. Guidelines for Delivery Areas		
G. Guidelines for Utilities and Mechanical Equipment		
H. Planning for Pedestrians & Bicyclists		
		-1-

§ 125-38 Site plans.

[Amended 3-7-1964 ATM by Art. 30; 3-4-1967 ATM by Art. 20; 3-7-1970 ATM by Art. 46; 3-4-1972 ATM by Art. 47; 3-30-1974 ATM by Art. 35; 3-25-1978 ATM by Art. 23; 3-28-1987 ATM by Art. 61; 3-26-1988 ATM by Art. 31; 3-25-1995 ATM by Art. 26]

Site plans are required for certain uses and administrative procedures under this Bylaw to assist in assuring compliance with the Bylaw and other provisions of law.

F. Design review; applicability, procedure, and purpose. [Added 3-27-2004 ATM by Art. 38]

(1) Site plan applications for proposed development in the Commercial "C" District shall include renderings of the proposed building(s) or addition showing the front, sides, and rear-view elevations.

(a) Renderings shall be in color, and shall include narrative descriptions of the building facade materials; roof materials; window dimensions, materials, and details; height and slope of all roof lines; location of HVAC equipment, generators, coolers, and other utility appurtenances; and balconies, exterior stairs, steeples, chimneys, porches, porticos, or other building extensions. While not required, the applicant is encouraged, where practicable, to submit samples or swatches of facade materials and colors.

(2) The purpose of the review conducted pursuant to this section is to assist the Planning Board to review the proposed design of buildings and its relationship to overall site layout. It is not the intent of this section to prescribe or proscribe use of materials or methods of construction regulated by the State Building Code, but rather to enhance the appearance of buildings and structures within the C District. A further purpose of design review is to help meet the objectives of the Commercial C District, including:

(a) Use of creative building placement and site design that promotes pedestrian activity, bicycle use, and minimizes new driveway curb cuts, sharing vehicular access, wherever possible.

(b) Promotion of articulated buildings that avoid excessive massing and unbroken facade treatments.

(c) Use of a variety of building heights and roofline articulation (as opposed to flat commercial roofs).

(d) Use of building style and materials compatible with the local vernacular and built form of Harvard, and avoidance of generic designs.

(e) Subordination of parking, on-site utilities, heating, ventilation and air conditioning equipment (HVAC), utility lines, and solid waste dumpsters to building form.

(f) Use of pedestrian-scale lighting and signage.

(3) To accomplish the purposes of this section, the Planning Board may adopt design guidelines for applicants submitting applications requiring design review and/or approval.

PLANNING BOARD ANNUAL REPORT 2022

Introduction

The Planning Board seeks to protect and enhance the character of Harvard and works to advance important community projects that address significant needs. The Board works collaboratively with the Select Board and other local boards while engaging the public in a variety of community planning initiatives to help Harvard grow in a sustainable manner as expressed in the 2016 Master Plan and other policy documents. In 2022, with a continuation of remote meetings on the Zoom platform, the Planning Board met a total of twenty-six (26) times. This included a Strategic Planning Session and an Ayer Road Corridor Development Vision Plan Presentation.

Development Activity

Development activity was up slightly during the past year. In 2022, the Planning Board endorsed one (1) ANR plan; issued six (6) Special Permits; approved four (4) site plans; and issued one (1) Scenic Road Consent. There were three (3) Erosion Control Application before the Board, also.

Item	2022	2021	2020	2019
Approval Not Required (ANR) Plans	1	4	6	4
Special Permits	6**	3	5	1
Site Plan Review	4*	1	1	3
Scenic Road Consent	1	2	2	1

*One (1) Driveway Site Plan Approval

** Two (2) Special Permit with Site Plan Approval and One (1) Special Permit with Driveway Site Plan Approval

2016 Master Plan Implementation

The 2016 Master Plan is in its seventh year of implementation and the Board has continued to move to implement key actions in the Plan and to coordinate action by others. The Board continues to assertively reach out to other committees to remind them of their tasks and offers to provide assistance as required.

The following action items from the Master Plan that the Board is primarily responsible for were started, advanced, or implemented in 2022:

- Work to modify the existing Open Space Conservation-Planned Residential Development (OSC-PRD) bylaw with a new version that incorporates elements of the State's new Natural Resource Protection model as well as best practices of open space and conservation subdivision design practices in order to remove barriers that restrict its current utility. The Board continued to work on revising the OSC-PRD Bylaw beginning in May 2021 and hopes to present a final revision to Town Meeting in 2023, along with other amendments associated with the Bylaw.
- Working with the Montachusett Regional Planning Commission (MRPC) to obtain funding for safety and aesthetic improvements to Ayer Road. The Town, along with The Engineer Company (TEC), developed a 25% design for an Ayer Road Redevelopment Transportation Improvement Program (TIP) project that will address roadway

deterioration, safety issues, and add pedestrian and bicycle facilities to the corridor. A public hearing on the 25% design was held in early 2022.

- Regular Land Use Board meetings have continued to facilitate good communication and coordination of projects in common. Staff is still in the process of implementing changes to reorganize the office. The goal of a full-time Conservation Agent is expected to happen by the end of 2023.
- The Board continued to work on amendments to the Zoning Bylaw to provide for Senior Housing.
- The Planning Board held a series of Public Hearings for proposed Bylaw amendments to §125-7 Agriculture Uses and §125-59 for a Town Center Entertainment Overlay District. These proposed amendments may be presented at a Town Meeting in 2023.
- Some Commercial (C) Zoning District action advanced in 2022. Phase I of the market and fiscal impact analysis was initiated. The Town retained Weitzman Real Estate Consultants from New York. The report was funded at \$45,000 by the Select Board's Rantoul Trust. Parts 1 & 2 of Phase I were completed by December 2022. The third part of Phase I is expected to be completed and presented in early 2023.

If this analysis were to indicate a net positive impact, Phase II would be initiated in 2023 as a Vision Plan for the Ayer Road

Commercial Corridor. Phase III would be zoning tools to facilitate the vision.

Transportation Planning and Programming

The Transportation Advisory Committee serves as a sub-committee to the Planning Board. Please refer to their section of the Annual Report.

Zoning Amendments

The Planning Board at its summer plenary session and at regular meetings discussed projects such as Village Center Zoning, Protective Bylaw Rewrite, mapping the Multifamily Residential (MR) zoning district and each were deemed lower priorities for the 2022 Planning Board work program. However, in August 2022, information was received from the Massachusetts Department of Housing and Community Development related to the State guidelines for mandated multifamily as-of-right zoning. The Town submitted its Action Plan and is working with Montachusett Regional Planning Commission to comply with the state mandate.

Open Space Residential Development (OSRD) – The Planning Board continued to work on the draft OSRD Bylaw as well as amendments to other Bylaw sections to facilitate OSRD.

Housing

Harvard continued to participate as a member of the Assabet Regional Housing Consortium, an organization that now includes the towns of Bolton, Boxborough,

Devens, Harvard, Hudson, Littleton, Clinton, Berlin, and Stow, to perform housing advisory services, maintain a database of affordable housing, assess the level of compliance, and respond to other affordable housing questions and issues that might emerge. The Consortium continues to be assisted by a housing consulting firm, Metro West Collaborative Development (MWCD), that assists the Consortium and its member communities by performing those tasks. MWCD maintains an affordable housing inventory for the Town.

Other Projects of Note

Established in 2020, Harvard's Climate Initiative is working to make Harvard, Massachusetts more resilient and sustainable in the face of climate change challenges. The Harvard Climate Initiative Committee (HCIC) has its own website: <https://www.harvardsclimateinitiative.org/> which has additional information and is updated frequently.

Staffing and Board Members

Frank O'Connor, Jr. was hired to serve as the Director of Planning. He will work with the Planning Board and with other boards and committees such as Open Space, Transportation Advisory, and the Harvard Devens Jurisdiction Committee, and the Zoning Board of Appeals as needed. He also provides staff supervision of the Land Use Administrator/Conservation Agent, Liz Allard and Board of Health Administrative Assistant Allison Flynn.

Mr. O'Connor continued to work on economic development and community development projects; attending meetings of the Devens Framework Committee; assisting the Planning Board on a number of Protective Bylaw draft amendments; the Assabet Regional Housing Consortium; attended regional meetings of MRPC and the 495 Metro West Collaborative Development; and assisting the Department of Public Works Director on Transportation Improvement Program and other transportation projects such as Complete Streets, culverts, and the Transportation Plan Update.

Liz Allard continues to serve as the Land Use Administrator, handling all administrative matters for the Planning Board, Conservation Commission, and Zoning Board of Appeals. Ms. Allard also serves as the Conservation Agent for the Town reviewing wetlands applications and conducting compliance inspections. The Planning Board and the Director of Planning would also like to express their sincere thanks and appreciation to Ms. Allard for her patience and exemplary service to the Town and Planning Board.

Richard Cabelus became the Chair of the Planning Board in 2022, with Stacia Donahue as Vice-Chair. New member Arielle Jennings was added and John M^cCormack was named a new Associate member. Brian Cook and Doug Thornton are the other voting members of the Planning Board.

Members serve as representatives on a number of other Town and regional committees. Chair Richard Cabelus serves as the Planning Board's representative to the Select Board, Historic Commission, and serves on the Design Review Board, also. Vice-Chair Stacia Donahue serves as the Board's delegate to the Montachusett Regional Planning Commission and is a representative serving on the Transportation Advisory Committee, Energy Advisory Committee, and Climate Initiative Committee.

Other liaisons include:
Community Preservation Committee – Doug Thornton

Harvard/Devens Jurisdiction Committee – John McCormack

Open Space Committee – Brian Cook

Master Plan Implementation:

- Water & Sewer Commission – Richard Cabelus
- Conservation Commission – John McCormack
- Community Preservation Commission – Doug Thornton
- Municipal Affordable Housing Trust – Arielle Jennings
- Energy Advisory Committee – Staci Donahue
- Select Board – Richard Cabelus
- Bare Hill Pond Watershed Management Committee – Brian Cook
- Board of Health – Doug Thornton
- Park & Recreation Committee – Arielle Jennings
- Department of Public Works – Richard Cabelus

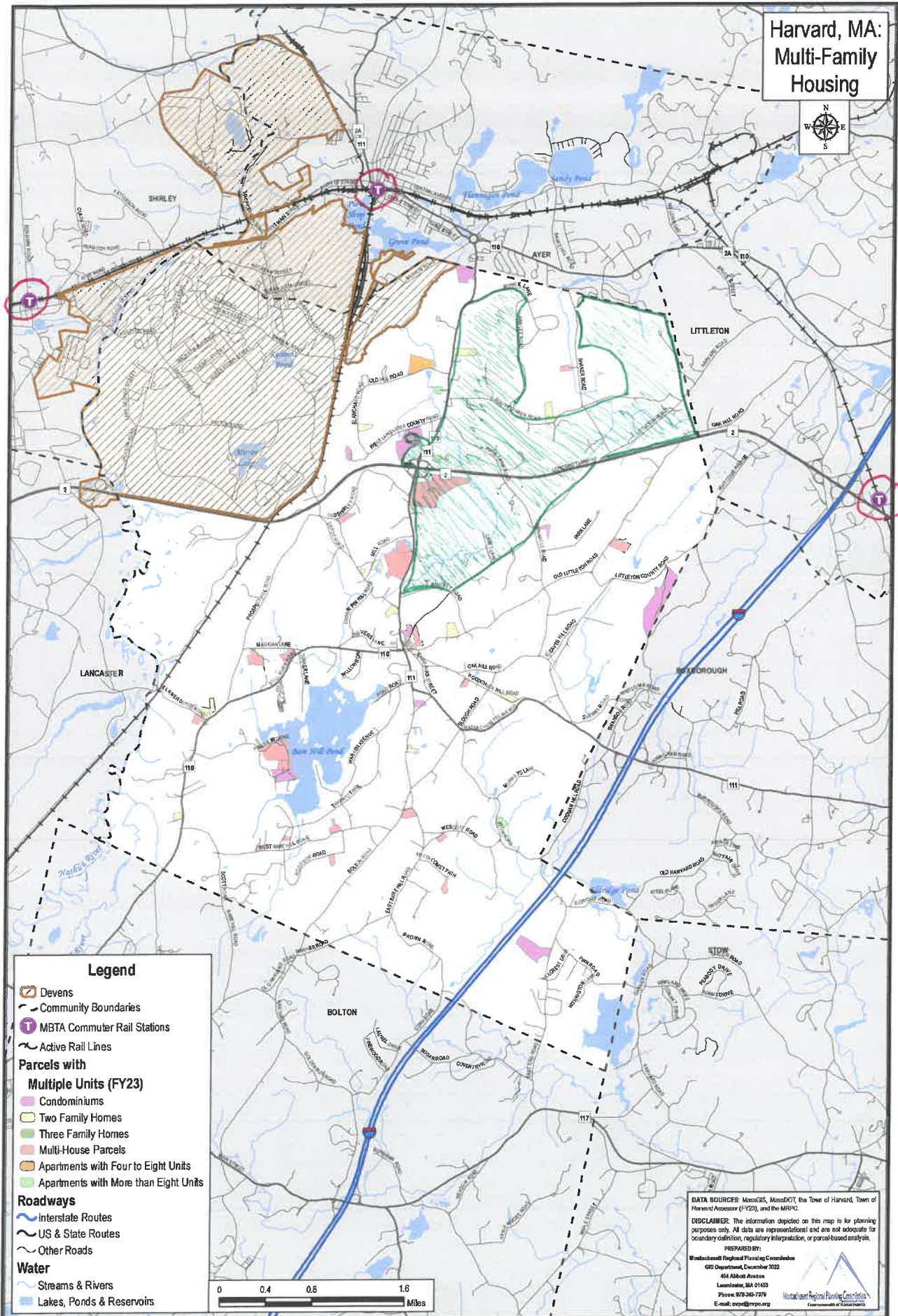
The Planning Board generally meets the first and third Monday of the month at the Harvard Town Hall. It may be reached in the Land Use office on the first floor of Town Hall, 13 Ayer Road, by calling 978-456-4100 x 323, or by eMail to FOConnor@harvard-ma.gov. Office hours are Monday - Thursday 8:00 am-4:30 pm.

Respectfully submitted:

Richard Cabelus, Chair
Stacia Donahue, Vice Chair
Arielle Jennings, Member
Brian Cook, Member
Doug Thornton, Member
John M^cCormack, Associate Member
Liz Allard, Land Use
Administrator/Conservation Agent
Frank O'Connor, Jr., Director of Planning

REVISED DRAFT MBTA 3A (18-JAN-2023)

(T) = MBTA Commuter Rail Stations



Harvard, MA:
Multi-Family
Housing



Legend

- Devens
- Community Boundaries
- MBTA Commuter Rail Stations
- Active Rail Lines
- Parcels with Multiple Units (FY23)**
 - Condominiums
 - Two Family Homes
 - Three Family Homes
 - Multi-House Parcels
 - Apartments with Four to Eight Units
 - Apartments with More than Eight Units
- Roadways**
 - Interstate Routes
 - US & State Routes
 - Other Roads
- Water**
 - Streams & Rivers
 - Lakes, Ponds & Reservoirs



DATA SOURCES: MASSGIS, MASSDOT, the Town of Harvard, Town of Harvard Assessor (FY23), and the MRPC.

DISCLAIMER: The information depicted on this map is for planning purposes only. All data are representational and are not adequate for boundary definition, regulatory interpretation, or parcel-based analysis.

PREPARED BY:
Middlesex Regional Planning Commission
GIS Department, December 2022
464 Abbott Avenue
Lancaster, MA 01463
Phone: 978-365-3776
E-mail: map@mrpc.org

POTENTIAL MBTA 3A ZONE



December 14, 2022

TO: All Planning Boards, Conservation Commissions,
Select Boards, MRPC Commission Members
and Alternates, Mayors, City Councils

FROM: Karen Chapman, Planning & Development Director

RE: District Local Technical Assistance Call for Proposals

Please find attached a Call for Proposals for free planning services for your community under the MA Department of Housing and Community Development's (DHCD) District Local Technical Assistance (DLTA) program for MRPC's 16th year of DLTA funds from the state budget. There are five categories of topics available for funding:

1. MBTA Communities technical assistance
2. Planning Ahead for Housing
3. Planning Ahead for Growth
4. Supporting the Community Compact, including regionalization
5. Supporting the Housing Choice Initiative

Each of these categories is explained and examples are given in the Call for Proposals and instructions are included as to how your community can apply for these funds. Once applications are submitted and reviewed, recommendations for awards will be made to the Commissioners for a vote to approve funding. The schedule for Rounds 1 & 2 can be found in the table below.

	Call for Proposals Issuance Dates	Proposals Due to MRPC Dates	Funding Award Dates by Commissioners
Round 1	Thursday, December 14, 2022	Midnight, Tuesday, February 7, 2023	Thursday, February 9, 2023
Round 2	Thursday January 12, 2023	Midnight, Tuesday, March 7, 2023	Thursday, March 9, 2023

Should you have any questions or want to know if your project is eligible, please do not hesitate to contact me via phone or email at (978)798-6168 or kchapman@mrpc.org

CALL FOR PROPOSALS
DISTRICT LOCAL TECHNICAL ASSISTANCE
(DLTA)
PROGRAM YEAR 16 ENDING DECEMBER 31, 2023



Montachusett Regional Planning Commission (MRPC)

464 Abbott Avenue, Leominster, MA 01453

December 14, 2023



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Overview

The District Local Technical Assistance (DLTA) Program enables the Montachusett Regional Planning Commission (MRPC) to provide technical assistance to its 22 communities¹ to:

- Encourage and enable municipalities to work together to achieve and/or enhance cost-effective delivery of municipal services; and
- To create and sustain ongoing collaboration and consultation on issues affecting municipalities. Eligible projects/ activities are listed on page 4.

The Commonwealth of Massachusetts's DLTA services complement the broad range of services available to the region from the MRPC. Existing planning services are delivered within the following disciplines:

- Regionalization of Municipal Services;
- Community and Economic Development;
- Conservation Planning;
- Water Resources;
- Statistical Analysis and Trends;
- Geographic Information Systems;
- Housing;
- Land Use/Planning;
- Smart Growth; and
- Transportation

Contact information:

Karen Chapman, Planning and Development Director at kchapman@mrpc.org or 978-798-6168.

Program History

This is year 16 of this State-funded initiative. The Commonwealth of Massachusetts allocated funding to this statewide program in its FY23 budget. The program is being jointly administered by the Massachusetts Department of Housing and Community Development (DHCD) and the Executive Office of Administration and Finance (EAF). Funding for this program is being provided to all thirteen regional planning agencies and councils of government in Massachusetts serving all 351 communities in the Commonwealth. It is anticipated that the DHCD will execute a contract with the MRPC to deliver DLTA program services in accordance with the scope of work. The MRPC offers this program of services to its 22-member communities and Devens through this Call for Proposals process. Successful communities will be required to execute contracts for delivery of services upon award. This program does not provide cash awards to communities for planning services that can reasonably be provided by other funding sources.

Program Intent

The MRPC will work with member communities to direct funds to projects and activities that result in a measurable change in the municipalities receiving these services, whether in law, regulation, program management or practice. Below are examples of eligible activities according to the MA Department of Housing and Community Development (DHCD).

¹ The 22 communities located in the Montachusett Region are the three cities of Fitchburg, Gardner, and Leominster, and the 19 towns of Ashburnham, Ashby, Athol, Ayer, Clinton, Groton, Harvard, Hubbardston, Lancaster, Lunenburg, Petersham, Phillipston, Royalston, Shirley, Sterling, Templeton, Townsend, Westminster, and Winchendon. The planned business community of Devens is also within the Montachusett Region and may receive services in accordance with the State's Regional Planning Law (MGL Chapter 40B, Sections 1-8).

Eligible Projects/Activities include:

- **MBTA Communities:** Providing technical assistance to communities designated as [MBTA Communities](#) by Chapter 40A Section 3A. MRPC will prioritize applications from communities requesting assistance to comply with the new law. The Montachusett communities required to comply are Ashburnham, Ashby, Ayer, Fitchburg, Groton, Harvard, Lancaster, Leominster, Lunenburg, Shirley, Sterling, Townsend, and Westminster.

- **Planning Ahead for Housing:** Planning and implementation activities that encourage and support affordable and market-rate housing production opportunities or support municipalities complying with new HUD fair housing regulations, specifically related to the Housing Goal of 135,000 new units by 2025, that may include, but are not limited to:
 - The development of market, mixed-income and affordable multi-family housing in transit-oriented-development locations, employment centers, downtown locations and state endorsed Priority Development Areas (PDA's) within the RPA's jurisdiction, including any "Gateway municipality" (see MGL, c. 23A, s.3A);
 - The creation of as-of-right zoning districts such as those eligible under the MA DHCD's Compact Neighborhoods policy or the Chapter 40R/Smart Growth statute including starter homes;
 - Consideration of Transfer Development Rights zoning districts including areas that may qualify as sending and receiving areas.
 - Development of Workforce housing under the DHCD's Gateway Cities Housing Development Incentive Program (HDIP) or Urban Center Housing Tax Incentive Financing (TIF) Program.
 - The creation of prompt and predictable permitting through an Expedited Permitting Priority Development Site using Chapter 43D for Residential;
 - Identifying challenges and solutions in respect to infrastructure requirements that affect the ability to construct multi-family residential projects in as-of-right zoning districts and parcels;
 - Identifying multi-family residential projects subject to the Permit Extension Act (as amended), assessing impediments to such products, and recommending steps that the Commonwealth and/or the applicable municipality could realistically take to enable those projects to go forward;
 - Regional or local analysis of affordable and market-rate housing needs, to include, for example, preparation of a *Housing Production Plan* pursuant to 760 CMR 56.00 et. seq., and similar undertakings that may guide the execution of a compact among communities for locating affordable and market-rate housing;
 - Assisting one or several municipalities who must comply with requirements under the new Fair Housing regulation issued by HUD; or
 - Assisting one or more community to analyze their qualifications to be designated as a Housing Choice Community (including improvements to existing reporting related to Building Permits to the US Census) and/or apply for Housing Choice capital grants.

- **Planning Ahead for Growth:** Planning and implementation activities that encourage and support economic development opportunities that may include, but are not limited to:
 - Identification, assessment, and mapping of Priority Development Areas (PDAs) and Priority Preservation Areas (PPAs) at the local and regional levels, including discussion of specific areas of multifamily housing growth.
 - Supporting prompt and predictable permitting through the Chapter 43D Expedited Permitting Program for Economic Development projects;
 - Encouraging communities to use the Economic Development Self-Assessment Tool (EDSAT) to assess economic development opportunities within communities and/or regions and to develop

implementation strategies based on EDSAT recommendations: Maximum DLTA assistance from MRPC for EDSAT is limited to \$500 per community. Additional costs for this service would have to be assumed by the community.

- Identifying challenges and solutions in respect to infrastructure requirements that affect the ability to advance economic development activities;
- At a city or town's request, identifying economic development projects subject to the Permit Extension Act (as amended), assessing impediments, and recommending steps that state and/or the applicable municipality could realistically take to enable those projects to go forward; and
- Developing or updating components of municipal master plans and providing technical assistance that supports the implementation of strategies which are designed to advance well-planned growth and development policies and practices.

- **Supporting the Community Compact, including regionalization**

Supporting municipalities who are seeking to adopt state best practices under the Community Compact Cabinet program, including those who want to pursue projects of a regional nature. The regional planning agency should pursue a strategy intended to assist Compact Communities with implementation of their Community Compact best practice selection(s).

Regional planning agencies also shall work with Administration to generally support the CCC program and the state best practice priorities for municipalities as laid out in the Community Compact program. While first priority shall be Community Compact Program municipalities' best practices as stated on their Compact applications, regional planning agencies are encouraged to also consider requests from:

1. Compact Communities seeking to implement best practices not specifically included on their Compact applications, and
2. Non-Community Compact communities seeking to implement the state's best practices.

A list of the Community Compact best practices is attached to this call for proposals (See Attachment A).

- **Supporting the Housing Choice Initiative:**

The regional planning agency shall work with the Administration to generally support the [Housing Choice Initiative](#) (HCI) and those communities that are seeking assistance to achieve Designation under the HCI. The HCI will designate communities who have produced certain levels of housing and have best practices that allow for compact housing development. First priority shall be to support Designated Housing Choice Communities, regional planning agencies are encouraged to prioritize requests for communities seeking to achieve HC Designation. The activities under "Planning Ahead for Housing" qualify as best practices under the HCI.

NOTES: Funds cannot be used for routine administrative tasks of municipalities, including, but not limited to, grant application preparation, and cannot substitute DLTA funds for which other state resources are available.

It is anticipated that up to \$5,000 in DLTA funds will be used for MRPC Staff to attend meetings on topics which are eligible activities. A summary/report will result from MRPC Staff attendance at such meetings.

Evaluation Criteria

The following information listed below must be submitted with proposal.

1. A signed letter from the chief elected officials(s) stating that the Chief Elected Official (CEO) agrees to apply for MRPC DLTA planning services under this call for proposals and that the subject was discussed and decided upon in a public meeting. It must also be demonstrated which municipal entities will participate in the project and that each of these municipal entities is aware and is in agreement of the planning services being requested. The CEO(s) letter must be submitted with the proposal.
2. The amount of in-kind match from the community (i.e. employee □ will work □ hours equaling □□) and which entity or employee will assist MRPC staff in ensuring the successful completion of the project.
3. Complete responses to the following two questions:
 - a. **What type of project is being proposed or considered □ include expected deliverables once the project is completed.**
 - b. **How does the project qualify according to the Eligible Projects/Activities listed on pages 4-□ of this Call for Proposals □**
4. Submission of a proposal that maximizes benefits to as many communities as possible.

Local applications for DLTA services will be reviewed according to the following criteria:

1. Submittal signed sign by the local chief elected official(s) and/or a local official working on behalf of the CEO;
2. More than one proposal may be submitted, however MRPC reserves the right to limit each community to one DLTA project, unless it is a regional proposal;
3. Other services, such as those for engineering or design, must be paid for by the community applying for and receiving DLTA planning services (local funds use to pay for additional services can be used as matching funds against the community's DLTA services request);
4. Projects that are eligible for non-DLTA funding will either receive a lesser priority than those that are not eligible for non-DLTA funding or may not be eligible under the DLTA program;
5. Proposals received by MRPC may be forwarded to MA Department of Housing and Community Development for final approval;
6. Requests for planning services that are eligible for other funding programs will not be favored. MRPC staff will provide grant writing technical assistance (i.e. how to apply for a planning grant) or services (MRPC will prepare the grant proposal, possibly for a fee) to the community/(ies) for grants such as those listed, below outside of the DLTA Program:
 - a. Planning Assistance Grants (PAGs) available from the Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA);
 - b. Community Planning Grant (CPG) available from the Community One Stop for Growth Program;
 - c. Community Compact Program (CCP) grant from the MA DOR DLS;
 - d. Local Community Preservation Act Grant (CPA) and/or creation of a local CPA program; and/or,
 - e. Other, relevant planning grant programs.

MRPC DLTA Application

All municipal applicants must submit a cover letter identifying and summarizing the request for DLTA services to the MRPC. In addition, items a. to d. under Evaluation Criteria on page 4 must be submitted for the proposal to be considered.

Submitting Proposals to the MRPC for Consideration

Communities interested in submitting proposals requesting DLTA program planning services from the MRPC must do so in accordance with the following:

1. Proposals submitted by communities must include requests for MRPC DLTA planning assistance within the Eligible Projects/Activities listed on pages 3 and 4 according to the aforementioned DHCD-MRPC Scope of Work for the DLTA program; and
2. Communities must respond no later than the submittal deadlines identified below (“Schedule and Deadlines”).

Submit all materials by email to kchapman@mrpc.org or mail to:

MRPC
 Attn: Karen Chapman
 464 Abbott Avenue
 Leominster, MA 01453

Schedule and Deadlines

MRPC is required to provide a minimum of two solicitations of this call for proposals for DLTA project requests via U.S. Postal Service to its communities. Simultaneously, MRPC will email this call for proposals to the communities. Both mailings will take place as follows.

	Call for Proposals Issuance Dates	Proposals Due to MRPC Dates	Funding Award Dates by Commissioners
Round 1	Thursday, December 14, 2022	Midnight, Tuesday, February 7, 2023	Thursday, February 9, 2023
Round 2	Thursday January 12, 2023	Midnight, Tuesday, March 7, 2023	Thursday, March 9, 2023

Attachment A

Community Compact Best Practice Areas

Note: DLTA funds shall not be used for any activities related to assertion of the General Land Area Minimum (GLAM) (1.5% of total land area) safe harbor under 90 CMR 5.03 (b) (Chapter 40B).

1. Age and Dementia Friendly Best Practices

Age-friendly communities are livable for residents of all ages, inclusive of older adults and those living with dementia. Age-friendly communities strive to be equitable and accessible with walkable streets, housing and transportation options, access to services, and opportunities for residents to participate in community activities.

Best Practice: Convene leaders of municipal departments, businesses, local citizen groups, regional planning agencies, and private and non-profit organizations to align interests with a goal of creating an ongoing process of community assessment, action planning and implementation, and prioritize age and dementia-friendly efforts. Create process to support, acknowledge and reward local businesses and non-profit entities that work to become age and/or dementia friendly.

Best Practice: Utilize data for a baseline assessment and recommendations, including Massachusetts Healthy Aging Collaborative (MHAC) Community Profiles or World Health Organization (WHO) Checklist of Essential Features.

Best Practice: Conduct a comprehensive baseline assessment utilizing an indicators analysis and community survey. The assessment will inform action planning and implementation phases.

Best Practice: Conduct a baseline assessment of dementia friendly practices using National Alzheimer's and Dementia Resource Center dementia-capability tool or similar nationally recognized assessment tool or process.

Best Practice: Create maps from the research conducted through the baseline analysis, illustrating the geographic properties of the indicators. These indicators may include, but are not limited to: housing, mobility, food distribution, dementia-friendly services; indicators unique to the community.

Best Practice: Review municipal policies and regulations with a goal of promoting "aging in all policies."

Best Practice: Engage in a community-wide conversation about attitudes toward aging and dementia and language related to aging to raise public awareness that aging is an asset and that individuals living with dementia can make meaningful contributions to community life.

Best Practice: Create an online database with local information and resources of programs, services, discount programs and benefits for older adults and their caregivers.

Best Practice: Develop policies and services to improve elder economic security and help people age in community, such as: property tax deferral program, property tax work-off program, handy man programs, energy assistance, transportation for non-drivers, designation of age-friendly employers, etc.

2. Education Best Practices

Best Practice: Focus on college and career planning, in collaboration with regional workforce organizations (e.g., MassHire Career Centers), beginning in middle school and continuing through high school.

Best Practice: Implement collaborative arrangements among regional vocational technical schools, comprehensive high schools, and community colleges to maximize opportunities for high school students and adults to access specialized vocational education programs.

Best Practice: Create opportunities for municipal governments to collaborate with high schools and colleges to provide students with internship experiences aligned to their courses of study, especially in STEM-related departments (i.e., IT, engineering department, accounting, etc.).

Best Practice: Improve the alignment and integration of YouthWorks and Connecting Activities programs for local high school students pursuing summer jobs and paid internships.

Best Practice: Strengthen partnerships between public safety, social services, healthcare providers, and local public and private schools to establish systems and protocols for assessing and identifying children and

young adults who present risks to themselves or to others, in order to ensure effective and pro-active responses that can prevent violence and provide timely supports to individuals in need.

3. Energy and Environment Best Practices

Greenhouse Gas Reduction

Best Practice: Plan Ahead to mitigate climate change by establishing goals, creating an action plan, assigning responsibility, and tracking progress

Best Practice: Use Renewable Energy instead of fossil fuels by generating or purchasing clean power and by zoning for renewable power generation

Best Practice: Increase Energy Efficiency to reduce power consumption, fuel costs, and GHG emissions

Best Practice: Promote Zero or Low Carbon Transportation to reduce municipal transportation emissions □ those from people living/working in the community

Best Practice: Encourage Sustainable Development to reduce, through higher density □ mixed-use, the number distance of car trips □ resulting GHG emissions

Best Practice: Protect and Manage Natural Resources to reduce carbon emissions from loss of natural land cover and to encourage carbon sequestration

Best Practice: Reduce Municipal Solid Waste and Increase Recycling in order to reduce GHG emissions associated with solid waste disposal

Climate Change Adaptation and Resilience

Best Practice: Complete a Climate Vulnerability Assessment and Adaptation Plan through the Municipal Vulnerability Preparedness (MVP) Program to assess local risks from climate change and identify potential actions to enhance community resiliency

Best Practice: Use Municipal Vulnerability Action Grant or Other Funding to Implement Adaptation Actions that utilize nature-based solutions □ engage Environmental Justice communities.

Best Practice: Engage □ Protect Vulnerable Populations in adaptation planning □ action to decrease risk to those who are more susceptible to climate change effects

Best Practice: Mainstream Climate Resilience into Capital Planning □ Budgeting to ensure investments decrease risk □ enhance resilience to a changing climate

Best Practice: Integrate Climate Adaptation into Land Use and Environmental Regulation to minimize future risk □ costs for new and redevelopment

Energy Efficiency and Renewable Energy

Best Practice: Become a Green Community pursuant to M.G.L. c. 25A §10 to realize the energy □ environmental benefits

Best Practice: Construct Zero Energy Buildings (or communities) to eliminate GHG emissions, reduce cost, □ enhance resiliency

Best Practice: Provide Electric Vehicle Infrastructure to facilitate the purchase □ use of electric vehicles

Best Practice: Become a Solarize Mass or Solarize Mass Plus Community in order to help achieve renewable energy use □ GHG reduction goals

Sustainable Development and Land Protection

Best Practice: Complete a Master or Open Space □ Recreation Plan to guide land conservation □ development decisions including zoning □ land acquisition

Best Practice: □one for Natural Resource Protection, Transfer of Development Rights, Traditional Neighborhood, or Transit Oriented Development

Best Practice: Invest in Land Conservation or Park Creation/Restoration via Community Preservation Act or other funds to protect land □ provide outdoor recreation

Best Practice: Plant Trees or Adopt a Tree Retention Bylaw/Ordinance to preserve and enhance tree cover

Water Resource Management

Best Practice: Require Localized Flood Protection Best Practices, including Stormwater Management Measures to increase recharge, manage water movement, reduce pollution, and control flooding to protect lives, public safety, infrastructure, the environment, □ critical assets.

Best Practice: Protect Public Water Sources to reduce potential threats to water quality and the public health of system customers; establish and maintain emergency connections with other municipal or regional systems.

Best Practice: Manage Water and Wastewater Assets for timely maintenance and rehabilitation, to lower energy use, and to reduce Infiltration and Inflow to minimize unintended storm and wastewater in the system

Best Practice: Implement Water Conservation Measures to ensure long-term water resource sustainability, enable growth, and avoid new source development.

Best Practice: Utilize Advanced Financing Tools such as an enterprise fund, stormwater utility, full cost pricing, or water bank for water/waste/storm water systems

Waste Management

Best Practice: Enhance Waste Ban Compliance so that recyclable and hazardous materials are diverted from the waste stream and reused or recycled

Best Practice: Develop Waste Contracts that are fiscally, environmentally, and otherwise beneficial to the community

Best Practice: Adopt Pay-As-You-Throw so that residents have an incentive to reduce trash disposal and save money

Best Practice: Increase the Recycling Rate through regulatory improvements, service expansion, and other means to reduce waste and disposal costs

Best Practice: Enhance Education via Recycle Smart MA, the Recycling IQ Kit, etc. so residents throw away less, recycle more, □ follow smart waste practices

Site Cleanup

Best Practice: Complete a Brownfields Inventory so that the community is aware of all abandoned □ underutilized properties □ can develop plan of action

Best Practice: Conduct Site Assessments to determine the nature and extent of contamination and develop a plan of action

Best Practice: Clean Sites to prevent further releases or the spreading of contaminants and to bring sites back into productive use

Best Practice: Facilitate Site Cleanup and Reuse to encourage assessment, cleanup, □ reuse of privately held sites offer tax incentives or update regulation

Agriculture

Best Practice: Adopt a Right to Farm By-law/Ordinance to clearly indicate that agriculture is a local priority and to minimize abutter conflicts

Best Practice: Establish an Agricultural Commission to advocate for local farms, administer a right to farm bylaw, □ otherwise represent agricultural interests

Best Practice: Support Sustainable Forestry to help the forest economy in rural areas, improve forest habitats, and assist in the conservation of forest land

Best Practice: Support Local Agriculture including Urban Agriculture, Aquaculture, Floriculture, □ Horticulture, via marketing, food sourcing, □ Farmers Markets to help local businesses and increase awareness of and access to fresh agricultural products

4. Financial Management Best Practices

Best Practice: Establish a Budget document that details all revenues and expenditures, provides a narrative describing priorities and challenges, and offers clear and transparent communication of financial policies to residents and businesses.

Best Practice: Develop, document, and implement Financial Policies and Practices including reserve levels, capital financing, and use of Free Cash. Such policies should identify the responsible parties and procedural steps necessary to carrying out the directed strategy or action.

Best Practice: Develop and utilize a Long-range Planning/Forecasting Model that assesses both short-term and long-term financial implications of current and proposed policies, programs, and assumptions over a multi-year period.

Best Practice: Prepare a Capital Improvement Plan that reflects a community's needs, is reviewed, and updated annually, and fits within a financing plan that reflects the community's ability to pay.

Best Practice: Review and evaluate Financial Management Structure to ensure that the structure and reporting relationships of the community's finance offices support accountability and a cohesive financial team process.

Best Practice: Utilize Financial Trend Monitoring, modeled after the ICMA's Financial Trend Monitoring System (FTMS).

5. Housing and Economic Development Best Practices

Preparing for Success

Best Practice: Create an Economic Development Plan that engages diverse stakeholders, leverages local and regional economic strengths and assets, encourages innovation and entrepreneurship, and/or promotes workforce development planning and implementation.

Best Practice: Align Land Use Regulations, especially zoning, capital investments, and other municipal actions with Housing Development, Economic Development, Master, Land Use Priority or other plans for future growth. Promote development and reuse of previously developed sites.

Best Practice: Create and Distribute an Economic Development Guide/Manual to not only promote development goals and priorities, but also specifically and clearly outlines the community's policies and procedures related to zoning and permitting.

Best Practice: Create Opportunities for Engaging Diverse Stakeholders in economic development efforts, such as to assist with identification of priority development projects, improve local permitting processes, and proactively address obstacles to housing accessibility and affordability as well as job creation.

Best Practice: Create Cross-Sector Partnerships to help carry out community-driven responses to community-defined issues and opportunities for economic development.

Best Practice: Create a District Management Entity that engages public/private stakeholders to develop and support downtown revitalization efforts.

Best Practice: Adopt as-of-Right Zoning and/or Streamlined Permitting to promote development in priority districts.

Best Practice: Adopt Zoning for Mixed-Use Development, including Transit Oriented Development, where appropriate.

Best Practice: Adopt Chapter 40R Smart Growth zoning to facilitate the creation of dense residential or mixed-use smart growth zoning districts, including a high percentage of affordable housing units, to be located near transit stations, in areas of concentrated development such as existing city and town centers, and in other highly suitable locations.

Competitiveness

Best Practice: Engage in an Economic Development Self-Assessment exercise to identify strengths, weaknesses, and areas of opportunity.

Best Practice: Establish and Utilize Performance Data to evaluate the competitiveness of the community, conduct year to year comparisons, and measure performance against comparable communities.

Best Practice: Create a Public Dashboard to benchmark, monitor, and communicate to the public regarding various housing and economic development performance measures.

□ Housing

Best Practice: Create a Housing Production Plan (HPP) that accounts for changing demographics, including young families, changing workforce, and an aging population.

Best Practice: Amend Zoning By-Laws to allow for increased density and housing opportunities in a manner that is consistent with neighborhood character and supportive of aging in community.

Best Practice: Develop Sector Strategies and Plans in collaboration with various providers and stakeholders to address homelessness for specific high need population groups, such as homeless youth, veterans, older adults, and/or families.

Best Practice: Complete an Assessment of Fair Housing Report, including strategic goals in alignment with HUD's new rules to affirmatively further fair housing. Using HUD data, local data and knowledge, a significant community participation process, and the assessment tool provided by HUD, the community will prepare, complete, and submit its AFH to HUD.

Urban Renewal Planning

Best Practice: Determine need and appropriateness of establishing an Urban Renewal Entity in accordance with MGL chapter 121B. If prepared to proceed, develop action plan and timeline for the creation of the urban renewal entity.

Best Practice: Prepare an Urban Renewal Plan Application in accordance with MGL chapter 121B in partnership with the urban renewal entity.

□ Human Resources Best Practices

Best Practice: Cost-Out Collective Bargaining proposals so that the impact of the total package is known. This provides the municipality with a clear understanding of both short-term and long-term budgetary impacts.

Best Practice: Develop a Workplace Safety program so that the risk of on-the-job injuries is minimized.

Best Practice: Develop a formal Wage and Classification Plan that details, at a minimum, job descriptions, employee grades, and salary ranges, thereby providing the municipality with a tool to make pay decisions that are reasonable in comparison to similar work being carried out in all areas of city/town government.

Best Practice: Develop Employee Policies and Procedures for things such as discrimination, sexual harassment, information technology use, drug and alcohol, use of social media, and town-owned vehicles.

Best Practice: Manage employee benefit costs such as health insurance, dental insurance, unemployment insurance, and worker's compensation/111F; includes eligibility review and evaluation of insurance choices.

Best Practice: Prepare a Succession Plan to help address the pending wave of retirements that will challenge a municipality's ability to maintain service levels and utilize expertise and experience of mature workers through consulting or mentorship programs.

Best Practice: Explore Centralized Human Resources/Personnel Operations to improve service delivery and build efficiencies.

□ Information Technology Best Practices

Best Practice: Perform a general IT assessment that results in a written evaluation and best practice recommendations. At a minimum, the assessment should include a review of hardware infrastructure, networking, backup, email and user account management.

Best Practice: Perform a cyber security assessment to identify human and technology risks within the environment, analyze and identify gaps in existing cyber security processes, assess vulnerability to external attack and identify steps to remediate identified issues.

Best Practice: Review technology organizational structure, spending and business goals across the community and develop a strategy to prioritize technology investments.

Best Practice: Design a regional shared IT services program to maximize technology resources across communities and/or school districts.

Best Practice: Develop IT resiliency, recovery and contingency plans that are aligned with community realities and position the community to effectively manage unforeseen events.

Best Practice: Develop a plan to improve digital communications with the public, including content structure on the website, practices around content creation and ownership and social media.

Best Practice: Evaluate open checkbook and/or open budget technologies that are easily consumed by the public, promote transparency, and allow data to be downloaded in a machine-readable format.

Best Practice: Identify a business process that is inefficient and not meeting the expectations of key stakeholders, perform an analysis, and develop a plan to better meet the needs of stakeholders and more effectively leverage technology.

Best Practice: Develop a document and/or records management strategy that results in operational efficiencies and improved responsiveness to the public.

Public Accessibility Best Practices

Best Practice: Undertake an Americans with Disabilities Act (ADA) Self-Evaluation and Develop a Transition Plan to comply with Federal civil rights laws that require public buildings to be accessible to persons with disabilities.

Best Practice: Strive for the Universal Participation (UP) designation from the Mass Cultural Council by encouraging and supporting arts and cultural facilities and events in the community.

8. Public Health Best Practices

Best Practice: Community Coalitions are a way to become a Prevention Prepared Community. Utilize SAMHSA's Strategic Prevention Framework (SPF) Model as a comprehensive guide to plan, implement, and evaluate prevention practices and programs to address substance use and other community issues. There are multiple SPF strategies communities can implement, which can be reviewed with staff from the Bureau of Substance Addiction Services.

Best Practice: Assess where in the municipality overdoses occur and develop environmental solutions and improve monitoring of hotspots. Place signage in areas where overdoses occur (such as public bathrooms) to promote carrying naloxone and calling for help.

Best Practice: Equip all first responders with naloxone and appropriate medical supplies and ensure all first responder personnel are trained to recognize and respond to an overdose.

Best Practice: Use SAMHSA's Strategic Prevention Framework (SPF) to ensure a consistent data-driven planning process across the community focused on implementing culturally competent and sustainable strategies and interventions that will have a measurable effect on preventing and reducing opioid abuse and opioid overdoses.

Best Practice: Assess opportunities with other municipalities for shared public health services. Examples include infectious disease surveillance and follow-up, retail food establishment inspections, and recreational camp inspections.

Best Practice: Convene local and state health and enforcement officials to develop a standardized response protocol, by region, for animal hoarding. Establish a single point of contact for case responders to report concerns about an individual hoarder or their family. The contact will then seek follow-up by the appropriate service agency, including but not limited to the: Department of Mental Health, Department of Children and Families, Executive Office of Elder Affairs, Disabled Persons Protection Commission, and the Department of Veteran's Services.

Best Practice: Healthy Community Design focuses on changing policies and practices to create conditions for people to eat better and move more where they live, learn, work, and play. Conduct a Built Environment Regulatory Review (BERR), a point-in-time evaluation of existing municipal policies/plans/regulations. The review will provide a baseline from which to prioritize strategies to promote walking and biking. This best practice can be combined with several other best practices that relate to municipal zoning and land-use.

Best Practice: Conduct a Community Food Assessment (CFAs), an evaluation of the food system within a single neighborhood/municipality/region that defines needs and assets to improve access to healthy foods. The evaluation may lead to a Community Food Plan that identifies priority actions (i.e., addition of food retail into a town's economic development plan). This best practice can be combined with several other best practices that relate to municipal zoning and land-use.

Best Practice: Implement and enforce evidence-based tobacco control strategies at the point of sale to reduce youth initiation of tobacco use.

Best Practice: Climate Change Adaptability Planning. Data collection, strategy development and planning at the local level are critical to the overall preparedness and long-term resilience to the effects of climate change. Develop a report that identifies: the range of climate impacts, associated potential health outcomes, vulnerable populations, the additional burden of health outcomes due to Climate Change, and the most suitable health interventions. Use the CDC's BRACE framework to develop and implement a plan that introduces health system program changes.

Best Practice: Develop foodborne illness outbreak protocols and assess capacity to enforce regulations that evaluate food systems.

Best Practice: Identify risk areas for housing sanitation inspection and enforcement and assess capacity to enforce minimum housing standards.

Best Practice: Assess capacity to ensure all housing inspections include lead hazard identification and that lead inspections are conducted when requested by families with small children.

Best Practice: Local boards of health (LBOH) can take a leadership role to advance health equity by 1) building internal infrastructure, 2) working across government; 3) fostering community partnerships, and 4) championing transformative change. LBOH should adapt strategic practices to advance health equity in local health both internally within their departments and externally with communities and other government agencies. DPH Office of Local and Regional Health and Office of Health Equity staff are available to answer questions and connect LBOH with resources.

Best Practice: Implement the National CLAS Standards within local public health *to help advance and sustain culturally and linguistically appropriate services* by establishing a framework to serve the increasingly diverse communities.

Best Practice: Conduct assessments to ensure people with disabilities have access to facilities, goods, and services.

Best Practice: Disaggregate data by race/ethnicity, income status, sexual orientation/gender identity and expression, and other key demographic factors to identify and address health inequities.

9. Public Safety Best Practices

Best Practice: Conduct Active Shooter Preparedness and Response Training in collaboration with the Massachusetts State Police Tactical Operations (STOP) Team, onsite with local law enforcement.

Best Practice: Establish an Emergency Preparedness Plan in partnership with the Massachusetts Emergency Management Agency (MEMA) to develop and enhance a community's disaster and emergency response capabilities.

Best Practice: Establish Hazardous Material Response Protocols in conjunction with Regional Hazardous Materials Response Teams under the Department of Fire Services, to enable cities and towns to protect their citizens, the environment, and property during incidents involving a release or potential release of hazardous materials.

Best Practice: Hold In-service Training Programs for Municipal Police to better prepare local police officers and first responders for incidents involving domestic violence, mental health disorders, and substance abuse.

Best Practice: Convene an opioid task force, consisting of key stakeholders, to identify, implement, coordinate, and improve strategies around the prevention, intervention, treatment and recovery of substance use disorders.

Best Practice: Adopt Standardized Tools for Domestic Violence Cases by partnering law enforcement with local domestic violence organizations to adopt a best practice policy on training and implementation of standardized, evidence informed danger and strangulation tools. Municipalities are encouraged to apply individually or as a collective.

Best Practice: Establish a Triad program (a partnership of three organizations—law enforcement, older adults, and community groups). This group maintains an ongoing schedule of community education to combat fraud and elder abuse involving the Attorney General’s Office, Office of Consumer Affairs and Business Regulation, District Attorneys, and other state agencies, as appropriate.

Best Practice: Collaborate with the Executive Office of Public Safety and Security and Municipal Police Training Council in specialized training to establish best practices and methods for combatting hate crimes and supporting those of our citizens who have fallen victim to a hate crime.”

10. Regionalization/Shared Services Best Practices

Best Practice: Regionalize services and share resources among municipalities for efficient and effective service delivery to residents and taxpayers in this era of shrinking budgets, loss of seasoned employees to retirement, and increased need for service improvements.

11. Transportation / Public Works Best Practices

Citizen Safety

Best Practice: Develop a Safe and Mobile Older Drivers plan for the aging of the population by proactively addressing older driver issues, including education for older road users, infrastructure improvements, and transportation options.

Best Practice: Enhance citizen safety by establishing community-based programs to increase pedestrian, automobile and motorcycle safety. The community will demonstrate participation in the Commonwealth’s Office of Public Safety and Security’s trainings and conferences as well as the dissemination of public safety information to citizens.

Best Practice: Ensure Safe Infrastructure so as to provide a safer environment for all users and modes by implementing traffic engineering enhancements. The municipality will demonstrate regular and routine improvements on locally funded roads, such as cutting back vegetation at intersections where it is known to interfere with sight distance, clearing brush that obscures traffic signage, renewing or installing pavement markings, conducting nighttime surveys to check visibility and retro reflectivity, implementing traffic calming measures at known high crash locations.

Best Practice: Establish a sidewalk snow-and-ice removal program for locally owned sidewalks, with an emphasis on areas serving the most vulnerable users (childcare centers, schools, senior centers, libraries, hospitals, parks).

Active Transportation

Best Practice: Implement the Complete Streets Program by becoming certified through Mass DOT and demonstrate the regular and routine inclusion of complete streets design elements and infrastructure on locally funded roads.

Best Practice: Utilize Transit-Oriented Development (TOD) fundamentals to create zoning around transit centers that maximizes bike, pedestrian, and transit use and which allows for lower levels of required parking and mixed use to put needed amenities near population centers.

Best Practice: Develop a Safe Routes to School program that also includes student education on pedestrian safety.

Best Practice: Use the Mass DOT-issued Municipal Resources Guides for bicycling and walking to plan for and implement better facilities for bicyclists and pedestrians, with an emphasis on creating networks and connections among key destinations (job centers, retail centers, public transit, schools, major residential areas).

Best Practice: Collaborate with Regional Transit Authorities, local employers, and other institutions to support sustainable commuting by providing incentives for bicycling and walking and transit use; facilities to support safe travel without a private automobile; shuttles and other similar transportation services where appropriate.

Best Practice: Collaborate with Regional Transit Authorities to improve local transit outcomes by measuring and managing to outcomes for riders, including overall ridership, ridership among low-income and transit-dependent customers, met and un-met demand for transit service, and connections made to major activity centers.

Best Practice: Establish a program for piloting new forms of micro mobility (scooters, bike share, etc.), including collaborating with micro mobility providers, measuring performance and usage, developing lessons learned, surveying users, and assessing contributions to overall local mobility.

Training

Best Practice: Participate in the Bay State Roads, which provides on-going training and helps municipalities share ideas and information with other communities about state-of-the-art planning, design, and operational information for city and town public works managers.

Asset and Infrastructure Management

Best Practice: Inventory and Geo-Code all public works assets so that a database of every public works asset is created, geocoded and condition rated, which is used to inform capital planning, as well as emergency repair.

Best Practice: Develop a Pavement Condition Index that rates street condition for the municipality.

Best Practice: Develop a Multi-Year Vehicle Maintenance and Replacement Plan for their municipal vehicle fleet.

Best Practice: Develop a Bridge / Culvert Preventative Maintenance plan to help prolong the life of these critical transportation assets.

12. Housing Choice Best Practices

Note: DLTA funds shall not be used for any activities related to assertion of the General Land Area Minimum (GLAM) (1.5% of total land area) safe harbor under 800 CMR 5.03 (b) (Chapter 40B).

Best Practices that support affordable housing are shown in *italics* below

1. Have at least one zoning district that allows multifamily by right (in addition to 40R districts) where there is capacity to add units and that allows for family housing that is not age restricted and does not restrict units with more than 2 bedrooms (or have a pattern of approving such developments over the last 5 years)
2. *Have Inclusionary Zoning that provides for reasonable density increases so that housing is not unreasonable precluded*
3. *Have an approved 40R Smart Growth or Starter Homes district. Please note, that if your community repealed its only 40R district, it no longer qualifies for this best practice.*
4. Have zoning that allows mixed use or cluster / Open Space Residential development by right that is not part of a 40R district (or have a pattern of approving such developments over the last 5 years)
5. Have zoning that allows for accessory dwelling units by right (or have a pattern of approving ADUs over the last 5 years)
6. *Designated local resources for housing such as established an Affordable Housing Trust, donated land, or spent substantial Community Preservation Act (CPA) funds for community housing over the last 5 years.*
7. Reduced parking requirement for multi-Family units within the last 5 years or require no more than 1 parking space per unit for multifamily units.
8. Provide evidence of education and training for a majority of members on a land use board (Planning Board, Board of Appeals, Select Board and/or City Council) from **CitiZen Planner Training Collaborative**, Massachusetts Housing Partnership's **Housing Institute**, Community Development Partnership's **Lower Cape Housing Institute**, or Urban Land Institute's (ULI's) **Urban Plan Public Leadership Institute** over the last 5 years.
9. *Have units currently eligible for inclusion in the Subsidized Housing Inventory (SHI) that equal or exceed 10% of total year-round housing stock according to the DHCD subsidized housing inventory, where such 10% was not reached after local comprehensive permit(s) were denied or conditioned and had the denial or condition overturned by the Housing Appeals Court (HAC).*
10. *Have increased your community's SHI by at least 2.5% points in the last 5 years where such increase was not reached after local comprehensive permit(s) were denied or conditioned and had the denial or conditions overturned by HAC.*
11. Selected a housing best practice as part of a Community Compact
12. *Participate in the Housing Development Incentive Program (HDIP), have adopted an Urban Center Housing Tax Increment Financing district, approved District Improvement Financing (DIF) related to housing, have adopted an Urban Renewal Plan that includes a significant Housing element.*
13. *Have adopted local option property tax relief programs for income eligible seniors either as provided for by statute (MGL c. 59 section 5) or through a home rule petition; OR have adopted a Community Impact Fee for short term rentals (MGL c. 64G, section 3D) where your community has committed in writing to using a portion of such revenues for affordable housing.*
14. *Have a CERTIFIED Housing Production Plan which means that you have an DHCD approved Housing Production Plan and have subsequently seen an increase of 0.5% or 1% in your year round housing units (see <https://www.mass.gov/service-details/chapter-40-b-housing-production-plan> for more information)*

www.mass.gov/housingchoice

OFFICE OF THE
PLANNING BOARD

13 AYER ROAD HARVARD, MA 01451

978-456-4100

www.harvard-ma.gov



To: Lynn Kelly, Town Clerk
Harvard Town Hall
13 Ayer Road
Harvard, MA 01451

January 9, 2023

**HARVARD PLANNING BOARD
NOTICE OF DECISION ON APPLICATION OF
CHRIS & EMILY GOSWICK
FOR SITE PLAN APPROVAL
FOR RE-DEVELOPMENT OF
184 AYER ROAD
HARVARD, MA 01451
ASSESSORS MAP 8 – PARCEL 41
WORCESTER REGISTRY OF DEEDS
BOOK 51910, PAGE 171**

The Applicant proposes the development of a pre-existing non-conforming mixed-use building and site improvements located at 184 Ayer Road. The site is approximately 2.27 acres, with 52 feet of frontage on Ayer Road. Applicable Protective Bylaw sections for this review include:

- Section 125-38, Site plans; and
- Section 125-39, Site standards.

PLANS AND DOCUMENTS SUBMITTED IN SUPPORT OF THE APPLICATION

I. Applications:

a. Applications (10 copies) for a Site Plan Review without a Special Permit received and stamped by the Harvard Town Clerk on NOV. 30, 2022 with accompanying documents as required, including appropriate fees paid, and the following:

- (1) *Complete Plan Set for proposed project at 184 Ayer Road, Harvard, MA 01451, Map 8 / Parcel ID 41, Job Number 6932, prepared by Dillis & Roy Civil Design Group, Inc., dated November 29, 2022 and submitted by the Applicant.*
- (2) *Site Plan prepared by Dillis & Roy Civil Design Group, Inc.*
- (3) *Project Narrative*

II. Input from Other Town Boards and/or Interested Parties:

a. *None.*

III. Consultant Reviews:

a. *None.*

IV. Supplemental Materials from Applicant:

a. *None.*

V. Public input

None.

The application was presented by Greg Roy, of Dillis and oy Civil Design Group, as agent for the Applicant (Chris & Emily Goswick) at a public meeting of the Planning Board on December 19, 2022 and January 9, 2023.

FINDINGS

Based upon the documents submitted to the Planning Board and the testimony at the public meeting, the Planning Board makes the following findings with respect to the Application:

- I. That the Applicant has demonstrated that that the site plan so submitted is adequate in showing compliance with applicable provisions of the Bylaw.*

- II. That as a pre-existing non-conforming use a Special Permit from the Zoning Board of Appeals under §125-3D is required due to the change of intensity from a Small Scale commercial use as provided in §125-12, to a Medium Scale commercial use as provided in §125-13.*

CONDITIONS AND LIMITATIONS ON EXERCISE OF SPECIAL PERMIT

1. The Applicant shall make certain the business signs are in compliance with §125-41(C) of the Protective Bylaw.
2. The Applicant shall work with the Town Conservation Agent to remove the Japanese Knotweed on the site.
3. The waiver of a sidewalk required in §125-39(G) is granted.
4. This Approval will be valid after the issuance of a Special Permit by the Zoning Board of Appeals.

ACTION OF THE PLANNING BOARD - DECISION

Therefore, on *January 9, 2023*, by a VOTE of 4 to 0 of the Planning Board eligible to vote, the site plan is **APPROVED** with the above listed conditions.

Richard Cabelus, Chair

Brian Cook

Arielle Jennings

Doug Thornton

§ 125-35. Open Space and Conservation - Planned Residential Development (OSC-PRD). [Added 3-29-2003 ATM by Art. 32¹]

This section establishes and regulates Open Space and Conservation Planned Residential Development (OSC-PRD). Development under this section is pursuant to a special permit granted by the Planning Board.

- A. **Purpose and intent.** The purpose and intent of the OSC-PRD provision is to permit high-quality residential development that preserves open space, water resources, wetlands, habitat, prime agricultural land, scenic landscapes and natural features, reduces infrastructure and site development cost, and promotes a diversity of housing opportunities within the Town, while respecting and enhancing neighborhoods, and promoting attractive standards of appearance and aesthetics consistent with Town character.
- (1) A further purpose of the OSC-PRD provision is to reduce the anticipated negative fiscal impact on the Town associated with conventional residential development.
 - (2) The OSC-PRD provision is designed to encourage the siting of homes in a manner that clusters units together in well-designed village settings, on buildable portions of the site, as a distinct alternative to the more arbitrary siting associated with lot by lot development typically reflected in plans submitted pursuant to Massachusetts General Laws Chapter 41, Sections 81K through 81GG, the Subdivision Control Law.
- B. **Applicability.** The Planning Board may grant a special permit for an OSC-PRD on an Agricultural-Residential (AR) zoned tract of land that is at least 4.5 acres of land area, with definite boundaries ascertainable from a recorded or registered deed(s) or recorded or registered plan(s). Existing public and private ways need not constitute boundaries of the tract, but the area within such ways shall not be counted in determining tract size.
- (1) **Permitted uses in Open Space and Conservation Planned Residential Development.** Permitted uses include the following:
 - (a) Single-family detached dwellings.
 - (b) Attached units, not to exceed 6 or more units in any single building.
 - (c) Agriculture and horticultural uses including but not limited to orchards, vineyards, forestry, farming for fruits and vegetables.
 - (d) Open space.
 - (e) Trails.
 - (f) Passive recreation.

1. Editor's Note: This article also repealed former § 125-35, Cluster development for open space conservation, added 3-31-1990 ATM by Art. 18, as amended.

- (g) Educational and religious uses and other uses not mentioned above which are exempt from regulation by zoning under Massachusetts General Laws Chapter 40A, Section 3.
 - (h) Accessory residential/recreational uses (e.g., tennis court, pool, playground).
- C. **Requirements and process for approval.** An applicant who is the owner (or with the permission of the owner) of a 4.5 acre or larger tract of land in the AR District as described above, may submit to the Planning Board a plan and application for a special permit for an OSC-PRD in accordance with the provisions of this section, excepting the building lots or lot shown on such plans from the lot area and other dimensional requirements specified in other sections of this Bylaw. While a subdivision plan is not required to be submitted in conjunction with the provisions of this section, in the event that a subdivision plan is being proposed by the applicant, such plan shall be submitted to the Planning Board in accordance with the Subdivision Rules and Regulations of the Planning Board.²
- (1) **Submittal requirements.** Prior to the granting of a special permit pursuant to this section, a duly submitted application for said special permit shall be submitted together with a site plan to the Planning Board, in accordance with § 125-38, Site plans, of the Bylaw, and any Site Plan Rules and Regulations adopted by the Planning Board. For purposes of this Bylaw, a landscape architect, architect, land surveyor, and professional engineer must participate in the preparation of such site plan, which shall include the following:
- (a) The location of the proposed development.
 - (b) The size of the site in acres.
 - (c) The total number of the proposed buildings and/or lots, and the size of each in square feet.
 - (d) The acreage and proposed use of permanent open space.
 - (e) A statement on the disposition or manner of ownership of the proposed open space.
 - (f) The lots or areas which are to be used as building areas or lots, and the lots or areas which are to remain as permanent open space.
 - (g) Lines showing yard and setbacks as required by this Bylaw, within which dwellings or structures must lie.
 - (h) Sufficient detail of proposed built and natural features as described in § 125-35D and § 125-35E to enable the Planning Board to make the required determinations of § 125-35C(3).
 - (i) A landscape preservation plan sheet(s) to be included with the site plan,

2. Editor's Note: See Ch. 130, Subdivision Control.

reflecting the existing, natural features to be preserved and proposed landscape features and details.

- (2) **Submittal of preliminary plan.** In order to assist the Planning Board in making a determination, pursuant to § 125-35C(3)(d), that an OSC-PRD is superior to a conventional subdivision development, an applicant must submit a plan of the required form and content standards as a "Preliminary Plan" in accordance with the Massachusetts General Laws Chapter 41, Section 81S and the "Rules and Regulations of the Harvard Planning Board Relative to Subdivision Control." Such plan, although not a formal subdivision plan filing, and submitted for conceptual purposes only, shall include a perimeter survey prepared by a registered land surveyor, location of wetlands delineated by a wetlands specialist, and topography based upon the most recent United States Geological Survey map. The applicant shall demonstrate to the satisfaction of the Board that a subdivision plan, if formally filed, would be buildable without reliance on significant waivers of the subdivision regulations, and without extraordinary engineering techniques. Further, the applicant must demonstrate and provide sufficient evidence, to the satisfaction of the Planning Board, that each of the lots reflected on the "Preliminary Plan" submitted are capable of being served by an individual sewage system that would comply with the regulations of the Board of Health.
 - (3) **Approval criteria.** After notice and a public hearing in accordance with Massachusetts General Laws Chapter 40A, Section 9, 11, and 15 and after following the procedure outlined in this Bylaw, the Planning Board may grant such a special permit with any conditions, safeguards, and limitations, if it determines:
 - (a) That the application form and content referred to in § 125-35C(1), herein is properly completed.
 - (b) That the site plan referred to in § 125-35C(1) is properly completed.
 - (c) That all the other requirements of this Section and Bylaw are fully met.
 - (d) That the design and layout of the proposed OSC-PRD is superior to a conventional subdivision plan in preserving open space for conservation and recreation; that it preserves natural features of the land, and allows more efficient provision of streets, utilities and other public services; and, that it provides a high degree of design quality, based on the criteria and considerations enumerated herein in § 125-35E.
 - (e) That if development of single family homes is being proposed on separate lots, as opposed to a clustered village concept that is a major objective of this Bylaw, exemplary site planning is demonstrated, and other determinations in § 125-35D, are met.
- D. **Design criteria.** In its consideration of an OSC-PRD, the Planning Board shall give particular attention to, and shall use as a basis for its decision, all of the following:

- (1) Lots, streets, off-street parking, sidewalks, pathways and buildings which achieve the harmonious integration of the proposed development with surrounding properties.
- (2) Overall layout and design that achieves the best possible relationship between the proposed development and the land under consideration.
- (3) Appropriately sized and configured open spaces for active or passive recreation, and where possible, links to adjoining common open space areas.
- (4) Protection of natural features such as streams, mature trees or clusters of trees, rock outcrops, bluffs, slopes, high points, views, vistas, and historic or archeological features.
- (5) Provision of large buffer areas, composed of existing vegetation, to surround building groupings and building envelope areas, to discourage site clearing and encourage preservation of existing land cover and mature vegetation.
- (6) Provision of access to open spaces for the physically handicapped, elderly, and children.
- (7) Use of open spaces for preserving, enhancing, or providing scenic vistas; preservation and protection of historic resources.
- (8) Adequacy of provisions for public safety, protection from fire and flood, and maintenance of public facilities, streets, utilities, and open space.

E. **Design quality.** Project design for an OSC-PRD shall be reviewed by the Planning Board with input from Town officials, any review consultant(s), and others as appropriate. This section is to be interpreted as guidelines to be applied flexibly by the Planning Board as appropriate to the situation under review, including factors such as foundation and soil characteristics and other extraordinary site constraints. While these guidelines apply to all site improvements and buildings and structures, it is not the intent of this section to prescribe or proscribe use of materials or methods of construction regulated by the state building code, but rather to enhance the appearance of the built environment within an OSC-PRD.

- (1) **Building and structure placement.** The placement of buildings and structures in an OSC-PRD should:
 - (a) Provide for maximum buffering of buildings and structures to adjoining properties either within the proposed OSC-PRD or to adjacent land uses. Such buffering includes, but is not limited to: landscaping, screening materials, natural barriers, fencing, and related measures.
 - (b) Preserve attractive views from major vantage points, especially from major thoroughfares and residential neighborhoods.
 - (c) Avoid regular spacings and building placements that will be viewed as continuous walls from important vantage points, which may be identified in an OSC-PRD pre-application conference.

- (d) Avoid the placement of structures, common area facilities, and private space related to individual units in a manner that eclipses views or access to open space areas described in § 125-35K.
 - (e) Ensure that 10% of all units are fully accessible to the disabled and that a majority of units have at least one accessible entrance and bathroom on a first floor.
- (2) **Building massing/articulation.** The massing/articulation of buildings should:
- (a) Avoid unbroken building facades longer than 50 feet.
 - (b) Provide human-scale features, especially for pedestrians and at lower levels.
 - (c) Avoid unarticulated and monotonous building facades and window placement.
- (3) **Building appearance and treatment.** To the extent not inconsistent with or pre-empted by the state building code, the following should be considered as applicable:
- (a) Materials and building treatments that reduce the visibility of the buildings from distant vantage points, and that are compatible with backgrounds and surroundings.
 - (b) Materials and colors compatible with other quality buildings of similar scale in the vicinity.
 - (c) Green building technologies and materials, wherever possible, to minimize adverse environmental impacts.
- (4) **Roofline articulation.** The design of buildings should:
- (a) Provide a variety of building heights and varied roofline articulation that stresses New England vernacular architecture.
 - (b) Locate taller buildings away from major streets, abutting and off-site single-family residential areas and homes.
- (5) **Landscaping.** Landscaping criteria are as follows:
- (a) All open areas, exclusive of areas to remain in an existing natural state within an OSC-PRD, should be landscaped in an appropriate manner, utilizing both natural and man-made materials such as indigenous grasses, trees, shrubs, and attractive paving materials and outdoor furniture.
 - (b) Deciduous trees should be placed along new and existing streets and ways. Outdoor lighting should be considered in the landscaping plan, and should be designed to complement both man-made and natural elements of the OSC-PRD and adjacent areas. Appropriate methods (such as cutoff

shields) should be used to avoid glare, light spillover onto abutting property.

- (c) Intensive, high-quality landscaping or preservation of existing vegetation should be provided within the OSC-PRD where it abuts major streets, existing residential areas, and along internal drives.
 - (d) Preservation of existing vegetation or tree-lined areas should be maintained.
 - (e) Parking areas and lots should use landscaping and terracing to break up large areas of pavement and to enhance residential flavor and appearance; trees and shrubs should be used to the maximum extent feasible.
 - (f) Features such as shade trees, forest trees, and expansive planting areas should be preserved and/or introduced along external property boundaries and on the perimeter of the OSC-PRD itself, to buffer the site from adjoining parcels.
- (6) **Pedestrian amenities and recreation.** In this category, the design should include the following components/characteristics, appropriate to the land under consideration.
- (a) Accessible pedestrian-oriented features such as walkways, pergolas, outdoor sitting plazas, landscaped open space, drop-off areas, and recreational facilities should be emphasized.
 - (b) Tree-lined or otherwise appropriately landscaped pedestrian paths and walkways should link together areas designated as open space within the site, and wherever possible, to adjoining public areas.
 - (c) Passive and active recreational facilities should be of a size and scale appropriate for the number of units proposed.
- F. **Utilities.** To the maximum extent feasible, all utilities should be located underground.
- G. **Signage.** At each principal entrance to the site, one sign only shall be permitted; it should be of a maximum signboard area of three square feet, with content limited to identifying the name and address of the development.
- (1) Within the development, signs, not to exceed two square-feet each, of a number and location to be approved as part of the OSC-PRD, may be permitted for the sole purposes of orientation and direction, and of identifying common building spaces.
- H. **Base development density.** The maximum number of dwelling units per acre permitted in an OSC-PRD shall not exceed one unit per 1.50 acres of land area, and in no event exceed the maximum number of lots or dwelling units obtainable under a conventional subdivision plan for the land area under consideration, except as provided in § 125-35I.

I. **Development incentive.**

(1) The Planning Board may authorize an increase in lots or dwelling units up to a maximum of 25% above that allowed under § 125-35H of this Bylaw, provided the following conditions are met:

- (a) The applicant proposes a significant increase in open space above 50%, and preserves significant natural resources, in the opinion of Planning Board.
- (b) There is permanent preservation of land devoted or set aside for agricultural use or other unique preservation strategy, including preservation of historic structures or barns, or other special features of the built environment.

(If (a) and (b) above are found to be satisfied, in the opinion of Planning Board, it may authorize a 5% increase in applicable base density.)

(c) The applicant proposes public improvements or amenities that result in substantial benefit to the Town and the general public, provided:

- [1] There are significant improvements to the environmental quality or condition of the site and its surrounding areas, including a decrease in stormwater runoff from what would otherwise result from a conventional subdivision plan.
- [2] There are provisions contributing to off-site public facilities or environmental improvements beyond those necessary to mitigate the impacts of the proposed development.

(If (c) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 5% increase in applicable base density.)

(d) The applicant proposes attached dwellings that include a maximum of two bedrooms per unit, and are developed in the character of a New England Village style of architecture.

(If (d) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 5% increase in applicable base density.)

(e) Housing units for senior citizens and persons aged 55 years and over housing is provided.

(If (e) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 5% increase in applicable base density.)

(f) The applicant sets aside 10% or more of lots or dwelling units on the site for "affordable housing" for purchase or rental by those with households of low or moderate incomes. Such units must count toward the Town's Subsidized Housing Inventory, and be in accordance with the provisions of 760 CMR 45.00, as may be amended. The Planning Board shall review

and approve the actual percentage distribution of qualifying low versus moderate income units.

(If (f) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 20% increase in applicable base density.)

- (2) **Standards for on-site affordable units.** Housing units set aside as affordable housing, as described in § 125-35I(1)(f), shall have a gross floor area comparable to market-rate units and shall be integrated into the development and not grouped together. When viewed from the exterior, the affordable units shall be indistinguishable from the market-rate units in the same development. The developer shall provide adequate guarantee, acceptable to the Planning Board, to ensure the continued availability and affordability of the units in perpetuity; such guarantee must include recorded deed restrictions, recorded restrictive covenants relative to equity limitation, or other acceptable forms of guarantees. No more than 80% of the building permits for the market-rate units shall be issued within an OSC-PRD until construction has commenced on all the affordable units; no more than 80% of the certificates of occupancy for the market-rate units shall be issued until all of the certificates of occupancy for the affordable units have been issued.

J. **Dimensional requirements.** The following provisions shall apply:

- (1) The Planning Board may waive the minimum requirements for frontage and/or yard requirements that would normally be applicable to land within the AR District in order to achieve maximum open space area, and may permit more than one single or two-family dwelling be located on a lot in an OSC-PRD, except as provided below.
- (2) The parcel proposed for development must have a minimum of 50 feet of frontage on a public way or private way which is open to the public.
- (3) Attached units shall contain no more than six units in a single building.
- (4) The minimum distance between clusters of multiple unit dwellings, shall be 50 feet.
- (5) A minimum width of 150 feet of green area shall be established and maintained between any property adjacent to the OSC-PRD and the nearest dwelling unit or units in the OSC. **[Amended 4-2-2005 ATM by Art. 34]**
- (6) The minimum setback from internal roads shall be 25 feet.
- (7) The maximum height of proposed buildings shall be 35 feet, and shall not exceed 2 1/2 stories.
- (8) Except as provided in this Bylaw, any lot in an OSC-PRD shall comply with any other dimensional requirements of the zoning district in which it is located.

K. **Common open space.** A minimum of 50% of the OSC-PRD parcel shall be devoted to contiguous open space, completely devoid of any structure, parking,

loading and unloading space, accessways thereto, or as private yards, patios, or gardens for the exclusive or principal use by residents of individual dwelling units. To the greatest extent possible, such open space shall be left in its undisturbed natural condition or shall be appropriate in size, shape, dimension, location, and character to assure its use as a conservation area, and where appropriate, a recreational area, and be a visual and natural amenity for the development and the Town. The common open space described herein is in substitution of and supersedes any other reference to common open space that may be described elsewhere in the Bylaw.

- (1) **Open space criteria.** The following criteria define open space, and open space that is considered usable within an OSC-PRD parcel:
 - (a) No more than 25% of common open space in an OSC-PRD shall be wetlands.
 - (b) Unless approved by the Planning Board, common open space shall not be considered usable if the slope of the finished grade exceeds 33%.
 - (c) Unless approved by the Planning Board, the nearest part of the common open space shall not be more than 300 feet in distance from the nearest point of any building that it is proposed to serve.
 - (d) No common open space shall be considered usable unless it is compact and contiguous and has no dimension of less than 50 feet.
 - (e) All usable open space shall be open to the sky and pervious.

L. Open space conveyance.

- (1) The common open space shall be conveyed in the following ways as approved by the Planning Board:
 - (a) To a corporation or trust comprising a homeowners association whose membership includes the owners of all lots or units contained in the development. The developer shall include in the deed to owners beneficial rights in said open land, and shall grant a perpetual open space restriction to the Town of Harvard or a non-profit corporation or organization over such land to insure that it be kept in an open state and not be built upon for residential use, or developed for accessory uses such as parking or roadways. Such restriction shall be in such form and substance as the Planning Board shall prescribe, and may contain such additional restrictions on development and use of the open space as the Planning Board may deem appropriate.
 - (b) To a non-profit organization, the principal purpose of which is the conservation of open space. The developer or non-profit organization shall grant an open space restriction as set forth above.
 - (c) To the Town for a park or open space use, subject to the approval of the

Select Board, for management by the Park and Recreation Commission if a park, otherwise by the Conservation Commission, with a clause insuring that it be maintained as open space. **[Amended 10-22-2018 STM by Art. 2]**

- (2) **Multiple conveyance.** To provide flexibility, and when deemed in the public interest, the Planning Board may approve more than one organization to accept the open space conveyance, particularly when it is appropriate that a major portion of such land be conveyed to the Town or a non-profit conservation organization, and another portion of such land is more appropriately conveyed to an owners association.
- M. **Passageways.** Private roadways and common driveways shall be allowed in OSC-PRD parcels. While roadway surface widths may be narrower than widths associated with a traditional subdivision, the durability of passageway surfaces and subsurfaces must be comparable to those in a conventional subdivision. **[Amended 4-2-2005 ATM by Art. 34]**
- (1) **Criteria for passageways.** The following criteria shall guide the development of these passageways:
- (a) Cleared widths for traveled ways (excluding on-street parking spaces and passing turnouts) shall not be more than 20 feet or less than 12 feet. A cleared height of not less than 16 feet above the entire passageway shall be established and maintained.
 - (b) Drainage and surface runoff from all passageways must be suitably accommodated by an approved drainage system, using best management practices.
 - (c) All OSC-PRD plans shall specify that such passageways will not be dedicated to the Town, but are to remain private ways; all deeds or other instruments conveying any portion of land or structure in an OSC-PRD containing such a passageway(s), shall specify that such passage way(s) are and shall remain private way(s) in perpetuity; and
- N. **Site improvements.** Site improvements specific to an OSC-PRD are listed below. To assist the Planning Board's evaluation of site changes and improvements from any OSC-PRD plan, the applicant shall submit said plan to the Town's Conservation Commission and Board of Health for review and recommendations to the Planning Board.
- (1) **Water supply.** Each lot and the development in its entirety shall be served by water supply systems.
 - (2) **Sewage disposal.** Privately owned and maintained on-site sewage disposal or treatment systems may be approved to serve buildings and lots in an OSC-PRD, if owned, maintained, operated, and monitored by a residents association, notwithstanding the provisions of § 125-32D of this Bylaw, if such treatment facility or system is approved by the Board of Health and in

compliance with the requirements of Title 5, 310 CMR 15.00, or approved in accordance with the requirements of 314 CMR 5.00 (the Ground Water Discharge Permit Program). An approved system may be located on land owned in common by the owners of the building lots or residential units within the development.

- (3) **Parking.** Unless otherwise approved by the Planning Board, a minimum and maximum of 1.5 off-street parking spaces shall be provided for each unit, exclusive of spaces within garages. The Planning Board may also approve, based upon the nature of the development proposed and exclusive of the 1.5 parking space ratio provided, areas for visitor parking.
 - (4) **Storm runoff control.** The applicant shall demonstrate that, as compared with the situation that would exist on the site without the development, no phase of the proposed OSC-PRD will result in an increase in the peak rate of storm runoff at the parcel boundary for the OSC-PRD as a whole for the 25-, 50- and 100-year design storms, and that there will be no net loss in flood storage capacity for the 100-year design storm. In making such determinations, any state or local orders or requirements of the Wetlands Protection Act or the Town's Wetlands Protection Bylaw³ shall be assumed in the calculations of runoff and flood storage without the OSC-PRD, but alternative forms of development shall not be assumed.
 - (5) **On-site runoff and erosion control.** The applicant shall demonstrate that any adverse existing off-site runoff and erosion conditions or off-site runoff and erosion conditions which would result from the development of the OSC-PRD, are fully identified and that workable and acceptable mitigation measures are proposed as part of the submission of a final plan.
- O. **Residents association.** In order to ensure that common open space and common facilities within the development will be properly maintained, each OSC-PRD shall have a residents association, which shall be in the form of a corporation, non-profit organization, or trust, established in accordance with appropriate State law by a suitable legal instrument or instruments properly recorded with the Worcester County Registry of Deeds or registered in the Worcester County Registry District of the Land Court. As part of the final OSC-PRD site plan submission, the applicant shall supply to the Planning Board copies of such proposed instruments, which shall at a minimum provide the information required by said OSC-PRD submission requirements, § 125-35L of this Bylaw, and Site Plan Rules and Regulations in effect at the time of final submission.
- (1) **Responsibilities of the residents association.** Said legal instruments pertaining to the residents association shall specify that the residents association shall be solely responsible for all related improvements, and all costs associated with the operation of the development, including:
 - (a) Roadway maintenance.

3. Editor's Note: See Ch. 119, Wetlands Protection.

- (b) Snow-plowing.
 - (c) Maintenance of street lighting and on-site improvements and utilities.
- P. **Amendments without public hearing.** Following the granting of a special permit pursuant to this Section, the Planning Board may, upon application and for good cause shown, without public hearing, amend the OSC-PRD plan solely to make changes in lot lines shown on the plan, which lot lines are not part of the perimeter of the site, or other minor engineering changes, provided, however, that no such amendment shall:
- (1) Grant any reduction in the size or change in location of the open space as provided in the permit;
 - (2) Grant any change in the layout of the ways as provided in the permit;
 - (3) Increase the number of lots or units as provided in the permit; or
 - (4) Decrease other dimensional requirements of any lot below the minima permitted by the approval of the initial site plan and special permit.
- Q. **Amendments requiring public hearing.** Any proposed change to an existing OSC-PRD special permit considered substantial by the Planning Board, shall require notice and a formal public hearing in accordance with Massachusetts General Laws Chapter 40A, Section 9, 11, and 15 and an amendment to the special permit decision made pursuant to this section.

**HARVARD PLANNING BOARD
MEETING MINUTES
SEPTEMBER 12, 2022**

Chair Richard Cabelus called the meeting to order at 7:01pm virtually, pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022, and under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125

Members Present: Richard Cabelus, Stacia Donahue, Brian Cook, Doug Thornton, and John McCormack (Associate Member)

Others Present: Frank O'Connor (Director of Planning), Liz Allard (Land Use Administrator), Valerie Hurley (Harvard Press), Bruce Ringwall (GPR, Inc.), Dan Wolfe (Ross Associates, Inc.), Kerri Green, Steve Moeser, Matt Cote (Beals & Thomas), Yvonne Chern, and Adam Costa, Esq.

Public Comment

Franklyn Carlson, resides at 112 Littleton County Road, and his orchard at 115 Oak Hill Road. He asked the Planning Board to give consider bring the proposed Bylaw amendment to allow farms to have entertainment. He said his business is limited to 30-days annual while the tap room is open year-round. Currently his business cannot do anything with entertainment without a Special Permit.

Multi-Family District bylaw letter to property owners

Chair Cabelus referenced a letter from Planning Board sent to property owners of multi-family parcels. The letter is regarding the Department of Housing and Community Development's (DHCD) mandate about multi-family housing requirements in proximity to Massachusetts Bay Transit Authority (MBTA) rail stations. O'Connor has sent out letters to some owners and has had some feedback. O'Connor would like permission to work with assessors to determine all of the known multi-family units within Town to get letters out to all of them. John McCormack wonder what the next step would be once the residents are notified. Donahue explained the existing bylaw for multi-family district, but Town has not mapped any multi-family parcels. Cook and Cabelus both said Harvard is mapping to get show where multi-family housing has already been created. Arielle Jennings asked if there were any negative impact for a person to zone their parcel multi-family. Donahue said Assessors can tell us if the multi-family zoning would affect value or taxes. Donahue added Town has much work to do to meet the deadlines.

O'Connor said he had received a single negative response to the letter out of all the letters sent to date. He requested permission to work with Assessors to send the letter to all owners of known multi-family parcels. McCormack said Town has until December of 2025 to meet the requirements. Cook thinks it is a little bit a of a number game. Cook added that as a rural community we need to take advantage of anything we have (existing). Cabelus agrees that all owners of multi-family be notified. Jennings asked if Harvard did this first stage and met the goal 100% would we still want to map additional areas? Additionally, did we determine any negative impact for being mapped at multi-family. Donahue not sure if we have confirmed with the assessor's if there would be a negative impact. Donahue does not think this is going to cover the requirements, so more needs to be done.

O'Connor said he exchanged eMails with DHCD to determine what would happen if there was a catastrophe – not really getting an answer in regards to a Chapter 40B development if the Comprehensive Permit is tied to the land or the developer? Cabelus asked members if there were No objection to getting the letter out to all of the prospective property owners.

54 Thornton asked is the next step about what does Harvard need to do to be in agreement as to what is
55 being mandated. Cabelus stated O'Connor is the point of contact and any obstacles may need to
56 discussed with the Board. O'Connor will share the exchange with the director at the Chelmsford Housing
57 Authority.
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59

60 **Continuation of a Special Permit, Ayer Road Village-Special Permit and Site Plan Review - Yvonne Chern**
61 **& Wheeler Realty Trust, 203 Ayer Road.** Opened at 7:35pm (see page 4 for complete details)
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63

64 **Special Permit & Driveway Site Plan Review – Francoise Crook, Lot 5 Prospect Hill Road (Map 11 Parcel**
65 **22.1 portion of).** Opened at 8:35pm (see page 7 for complete details)
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67

68 **Proposed Protective Bylaw Amendment §125-7 Agricultural Uses**

69 Cabelus introduced a prospective Protective Bylaw Amendment §125-7 Agricultural Uses drafted by town
70 counsel for the Select Board. The genesis of this is the Select Board have been issuing licenses and cannot
71 do so on an annual bases, but can do so on a daily basis for only X-amount of days. Select Board is hoping
72 to streamline the process to allow anyone who applies under agricultural use. Cabelus stated the Ag
73 Commission is meeting on the 27th September to discuss. McCormack asked what bylaw currently is this
74 under. Allard said there is no bylaw at this time and this language would be for it to be an annual permit
75 rather than a thirty-day permit. Cook not sure who supports what here and if Planning Board were able
76 to wrap the Town Center overlay district. Allard explained they cannot be combined because it is two
77 different uses. Allard said the Select Board does have the right to instruct Planning Board to hold hearings
78 on an issue, but the Planning Board is not required to support that amendment. Thornton said it is not
79 just to make it streamlined for the Select Board. Thornton said it's allowing for events each and everyday
80 under this use and he is surprised more public are not here to make comments. Donahue asked how
81 many events are being had be Carlson, Five Sparks and General are more than 30 per year. Thornton said
82 Carlson does just 30 events a year but other businesses were doing more without knowing the law.
83 Donahue asked if Ag zone issues were outside Planning Board's jurisdiction because of zoning. Allard
84 clarified the AR district that residential use is allowed in the agriculture district. Kerri Green zoning
85 exemptions only apply to primary Ag use, and that entertainment is not a primary Ag use. Donahue
86 comment this is the 3rd PB meeting in a row with a dumpster fire that Select Board needed the PB to
87 tackle right away. Donahue said multi-family needs our attention. Donahue commented how many more
88 fires before Planning Board is allowed to work on the things that need to be addressed. Donahue said
89 Town Center is important. Cabelus asked Allard to find out what the official status is on this item from
90 Select Board. Donahue tack on a request for a vote from Select Board. Thornton suggested for someone
91 from the Select Board to attend the meeting when discussing the topic.
92

93 **ZBA Request for Comments**

94 Cabelus asked the Planning Board if there were any comments to share with the Zoning Board. Allard
95 explained that the Zoning Board of Appeals may ask for comments from Planning Board but that Planning
96 Board is not mandated to respond. The Planning Board believes the variance for 31 Glenview Drive
97 should not be approved. Donahue made a motion to provide comments to the Zoning Board of Appeals
98 that the variance application should not be approved at 31 Glenview Dr. Thornton seconded the
99 motion. The vote was unanimously in favor of the motion by roll call vote Donahue, aye; Cook, aye;
100 Thornton, aye; and Cabelus, aye.
101

102 **Approve Minutes**

103 Cabelus asked if any member had questions or concerns with the minutes for May 2, 2022. Hearing none,
104 Donahue made a motion to approve the minutes of May 2, 2022 as submitted. Thornton seconded the
105 motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cook, aye; Thornton,
106 aye; and Cabelus, aye.

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Board Member Reports

• **Representatives & Liaisons Updates**

- **MRPC** Thornton a lot of talk about items on the agenda, basically read from document Donahue had shared with us. \$8 Billion over 8 years for safe streets grants. Transportation Advisory Committee is trying to figure out how to apply for those grants without assistance. Donahue will look into it. Thornton said there was no discussion about the second round of ARPA funds.
- **CPC** – Thornton said Charles Oliver discussed an increase of the current surcharge from 1% to 3%. This would triple the town’s funds that could be used toward the recreation facility.
- **Climate Initiative Committee** – public hearing on climate action plan on September 8th; three presentations were given but Thornton has not had an opportunity to do so nor Donahue, but they will circle back.
- **Park & Recreation** – Donahue let them know Jennings is going to be the new PB rep. There was discussion about converting baseball field being converted to a softball at Ryan fields. She added it was mentioned to use CPC funding.
- **Open Space Committee** – Cook said they looked at different town owned parcels. He said phase 1 is find location for a temporary field. He said phase 2 find a location for an additional field and that phase 3 is funding. Cook said wetlands would need to be delineated.

• **Community Matters** – none this evening

Adjournment

Donahue made a motion to adjourn the meeting at 9:12pm. Thornton seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cook, aye; Thornton, aye; and Cabelus, aye.

Signed: _____ Liz Allard, Clerk

EXHIBITS & OTHER DOCUMENTS

- Planning Board Agenda SEPTEMBER 12, 2022

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Harvard Planning Board

Continuation of a Special Permit, Ayer Road Village-Special Permit and Site Plan Review

Yvonne Chern & Wheeler Realty Trust, 203 Ayer Road

September 12, 2022

The public hearing was opened at 7:30pm by Chair Richard Cabelus under MGL Chapter 40A the Zoning Act and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 14, 2022

Members Present: Richard Cabelus, Stacia Donahue, Brian Cook, Doug Thornton, Arielle Jennings and John McCormack (Associate Member)

Others Present: Frank O'Connor (Director of Planning), Liz Allard (Land Use Administrator), Bruce Ringwall (GPR, Inc.), Yvonne Chern (applicant) Lou Russo (Wheeler Realty Trust), Attorney Adam Costa representing applicant.

This hearing was continued from July 18, 2022 for a Special Permit, an Ayer Road Village-Special Permit and Major Building Special Permit and Site Plan Review filed on behalf of Yvonne Chern & Wheeler Realty Trust for the development of three commercial use buildings, including a Commercial Entertainment and Recreation use at 203 Ayer Road, Harvard.

Bruce Ringwall, of GPR, Inc., representing Yvonne Chern for the badminton facility and Lou Russo for Wheeler Realty Trust, along with Adam Costa, their legal representative. Cabelus mentioned advice from Town Counsel on the project. Ringwall introduced Attorney Costa to respond to that advice. Costa mentioned applicability and questions about the bylaw §125-52B basic qualification are not complicated. As you get further into the bylaw the incentives G(3) the findings of the purposes, will result in one or more of the incentives – not a guarantee – it is sole up the Planning Board. Costa read the section and, in this case, based on his review of the plans this is the project that meets 125-52G(3)(b) curb cuts, connectivity, shared parking. He also believes they are meeting 12t-52G(3)(a). Costa stated the question was not broad enough to allow Attorney Lanza to answer the question. Costa provided his take on the incentives allowed related to the three criteria to access a Special Permit in the Ayer Road Village. Costa felt criteria B and A were both met. He said B was met by single curb cut / shared parking / connectivity to outside uses was met in the proposal and that A was met with preservation of agriculture and natural resources. Costa felt the proposed cluster development would protect areas that would otherwise be developed.

Allard asked about preservation under A and what that preservation would be. Ringwall showed on a map the areas around the proposed development that were being preserved. Cook asked about connectivity and shared pedestrian accessways to multiple lots and adjacent lots. Cook said he was struggling to see how the proposal met Criteria B. Costa said it the shared access and parking for multiple buildings helped with walkable distances between buildings. Costa said the proposal has a single curb cut and share parking to serve three buildings, meeting Criteria B.

Donahue has problem with connectivity. She said she is uncomfortable with unknowns regarding other two buildings and that the whole plan is not developed, specifically details on septic system. She said she is uncomfortable that the whole plan is not developed. Costa appreciated the concern and has seen bylaws like this that are referred to a master plan bylaw, the idea there are other components to be operated by different entities where you get the master plan approved and then further worked through when those areas are to be developed. Costa said the Planning Board can define what these buildings

212 could be used for in the future by not granting a permit. He added that as the approving authority the
213 Planning Board have ability to claw back the permits because you control what can occur on the site.
214
215 Cabelus read §125-52G (1) and asked Costa how you get to mix-use when we do not know what will be in
216 the other 2 buildings. Costa said he does not read that section entirely the same way Cabelus does. Costa
217 said it does not indicate that you need to qualify as a mixed used. Cabelus stated “and” to get you the
218 incentives. Ringwall stated and means one or the other and both. Ringwall talked about G (2) explaining
219 that Board had sought advice from Lanza which resulted in amending the application to include 125-37
220 major buildings to allow for a building over 10K square feet. Cabelus said if applicant were to get the
221 incentives it would require mixed use. Cabelus mentioned the original filing for the Special Permit, then
222 later amended to include 125-37. Cabelus said 125-52 specifically allows 125-13, but not 125-14. Cabelus
223 said racket sports are under 125-14D. He read that under 125-13 states “outdoor recreation” limited to
224 daylight hours only. Cabelus said ARV-SP was intended to work with medium scale commercial uses to
225 maintain the intent of village like development. Ringwall discussed various uses listed under 125-13, and
226 mentioned part Z mixed use village development as a medium scale use. He added the buildings do not
227 qualify under G for major building, but do qualify for ARV-SP under G (2) connectivity. Ringwall said they
228 are not asking for development under §125-13Z. Ringwall explained this bylaw was not available when
229 the lot across the road were devolved. Ringwall said the developer could develop this area by making
230 multiple lots. He is saying that the ARV-SP does not say it can only be medium scale uses under §125-13.
231 Costa reads it the way Ringwall does. Costa said it is not unusual in a section like applicability that the
232 Special Permit triggers another Special Permit.
233
234 Cook is really enjoying this conversation as an architect, and expressed his surprise that applicant cannot
235 replace terms as she / he chooses to do so. Liz Allard gave input on the approval of this bylaw and
236 addition §125-13Z at the same town meetings. Allard felt that they ARVSP were meant to be tied
237 together. Cabelus serious concerns about Ayer Road Special Permit threshold not being met.
238
239 Ringwall in 2004 when adopted they were not looking to eliminate the uses under §125-12 and §125-14.
240 He disagreed with Allard on the word village being left off. In other places it states mix used
241 development. Russo agreed with Ringwall that all commercial uses are allowed and pick up off the
242 developments across the road. Russo said a resolution to this project is needed and Cabelus agreed.
243 Cabelus asked if the applicant were understanding the issues that have been raised this evening by the
244 board this evening in section 13, not whether the applicant agreed or disagreed. Ringwall said yes on
245 behalf of the applicant. Allard stated it would have been helpful to have Attorney Lanza present to advise
246 the board as they are fairly new. Costa agreed that it would have been helpful to work through these
247 issues with counsel present. Cabelus want to address the issues with applicability and were go from here.
248 Post this meeting to reach out to Attorney Lanza to have a dialogue with Attorney Costa and Ringwall.
249
250 Staci Donahue said the planning board is not against the project, but must follow the rules. Thornton
251 commented about the 125-37 and how the architecture fits. Cabelus said Design Review Board will be
252 involved soon.
253
254 Liz Allard asked the Chair to hear Mr. Matt Cote, Beals + Thomas. Cote gave an overview as to where
255 proposal is at since August 18th and Cote has a number of comments to be resolved by applicant. Cote
256 asked the Chair in the interest of time is there anything specific the board wants addressed. Nothing
257 specific requested from Planning Board members. Cote still has questions about how the buildings B & C
258 with undefined uses. Cote has unanswered questions about traffic, turn arounds, photometric; water and
259 sewer details expect to see them further along than there currently are; the joint septic system originally
260 proposed, now separate systems are being proposed. Standard things fire department approval. For
261 building C parking is in front the building and could the be on the side of the building as opposed to along
262 Ayer Road. Cote mentioned a residential unit included within the badminton facility and he not sure if
263 special permitting were necessary. Cote added that for the most part storm water has been addressed.
264

265 Ringwall said his team is working on the issued raised by Cote. Steve Moeser encourages the design
266 review get going as it may affect the site plan.

267
268 Donahue made a motion to continue the hearing to September 19, 2022 at 7:30pm. Thornton seconded
269 the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cook, aye;
270 Thornton, aye; Jennings, aye; and Cabelus, aye.

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272 Signed: _____ Liz Allard, Clerk

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Harvard Planning Board

Special Permit & Driveway Site Plan Review

Francoise Crook, Lot 5 Prospect Hill Road (Map 11 Parcel 22.1 portion of)

September 12, 2022

The public hearing was opened at 8:35pm by Chair Richard Cabelus under MGL Chapter 40A the Zoning Act and the Code of the Town of Harvard Chapter 125 the Protective Bylaw virtually pursuant to Chapter 22 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 14, 2022

Members Present: Richard Cabelus, Stacia Donahue, Brian Cook, Doug Thornton, Arielle Jennings and John McCormack (Associate Member)

Others Present: Frank O'Connor (Director of Planning), Liz Allard (Land Use Administrator), Dan Wolfe (Ross Associates)

This hearing for a Special Permit and Driveway Site Plan Review filed on behalf of Francoise Crook for the approval of a Type 2 hammerhead lot and associated driveway at Lot 5 Prospect Hill Road (Map 11 Parcel 22.1 portion of), Harvard.

Cabelus asked if Dan Wolfe of Ross Associates, Inc., representing the applicant wished to be heard. Wolfe said proposal was reviewed by Mark Piermarini. Wolfe said he received instructions to revise the plan as requested and submitted the revised plan with those updates on 30th August 2022. Wolfe said Piermarini reviewed the changes submitted and found them acceptable. Wolfe asked if the Planning Board had any questions. No comments from the Board. Cabelus said the Planning Board had received that correspondence from Piermarini and the revised proposal seems in order. No comments from the members or general public. O'Connor had no concerns.

Donahue made a motion to issue a special permit for the amended proposal and close the hearing also. Thornton seconded the motion. The vote was unanimously in favor of the motion by roll call, Donahue, aye; Cook, aye; Thornton, aye; and Cabelus, aye.

Signed: _____ Liz Allard, Clerk

Weitzman Associates LLC

355 Lexington Avenue, New York, New York 10017 (212) 949-4000
737 North Michigan Avenue, Suite 2060, Chicago, Illinois 60611 (312) 337-5785

January 6, 2023

Town of Harvard
13 Ayer Road
Harvard, MA 01451
Attn: Ms. Marie Sobalvarro
Assistant Town Administrator and Chief Procurement Officer

c.c. Frank O'Connor, Director of Planning & Liz Allard, Land Use Administrator and Conservation Agent

Re: Market Analysis and Fiscal Impact Analysis- Ayer Road Commercial District
Harvard, MA
Engagement Letter Issued May 3, 2022
FINAL INVOICE

Acc # 66-22

SERVICES RENDERED:

Market Analysis and Fiscal Impact Analysis- Ayer Road Commercial District

Part 1 Deliverable: Kick-Off Meeting & Initial Memorandum \$5,000.00

Part 2A Deliverable: Interim Memorandum Market Analysis \$10,000.00

Part 2B Deliverable: Expanded Memorandum Market Analysis \$20,000.00

Part 3 Deliverable: Fiscal Impact Analysis \$10,000.00

UP-TO-DATE TOTAL FEE FOR SERVICES \$45,000.00

Less Payment Received (\$35,000)

Total Due This Invoice \$10,000.00

(Handwritten circle around \$10,000.00)

FOC

9. Jan. 2023

Tax ID: 37-1862083
Wiring Instructions:
WEITZMAN ASSOCIATES, LLC
Chase Manhattan Bank
Acc #: 929156276
ABA 021 000 021

Vendor # 15025

A/c # 22178217 - 520000



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

HOUSING CONSORTIUM INVOICE FY23-Q2

INVOICE DATE 1/13/2023
PAYMENT DUE 2/17/2023

	BERLIN	BOLTON	BOXBOROUGH	DEVENS	HARVARD	LANCASTER	LITTLETON	STOW
Past Due	\$ -	\$ 600.00	\$ 1,837.50	\$ 412.50	\$ -	\$ -	\$ (50.00)	\$ -
FY23-Q2	\$ 712.50	\$ 412.50	\$ 900.00	\$ 375.00	\$ 412.50	\$ 375.00	\$ 1,275.00	\$ 375.00
Admin Fee	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
BALANCE	\$ 962.50	\$ 1,262.50	\$ 2,987.50	\$ 1,037.50	\$ 662.50	\$ 625.00	\$ 1,475.00	\$ 625.00

Vendor # 13701
A/c # 8318300-570000