



**ANNUAL TOWN MEETING - FIRST SESSION
SATURDAY, April 6th, 2024, 12:00 P.M.
BROMFIELD SCHOOL, CRONIN AUDITORIUM
14 MASSACHUSETTS AVENUE, HARVARD, MA, 01451**

The Annual Town meeting of the Town of Harvard was convened at 12:08 PM in the Cronin Auditorium of the Bromfield School, 14 Massachusetts Avenue, with Town Moderator William Barton presiding, and a quorum of registered voters in attendance. The call of the meeting, and the return of service were found to be in order by Town Clerk, Rose Miranda.

The meeting began with the Pledge of Allegiance, followed by a test presentation of the Town's new electronic voting equipment.

Moderator Barton requested of the meeting that the Town allow the following non-voters to speak if necessary:

Timothy Bragan - Town Administrator
Attorney Mark Lanza - Town Counsel
Jared Mullane - Director of Finance
Ingrid Nilsson - Assistant Superintendent for Finance and Operations, Harvard Public Schools
Timothy Kilhart - Director, Department of Public Works
Richard Sicard - Fire Chief
James Babu - Chief of Police
Frank O'Connor - Director of Planning
Rose Miranda - Town Clerk
Andrew Sammarco - Assistant Town Clerk
John Tarlach - School Facilities Director
Jeffrey Hayes - Building Commissioner
Debbie Thompson - Director, Council on Aging
Jonathan Vos - Montachusett Regional Planning Commission

ARTICLE 1: ANNUAL REPORTS

(Majority Vote Required)

To see if the Town will vote to hear the reports of the Select Board, School Committee, and any other officers or committees that may be ready to make a report and act thereon.
(Inserted by Select Board)

On a motion by Richard Maiore, 50 Slough Road, Select Board and seconded,

I move the Town hear the reports of the Select Board, School Committee, and any other officers or committees that may be ready to make a report and act thereon.

Vote on Article 1, Main Motion: Passed by Majority (217 In-Favor, 22 Opposed)

ARTICLE 2: PAY BILLS OF PRIOR FISCAL YEARS

(Four-Fifths Majority Vote Required)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money to pay bills of Fiscal Year 2023, or pass any vote or votes in relation thereto.
(Inserted by Finance Director)

On a motion by Richard Maiore, 50 Slough Road, Select Board and seconded,

I move that the Town authorize the payment of 2 bills from Fiscal Year 2023 for Technology (\$270.00) and Public Works (\$44.82) and transfer the sum of \$314.82. from the General Stabilization Fund to pay said bills.

Vote on Article 2, Main Motion: Passed by Four-Fifths Majority (238 In-Favor, 6 Opposed)

ARTICLE 3: NETWORK SECURITY RISK ASSESSMENT

(Two-Thirds Majority Vote Required)

To see if the Town will vote to transfer a sum of money from the General Stabilization Account to conduct a required network security risk assessment on the Town's network, with funds to be expended by the Finance Director, with the approval of the Town Administrator, or pass any vote or votes in relation thereto.
(Inserted by Finance Director)

On a motion by Richard Maiore, 50 Slough Road, Select Board and seconded,

I move that the Town transfer the sum of \$25,000. from the General Stabilization Fund for the purpose of conducting a required Network Security Risk Assessment of the Town's network.

Vote on Article 3, Main Motion: Passed by Two-Thirds Majority (219 In-Favor, 29 Opposed)

ARTICLE 4: MASTER PLAN UPDATE

(Majority Vote Required)

To see if the Town will vote to transfer a sum of money from the General Stabilization Account, to be expended by the Director of Planning, with the approval of the Planning Board, to update the Town's Master Plan, or pass any vote or votes in relation thereto.
(Inserted by Planning Board)

On a motion by Richard Cabelus, 103 Pinnacle Road, Planning Board and seconded,

I move that the Town take no action on this article.

Vote on Article 4, Main Motion: Passed by Majority (238 In-Favor, 11 Opposed)

ARTICLE 5: VOTING MACHINES

(Two-Thirds Majority Vote Required)

To see if the Town will vote to transfer a sum of money from the General Stabilization Account, to be expended by the Town Clerk with the approval of the Town Administrator, for the purchase of a new voting machine, or pass any vote or votes in relation thereto.
(Inserted by Town Clerk)

On a motion by Kara Minar, 204 Still River Road, Select Board and seconded,

I move that the Town transfer the sum of \$5,800 from the General Stabilization Fund for the purpose of purchasing a new voting machine to be used in conjunction with the new voting machine for which a local resident donated funding.

Vote on Article 5, Main Motion: Passed by Two-Thirds Majority (244 In-Favor, 34 Opposed)

ARTICLE 6: PERSONNEL POLICIES UPDATE

(Two-Thirds Majority Vote Required)

To see if the Town will vote to transfer a sum of money from the General Stabilization Account, to be expended by the Human Resources Director, with the approval of the Personnel Board, to update the Personnel Policies, or pass any vote or votes in relation thereto.
(Inserted by Personnel Board)

On a motion by Donald Ludwig, 23 East Bare Hill Road, Select Board and seconded,

I move that the Town transfer the sum of \$15,000. from the General Stabilization Fund for the purpose of contracting to update the Town's Personnel Policies which have not been updated since the early 2000s.

Vote on Article 6, Main Motion: Passed by Two-Thirds Majority (233 In-Favor, 65 Opposed)

ARTICLE 7: OTHER POST EMPLOYMENT BENEFITS (OPEB) FUNDING

(Majority Vote Required)

To see if the Town will vote to transfer a sum of money from the Fiscal Year 2023 Certified Free Cash, to be combined with the funds in the omnibus budget, and deposited into the Town's OPEB account, or pass any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Donald Ludwig, 23 East Bare Hill Road, Select Board and seconded,

I move that the Town transfer the sum of \$25,000 from the Fiscal Year 2023 Certified Free Cash to be combined with the funds in the omnibus budget, and deposited into the Town's OPEB account.

Vote on Article 7, Main Motion: Passed by Majority (267 In-Favor, 30 Opposed)

ARTICLE 8: TRANSFER FROM CERTIFIED FREE CASH TO THE STABILIZATION ACCOUNT

(Majority Vote Required)

To see if the Town will vote to transfer a sum of money from Fiscal Year 2023 Certified Free Cash to the Stabilization Account, in accordance with the Town Code, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

On a motion by Donald Ludwig, 23 East Bare Hill Road, Select Board and seconded,

I move the Town transfer \$56,468. from the Fiscal Year 2023 Certified Free Cash Account to the General Stabilization Account in accordance with Chapter 17, Section 17-4 of the Town Code.

Vote on Article 8, Main Motion: Passed by Majority (261 In-Favor, 26 Opposed)

ARTICLE 9: TRANSFER FROM CERTIFIED FREE CASH TO THE CAPITAL STABILIZATION AND INVESTMENT FUND

(Majority Vote Required)

To see if the Town will vote to transfer a sum of money from Fiscal Year 2023 Certified Free Cash to the Capital Stabilization and Investment Fund, or pass any vote or votes in relation thereto.
(Inserted by Finance Committee)

On a motion by Donald Ludwig, 23 East Bare Hill Road, Select Board and seconded,

I move the Town transfer \$1,286,186. from the Fiscal Year 2023 Certified Free Cash Account to the Capital Stabilization and Investment Fund in accordance with Chapter 17, Section 17-4 of the Town Code.

Vote on Article 9, Main Motion: Passed by Majority (279 In-Favor, 40 Opposed)

ARTICLE 10: OMNIBUS BUDGET

(Majority Vote Required)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, such sums of money as may be necessary to defray expenses for the ensuing fiscal year, a portion of which appropriation shall be contingent upon the passage of a so-called Proposition Two and One-Half Levy Limit Override referendum ballot question (Question #2) at the Town Election to be held on April 9, 2024 or pass any vote or votes in relation thereto.
(Inserted by Select Board and Finance Committee)

On a motion by Donald Ludwig, 23 East Bare Hill Road, Select Board and seconded,

I move that the Town vote to appropriate \$33,873,354. to defray the expenses of the Town for Fiscal Year 2025 as printed in the Warrant and Finance Committee Report for the 2024 Annual Town Meeting on pages 38 through 44 and that said appropriation be provided as follows:

Raise & Appropriate	\$ 33,624,482.
Comm Preservation Fund Transfer for Debt	\$ 44,888.
Sewer Betterments Fund Transfer for Debt	\$ 92,455.
Devens Fund Transfer for Debt	\$ 100,000.
BOH Title V Septic Betterment for Debt	\$ 11,529.
Total Appropriation	\$ 33,873,354.

with any remaining funds at the end of the fiscal year being returned to their funding source, contingent upon the passage of a Proposition 2 ½ General Override Ballot Question 2A or 2B at the Annual Town Election to be held on April 9, 2024, provided that if said Ballot Question 2A passes, the total amount appropriated hereunder shall be reduced to \$33,544,292. for the purposes set forth therein and, provided further, that if neither said Ballot Question 2A or Ballot Question 2B passes, the total amount appropriated hereunder shall be reduced to \$33,120,390. for the purposes set forth in both questions, without further action by this town meeting.

Vote on Article 10, Main Motion: Passed by Majority (267 In-Favor, 60 Opposed)

ARTICLE 11: PERFORMANCE-BASED WAGE ADJUSTMENTS

(Majority Vote Required)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, a sum of money to supplement the amount appropriated under Article 10 of the Warrant for the 2024 Annual Town Meeting for salaries and wages of non-school officials and employees in order to fund performance-based wage adjustments for Fiscal Year 2025, or pass any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Donald Ludwig, 23 East Bare Hill Road, Select Board and seconded,

I move that the Town appropriate \$26,853., to supplement the amount appropriated under Article 10 of the Warrant for the 2024 Annual Town Meeting for salaries and wages of non-school officials and employees in order to fund performance-based wage adjustments for Fiscal Year 2025; and that said appropriation be provided by raising \$26,853. by taxation.

Vote on Article 11, Main Motion: Passed by Majority (293 In-Favor, 35 Opposed)

ARTICLE 12: CAPITAL PLANNING AND INVESTMENT COMMITTEE RECOMMENDED EXPENDITURES

(Two-Thirds Majority Vote Required)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, the following sums of money to be expended by the following boards and officials for the capital projects and acquisitions described and numbered below, each of which shall be a separate appropriation, and to provide for said appropriations from the funding sources, and that any funds remaining will be returned to their funding source, or pass any vote or votes in relation thereto:

(Inserted by the Capital Planning and Investment Committee)

	Description of Acquisition or Project	Board or Official Authorized to Expend Funds	Amount
1	F-550 Dump Truck	Director of Public Works with the approval of the Select Board	\$120,000
2	Mini Excavator	Director of Public Works with the approval of the Select Board	\$70,000
3	Road Maintenance & Repairs	Director of Public Works with the approval of the Select Board	\$200,000
4	Library Mechanicals	Facilities Manager with approval of the Select Board	\$200,000
5	Radio Replacements	Fire Chief with approval of the Select Board	\$237,000
6	Beach House & Area Upgrades	Recreation Director with approval of Parks & Recreation Commissioners	\$20,355
7	Field Upgrades	Recreation Director with approval of Parks & Recreation Commissioners	\$26,523
8	UHF Radio Repeater	Police Chief with the approval of the Select Board	\$74,000
9	Athletic Equipment	Superintendent of Schools with School Committee approval	\$53,215
10	HES Fencing	Superintendent of Schools with School Committee approval	\$21,437
11	Plow Truck	Superintendent of Schools with School Committee approval	\$65,000
12	Science Wing Restrooms	Superintendent of Schools with School Committee approval	\$100,000
13	TBS Flooring	Superintendent of Schools with School Committee approval	\$130,000
14	TBS Gym Shades & speakers	Superintendent of Schools with School Committee approval	\$25,174
15	TBS Retaining Wall, Ramp, Rear stairs	Superintendent of Schools with School Committee approval	\$125,000

On a motion by Nathan Finch, 165 Codman Hill Road, Capital Planning & Investment Committee and seconded,

I move that the Town appropriate the sums of money to be expended by the Town boards and officials for the capital projects and acquisitions described and printed on pages 21 through 24 of Finance Committee Report and Warrant for the 2024 Annual Town Meeting, each of which numbered items shall be a separate appropriation; and provide for said appropriations by

transferring \$1,467,704 from the Capital Stabilization and Investment Fund , with unexpended funds being returned to their funding source at the end of the project or three years, per the Code of Harvard, whichever is sooner.

The votes for each proposed expenditure under Article 12 were as follows:

1. F-550 Dump Truck - \$120,000

Vote on Article 12, Expenditure 1: Passed by Two-Thirds Majority (283 In-Favor, 47 Opposed)

2. Mini Excavator - \$70,000

Vote on Article 12, Expenditure 2: Passed by Two-Thirds Majority (267 In-Favor, 50 Opposed)

3. Road Maintenance and Repairs - \$200,000

Vote on Article 12, Expenditure 3: Passed by Two-Thirds Majority (299 In-Favor, 38 Opposed)

4. Library Mechanicals - \$200,000

Vote on Article 12, Expenditure 4: Passed by Two-Thirds Majority (307 In-Favor, 36 Opposed)

5. Radio Replacements - \$237,000

Vote on Article 12, Expenditure 5: Passed by Two-Thirds Majority (274 In-Favor, 51 Opposed)

6. Beach House & Area Upgrades - \$20,355

Vote on Article 12, Expenditure 6: Passed by Two-Thirds Majority (325 In-Favor, 17 Opposed)

7. Field Upgrades - \$26,523

Vote on Article 12, Expenditure 7: Passed by Two-Thirds Majority (295 In-Favor, 28 Opposed)

8. UHF Radio Repeater - \$74,000

Vote on Article 12, Expenditure 8: Passed by Two-Thirds Majority (292 In-Favor, 35 Opposed)

9. Athletic Equipment – \$53,215

Vote on Article 12, Expenditure 9: Passed by Two-Thirds Majority (297 In-Favor, 38 Opposed)

10. HES Fencing - \$21,457

Vote on Article 12, Expenditure 10: Passed by Two-Thirds Majority (245 In-Favor, 65 Opposed)

11. Plow Truck - \$65,000

Vote on Article 12, Expenditure 11: Passed by Two-Thirds Majority (258 In-Favor, 83 Opposed)

12. Science Wing Restrooms - \$100,000

Vote on Article 12, Expenditure 12: Passed by Two-Thirds Majority (295 In-Favor, 35 Opposed)

13. TBS Flooring - \$130,000

Vote on Article 12, Expenditure 13: Passed by Two-Thirds Majority (300 In-Favor, 33 Opposed)

14. TBS Gym Shades and Speakers - \$25,174

Vote on Article 12, Expenditure 14: Passed by Two-Thirds Majority (285 In-Favor, 42 Opposed)

15. TBS Retaining Wall, Ramp, Rear Stairs - \$125,000

Vote on Article 12, Expenditure 15: Passed by Two-Thirds Majority (308 In-Favor, 23 Opposed)

ARTICLE 13: CAPITAL PLANNING AND INVESTMENT COMMITTEE DEBT PAYMENT

(Two-Thirds Majority Vote Required)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, a sum of money to be expended by the Town Treasurer, with the approval of the Select Board, to fund the Capital Planning and Investment Committee's debt service for Fiscal Year 2025, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee and Capital Planning and Investment Committee)

On a motion by Nathan Finch, 165 Codman Hill Road, Capital Planning & Investment Committee and seconded,

I move that the Town transfer \$161,738., from the Capital Stabilization and Investment Fund, to be

expended by the Town Treasurer, with the approval of the Select Board, to fund the Capital Planning and Investment Committee’s debt service for Fiscal Year 2025, with unexpended funds as of June 30, 2025 being returned to their funding source.

Vote on Article 13, Main Motion: Passed by Two-Thirds Majority (303 In-Favor, 20 Opposed)

ARTICLE 14: CAPITAL PLANNING AND INVESTMENT COMMITTEE DEBT RECOMMENDATIONS

(Two-Thirds Majority Vote Required)

To see if the Town will vote to appropriate and borrow the following sums of money to be combined with funds (\$235,000) appropriated under Article 23 of the May 4, 2019 Annual Town Meeting (\$100,000) and appropriated under Article 14 of the May 15, 2021 Annual Town Meeting (\$135,000), for the design, construction, and renovations of the DPW facility, to be expended by the Director of Public Works, with the approval of the Select Board, and that such appropriation shall be contingent upon the passage of a so called Proposition Two and One-half debt exclusion ballot question at the April 9, 2024 Annual Town Election, or pass any vote or votes in relation thereto: (Inserted by Capital Planning and Investment Committee, Finance Committee, and Select Board)

	<i>Description of Acquisition or Project</i>	<i>Board or Official Authorized to Expend Funds</i>	<i>Amount</i>	<i>Funding Source</i>
1	Department of Public Works Building	Director of Public Works with Select Board Approval	\$9,894,200	Borrowing M.G.L. Ch. 44

On a motion by Nathan Finch, 165 Codman Hill Road, Capital Planning & Investment Committee and seconded,

I move that the Town appropriate the sum of \$9,894,200. to be expended by the Director of Public Works in combination with the \$235,000. appropriated under Article 23 of the May 4, 2019 Annual Town Meeting, the \$100,000. appropriated under Article 23 of the May 4, 2019 Annual Town Meeting and the \$135,000. appropriated under Article 14 of the May 15, 2021 Annual Town Meeting, for the design, construction, and renovation of two structures at the DPW (the 1950s garage and the 1930 pole barn), with the approval of the Select Board, and to provide for said appropriation, the Town Treasurer be authorized to borrow \$9,894,200. pursuant to Massachusetts General Laws Chapter 44 for said acquisition, with the approval of the Select Board, provided, however, that this appropriation and debt authorization shall be contingent upon passage of a Proposition 2½ debt exclusion referendum ballot question under Massachusetts General Laws Chapter 59, Section 21C(k).

Vote on Article 14, Main Motion: Passed by Two-Thirds Majority (268 In-Favor, 62 Opposed)

ARTICLE 15: COMMUNITY PRESERVATION COMMITTEE REPORT

(Majority Vote Required)

To see if the Town will vote to accept the report and recommendations of the Community Preservation Committee on the Fiscal Year 2025 Community Preservation budget as printed in the 2024 Finance Committee Report, or pass any vote or votes in relation thereto.

(Inserted by the Community Preservation Committee)

On a motion by Stuart Sklar, 39 Scott Road, Community Preservation Committee and seconded,

I move that the Town hear the report and recommendations of the Community Preservation Committee on the Fiscal Year 2025 Community Preservation Budget.

Vote on Article 15, Main Motion: Passed by Majority (253 In-Favor, 23 Opposed)

ARTICLE 16: COMMUNITY PRESERVATION COMMITTEE

(Majority Vote Required)

To see if the Town will vote to appropriate and transfer the following sums of money to be expended by the following boards and officials for the projects and purposes described and numbered below, each of which shall be a separate appropriation and transfer, and to provide for said appropriations from the funding sources with expenditures to begin in Fiscal Year 2025, and that any funds remaining will be returned to their funding source, or pass any vote or votes in relation thereto:

(Inserted by the Community Preservation Committee)

	<i>Description of Acquisition or Project</i>	<i>Board or Official Authorized to Expend Funds</i>	<i>Amount</i>	<i>Funding Source Fiscal 2025 Community Preservation Fund</i>
1	<i>Stairs at McCurdy Track</i>	<i>Parks and Recreation Commission</i>	<i>\$ 25,000</i>	<i>Unspecified Reserves Fiscal 2025 Community Preservation Fund</i>
2	<i>Bromfield Outdoor Basketball Court Upgrade</i>	<i>Parks and Recreation Commission</i>	<i>\$ 40,000</i>	<i>Unspecified Reserves Fiscal 2025 Community Preservation Fund</i>
3	<i>Conservation Fund</i>	<i>Conservation Commission</i>	<i>\$ 200,000</i>	<i>Unspecified Reserves</i>

4	<i>Invasive Plan Management</i>	<i>Conservation Commission</i>	<i>\$50,000</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
5	<i>Preservation of Town Clerk Documents</i>	<i>Town Clerk's Office</i>	<i>\$ 31,275</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
6	<i>Affordable Housing Reserves</i>	<i>Municipal Affordable Housing Trust</i>	<i>\$ 190,000</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
7	<i>Debt Payment on Town Hall</i>	<i>Finance Director</i>	<i>\$ 44,888</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
8	<i>Community Preservation Committee Administrative Expenses</i>	<i>Community Preservation Committee</i>	<i>\$ 20,500</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>

On a motion by Stuart Sklar, 39 Scott Road, Community Preservation Committee and seconded,

I move that the Town appropriate the sums of money to be expended by the Town boards and officials for the capital projects and acquisitions and other purposes described and printed on pages 30 and 31 of the Finance Committee Report and Warrant for the 2024 Annual Town Meeting, each of which numbered item shall be a separate appropriation; and to provide for said appropriations by transferring said amounts from the Community Preservation Fund funding sources as printed on page 47.

A friendly amendment was made by Robert O'Shea, 357 Old Littleton Road and seconded, to add a ninth project to the list of Community Preservation expenditures:

- 9. American with Disabilities Act Improvements at the Town Beach
 Authority to Expend: Parks and Recreation
 Amount: \$22,000
 Funding Source: Fiscal 2025 Community Preservation Fund Unspecified Reserves

	<i>Description of Acquisition or Project</i>	<i>Board or Official Authorized to Expend Funds</i>	<i>Amount</i>	<i>Funding Source Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
9	<i>Americans with Disabilities Act Improvements at the Town Beach</i>	<i>Parks and Recreation</i>	<i>\$ 22,000</i>	

The friendly amendment was accepted by the Select Board.

The votes for each proposed Community Preservation expenditure under Article 16 were as follows:

1	<i>Stairs at McCurdy Track</i>	<i>Parks and Recreation Commission</i>	<i>\$ 25,000</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	--------------------------------	--	------------------	---

Vote on Article 16, Expenditure 1: Passed by Majority (262 In-Favor, 27 Opposed)

2	<i>Bromfield Outdoor Basketball Court Upgrade</i>	<i>Parks and Recreation Commission</i>	<i>\$ 40,000</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	---	--	------------------	---

Vote on Article 16, Expenditure 2: Passed by Majority (217 In-Favor, 41 Opposed)

3	<i>Conservation Fund</i>	<i>Conservation Commission</i>	<i>\$ 200,000</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	--------------------------	--------------------------------	-------------------	---

Vote on Article 16, Expenditure 3: Passed by Majority (221 In-Favor, 69 Opposed)

4	<i>Invasive Plan Management</i>	<i>Conservation Commission</i>	<i>\$50,000</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	---------------------------------	--------------------------------	-----------------	---

Vote on Article 16, Expenditure 4: Passed by Majority (233 In-Favor, 24 Opposed)

5	<i>Preservation of Town Clerk Documents</i>	<i>Town Clerk's Office</i>	<i>\$ 31,275</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	---	----------------------------	------------------	---

Vote on Article 16, Expenditure 5: Passed by Majority (241 In-Favor, 17 Opposed)

6	<i>Affordable Housing Reserves</i>	<i>Municipal Affordable Housing Trust</i>	<i>\$ 190,000</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	------------------------------------	---	-------------------	---

Vote on Article 16, Expenditure 6: Passed by Majority (278 In-Favor, 19 Opposed)

7	<i>Debt Payment on Town Hall</i>	<i>Finance Director</i>	<i>\$ 44,888</i>	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	----------------------------------	-------------------------	------------------	---

Vote on Article 16, Expenditure 7: Passed by Majority (276 In-Favor, 10 Opposed)

8	<i>Community Preservation Committee Administrative Expenses</i>	<i>Community Preservation Committee</i>	\$ 20,500	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	---	---	-----------	---

Vote on Article 16, Expenditure 8: Passed by Majority (241 In-Favor, 37 Opposed)

9	<i>Americans with Disabilities Act Improvements at the Town Beach</i>	<i>Parks and Recreation</i>	\$ 22,000	<i>Fiscal 2025 Community Preservation Fund Unspecified Reserves</i>
---	---	-----------------------------	-----------	---

Vote on Article 16, Expenditure 9: Passed by Majority (282 In-Favor, 11 Opposed)

ARTICLE 17: NEW TRANSFER STATION ENTERPRISE FUND

(Majority Vote Required)

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 44, Section 53F ½ to establish the Town’s transfer station operations as an enterprise fund effective July 1, 2024, or take any other vote or votes in relation thereto.

(Inserted by Finance Director)

On a motion by Kara Minar, 204 Still River Road, Select Board and seconded,

I move that the Town accept the provisions of Massachusetts General Laws, Chapter 44, Section 53F ½ to establish the Town’s transfer station operations as an enterprise fund effective July 1, 2024, and to appropriate the following sums of money to defray the expenses of said enterprise fund for Fiscal 2025 using the following revenue sources.

	FY25 Trash
Revenues	
User Charges	<u>267,772.00</u>
TOTAL REVENUES	267,772.00
Expenses	
Direct	<u>267,772.00</u>
TOTAL EXPENSES	267,772.00

Vote on Article 17, Main Motion: Passed by Majority (223 In-Favor, 50 Opposed)

ARTICLE 18: NEW WATER ENTERPRISE FUND

(Majority Vote Required)

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 44, Section 53F ½ to establish the Town’s water operations as an enterprise fund effective July 1, 2024, or take any other vote or votes in relation thereto.

(Inserted by Finance Director)

On a motion by Kara Minar, 204 Still River Road, Select Board and seconded,

I move that the Town accept the provisions of Massachusetts General Laws, Chapter 44, Section 53F ½ to establish the Town’s water operations as an enterprise fund effective July 1, 2024, and to appropriate the following sums of money to defray the expenses of said enterprise fund for Fiscal Year 2025 using the following revenue sources.

	FY25 Water
Revenues	
User Charges	65,000.00
TOTAL REVENUES	<u>65,000.00</u>
Expenses	
Direct	65,000.00
TOTAL EXPENSES	<u>65,000.00</u>

Vote on Article 18, Main Motion: Passed by Majority (256 In-Favor, 13 Opposed)

ARTICLE 19: FY2025 ENTERPRISE FUND BUDGETS

(Majority Vote Required)

To see if the Town will vote to raise and appropriate or transfer from available funds sums of money to defray the regular expenses of both the Town Sewer, and Ambulance Enterprise Funds, in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 53F ½ for Fiscal Year 2025, or pass any vote or votes in relation thereto.

(Inserted by Finance Director)

On a motion by Kara Minar, 204 Still River Road, Select Board and seconded,

I move that the Town appropriate the sums of money to defray the expenses of the Town's Sewer and Ambulance Enterprise Funds for Fiscal Year 2025 using the following revenue sources.

	<u>Sewer</u>	<u>Ambulance</u>
Revenue		
User Charges	40,000.00	160,000.00
Betterments	92,455.00	-
FY 2023 Certified Retained Earnings	-	100,000.00
Raise & Appropriate	115,000.00	-
TOTAL REVENUES	247,455.00	260,000.00
Expense		
Direct	247,455.00	260,000.00
TOTAL EXPENSES	247,455.00	260,000.00

Vote on Article 19, Main Motion: Passed by Majority (256 In-Favor, 14 Opposed)

ARTICLE 20: REVOLVING FUNDS

(Majority Vote Required)

To see if the Town will vote to set the following limits on the amounts to be expended from the following revolving funds during Fiscal Year 2025, or pass any vote or votes in relation thereto: (Inserted by Finance Committee)

Revolving Fund	Expenditure Limit
Council on Aging	\$ 35,000.
Fourth of July Committee	40,000.
Fire Department S.A.F.E. Program	30,000.
Application Review Advertising & Professional Service Cost	1,000.
Harvard Community Cable Access Committee	25,000.
Parks and Recreation Beach	140,000.
Parks and Recreation Field Maintenance	65,000.
HES EVCS Revolving Fund	20,000.
Parks and Recreation Revolving Fund	120,000.

On a motion by Eric Ward, 18 Lovers Lane, Finance Committee and seconded,

I move that the Town establish the Fiscal Year 2025 expenditure limitations on the revolving funds previously established by the Town as printed on Page 50 of the Warrant and Finance Committee Report for the 2024 Annual Town Meeting.

Vote on Article 20, Main Motion: Passed by Majority (262 In-Favor, 5 Opposed)

ARTICLE 21: MUNICIPAL CHARGES LIEN BYLAW

(Majority Vote Required)

To see if the Town will vote to amend the Code of the Town of Harvard by adding thereto the following new chapter authorizing municipal charges liens, or pass any vote or votes in relation thereto.

(Inserted by Select Board)

Chapter 58. Municipal Charges Lien

Section 1. Authority. This by-law is adopted pursuant to the provisions of M.G.L. c. 40, § 21 and c. 40, § 58. and any other relevant statutes and regulations.

Section 2. Purpose. The purpose of the establishment of a Municipal Charges Lien is to provide a cost-effective method of collecting a charge, fine, penalty and/or fee assessed against an owner of real property in the Town of Harvard who fails, and/or refuses to pay said charge or charges, fine or fines, penalty or penalties and/or fee or fees when due, by placing a lien upon real estate owned by the property owner.

Section 3. Charge and/or Fee. The Municipal Charges Lien shall apply to the following municipal charges and/or fees:

- a) Charges, penalties, fines or fees, including interest and all costs to record said lien(s) in the Worcester District Registry of Deeds, for violations of the Town of Harvard Protective Bylaw.
- b) Charges, penalties, fines or fees, including interest and all costs to record said lien(s) in the Worcester District Registry of Deeds, for violations of the Town of Harvard general bylaws relating to Alarm Systems, Alcoholic Beverages, Animal Control/Dogs, Bare Hill Pond, Canvassers and Solicitors, Firearms and Explosives, Historic Districts, House Numbering, Scenic Roads, Streets and Sidewalks, Stretch Energy Code, Water Usage and Wetlands Protection.

Section 4. Lien Establishment. The Municipal Charges Lien will take effect upon the recording of a statement of unpaid municipal charges, fines, penalties and fees, setting forth the amount due, including recording costs, the address(es) of the land to which the lien is to apply and the name of the assessed owner.

Section 5. Collection of the Lien.

- a) The Tax Collector shall be responsible for collecting the charges secured by the lien.
- b) The Tax Collector shall notify the Assessors of all unpaid municipal charges, fines, penalties and that have not been paid or appealed to the court at the end of each month.
- c) The Assessors shall prepare a statement of Municipal Charges Lien for each person from the list(s) received from the Town Clerk or person responsible for collecting the charge, fine or

penalty and shall forward said statement of lien to the Tax Collector who shall cause said statement(s) to be recorded in the Worcester District Registry of Deeds.

Section 6. Unpaid Municipal Charges Liens.

a) If a charge, fine, penalty or fee secured by the lien is unpaid when the Assessors are preparing the real estate tax list and warrant, the Tax Collector shall certify the charge or penalty to the Assessors' Department and the Assessors shall add the charge or fee to the next property tax bill to which it relates, and commit it with the warrant to the collector as part of the tax.

b) If the property to which the charge, fine, penalty and/or fee relates is tax exempt, the charge or fee shall be committed as a tax on said property.

Section 7. Release of Lien. The Municipal Charges Lien may be discharged by filing a certificate from the Tax Collector that all municipal charges or fees constituting a lien, together with any interests and costs have been paid or legally abated. All costs of recording or discharging a lien under this section shall be borne by the owner of the property.

On a motion by Richard Maiore, 50 Slough Road, Select Board and seconded,

I move that the Town amend the Code of the Town by adding thereto Chapter 58, Municipal Charges Lien, as printed on pages 50 and 51 of the Finance Committee Report and Warrant for the 2024 Annual Town Meeting, except that:

(1) in Section 5, subsection a) the word "of" shall be deleted; (2) in Section 5, subsection b) the word "fees" shall be inserted between the words "and" and "that"; and (3) in the first sentence of Section 7, the colon shall be deleted.

A friendly amendment was made by Benjamin Guthro, 13 Fairbank Street, and seconded to insert at the end of the sentence following **Section 3. Charge and/or Fee.**, the words and figure, "which exceed \$2,500".

Section 3. Charge and/or Fee. The Municipal Charges Lien shall apply to the following municipal charges and/or fees **which exceed \$2,500:**

a) Charges, penalties, fines or fees, including interest and all costs to record said lien(s) in the Worcester District Registry of Deeds, for violations of the Town of Harvard Protective Bylaw.

b) Charges, penalties, fines or fees, including interest and all costs to record said lien(s) in the Worcester District Registry of Deeds, for violations of the Town of Harvard general bylaws relating to Alarm Systems, Alcoholic Beverages, Animal Control/Dogs, Bare Hill Pond, Canvassers and Solicitors, Firearms and Explosives, Historic Districts, House Numbering, Scenic Roads, Streets and Sidewalks, Stretch Energy Code, Water Usage and Wetlands Protection.

The friendly amendment was not accepted by the Select Board. Mr. Guthro asked that this change be offered as an un-friendly amendment.

A motion was made by Mary Cutler, 56 Stow Road, and seconded to move the question. The question was so moved. (266 In-Favor, 21 Opposed)

Vote on Amendment to Article 21: Failed to Pass by Two-Thirds Majority (76 In-Favor, 195 Opposed)

Vote on Article 21, Main Motion: Passed by Majority (160 In-Favor, 125 Opposed)

ARTICLE 22: AMEND CHAPTER 125, PROTECTIVE BYLAW, of the CODE of HARVARD by ADDING SECTION 125-60: MBTA COMMUNITIES MULTI-FAMILY OVERLAY DISTRICT
(Two-Thirds Majority Vote Required)

To see if the Town will vote to amend Chapter 125, Protective Bylaw, of the Town Code by adding the following section, 125-60: MBTA Communities Multi-Family Overlay District, or take any vote or votes in relation thereto.

(Inserted by Planning Board)

§ 125-60: MBTA Communities Multi-family Overlay District

A. Purpose

The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

1. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
2. Support vibrant neighborhoods by encouraging an appropriate mix and intensity of uses to support an active public space that provides equal access to housing, jobs, gathering spaces, recreational opportunities, goods, and services with reasonable proximity to a transit station;
3. Preserve open space and viable agricultural land in the community by locating new housing within or adjacent to existing developed areas and infrastructure;
4. Help implement Master Plan goals, the Housing Production Plan and the Ayer Road Vision Plan.

B. Establishment and Applicability

This MCMOD is an overlay district having a land area of approximately eight (8) acres in size that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map.

1. Applicability of MCMOD. An applicant may develop multi-family housing located within a MCMOD in accordance with the provisions of this § 125-60.

2. Underlying Zoning. The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, as well as for uses allowed as of right or by special permit in the MCMOD. Uses that are not identified in §125-60 are governed by the requirements of the underlying zoning district(s).

C. Definitions

For purposes of this §125-60, the following definitions shall apply.

- 1. Affordable unit.** A multi-family housing unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.
- 2. Affordable housing.** Housing that contains Affordable Units as defined by this § 125-60.
- 3. Applicant.** A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.
- 4. Area Median Income (AMI).** The median family income for the metropolitan statistical region that includes the Town of Harvard as defined by the U.S. Department of Housing and Urban Development (HUD).
- 5. As of right.** Development that may proceed under the Zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.
- 6. Compliance Guidelines.** Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act as further revised or amended from time to time.
- 7. EOHLIC.** The Massachusetts Executive Office of Housing and Livable Communities, or any successor agency.
- 8. Development standards.** Provisions of § 125-60 G. General Development Standards made applicable to projects within the MCMOD.
- 9. Lot Coverage.** The maximum area of a lot covered by impervious surfaces, including the footprint of buildings, parking, sidewalks, patios, and decks.
- 10. MBTA.** Massachusetts Bay Transportation Authority.
- 11. Mixed-use development.** Development containing a mix of residential uses and non-residential uses, including, commercial, institutional, industrial, or other uses.
- 12. Multi-family housing.** A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.
- 13. Multi-family zoning district.** A zoning district, either a base district or an overlay district, in which multi-family housing is allowed as of right.
- 14. Open space.** Contiguous undeveloped land, a naturally landscaped area, or a formal or man-made landscaped area that provides a connective link or a buffer between other within resources within a parcel boundary.
- 15. Parking, structured.** A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking

area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

16. Parking, surface. One or more parking spaces without a built structure above the space. A solar panel designed to be installed above a surface parking space does not count as a built structure for the purposes of this definition.

17. Residential dwelling unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

18. Section 3A. Section 3A of the Zoning Act.

19. Site plan review authority. Harvard Planning Board.

20. Special permit granting authority. (if it were mixed use) Harvard Planning Board

21. Subsidized Housing Inventory (SHI). A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

24. Transit station. The Ayer or Littleton MBTA commuter rail station.

D. Permitted Uses

1. Uses Permitted As of Right. As many as 120 units of multi-family housing is permitted as of right within the MCMOD.

2. Uses Permitted by Special Permit. The following uses require a Special Permit from the Harvard Planning Board:

a. Mixed-use development. Uses in a mixed-use development are as follows:

Ground Floor
125-12 Small Scale Commercial uses
125-13A Medical or Dental Office
125-13B Automated teller machine (not a drive-up facility)
125-13C Personal or business service including barber or beauty salon, shoe repair, tailoring, business or trade schools, photocopying, and locksmith
125-13G Dry cleaning and laundry pick-up station
125-13H Nursery school, Kindergarten or day-care center for preschool children
125-13L Catering service, delicatessen or other food market, or a permitted eating establishment

Ground Floor
125-13P Restaurant or other food service establishment whose principal business is the sale of prepared foods or beverages that are consumed on the premises or carried out by retail customers.
Pharmacy
Recreation, dance, or fitness facility
Grocery or farm products retail store with less than 10,000 square feet of gross floor area.
Any Floor
Residential (required component).

- b. Affordable Ownership Units. More than 120 units of which 25% of the additional units over 120 units must be affordable at 80% AMI;
- c. Affordable Rental Units. Any units in excess of 120 units may be allocated as rental units, of which 25% of the additional units over 120 units must be affordable at 80% AMI; A sufficient number of units above 120 units must be designated affordable such that at least 25% of rental units in the development shall be restricted to occupancy by Income Eligible Households, earning 80% or less of the area median income, and the window of affordable rent will be set at 30% of the 70% median income, to conform with 760 CMR 56.00. These restrictions will enable 100% of the rental units to be included in the Subsidized Housing Inventory.

3. Accessory Uses. The following uses are considered accessory as of right to any of the permitted uses in § 125-60 D.1:

- a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage, or other building on the same lot as the principal use.

E. Dimensional Standards

1. Table of Dimensional Standards. Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the MCMOD are as follows:

Standard	
Lot Size	
Minimum (SF)	40,000
Height	
Stories (Maximum)	3
Feet (Maximum)	45
Minimum Open Space	30%

2. Floor area and Maximum Lot Coverage

Standard	
Floor Area Ratio (FAR)	2.5
Maximum Lot Coverage	70%
Minimum Gross Density	15 per acre (-0% / +5%)

3. Frontage and Setbacks

Standard	
Minimum Frontage (ft)	50
Front Yard Setback	
Min to Max (ft)	10-40
Side Yard Setback	
Corner (ft)	10-40
Interior (ft)	10-40
Rear Yard Setback	
Min to Max (ft)	20-40

4. Multi-Building Lots. In the MCMOD, lots may have more than one principal building.

5. Exceptions. The limitation on height of buildings shall not apply to roof lines, chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building. Roof-top mechanicals shall be screened.

6. Renewable Energy Installations. The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in § 125-60 E. Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

F. Off-Street Parking

These parking requirements are applicable to development in the MCMOD.

1. Number of parking spaces. The following maximum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Auto Parking Spaces	Bicycle Spaces
Multi-Family	1.5	1
Mixed Use (Non-Residential/Commercial)	Sum of uses computed separately (see 3 below)	1 for each 10 parking spaces, rounding up

2. Bicycle storage. For a multi-family development of [25] units or more, or a mixed-use development of [25,000] square feet or more, covered parking bicycle parking spaces may be integrated into the structure of the building(s).

3. Shared Parking within a Mixed-Use Development. Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies.

4. Number of electric vehicle (EV) charging stations. For all uses within the MCMOD, electric charging stations are required with one EV space required for every [twenty (20)] parking spaces, rounded up to the next highest number of EV stations. (No EV charging stations allowed inside.)

G. General Development Standards

1. Development standards in the MCMOD are applicable to all multi-family development with more than [25] units or mixed-use development of more than [25,000] SF within the MCMOD. These standards are components of the Site Plan Review process in § 125-38.

2. Site Design.

a. Sidewalks. Sidewalks and walkways shall conform to the requirements in § 125-39G, and shall provide direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.

b. Vehicular Access. Parking and loading shall conform to the requirements in § 125-39 A. Driveways shall conform to the requirements in § 125-39 B. Where feasible, curb cuts shall be minimized, and shared driveways encouraged.

c. Open Space. Open spaces shall conform to the requirements in § 125-39 C.

d. Screening. Screening shall conform to the requirements in § 125-39 D.

e. Plantings. Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List and Invasive Plant List, as may be amended, shall be prohibited.

f. Lighting. Lighting shall conform to the requirements in § 125-40. Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skyglow.

g. Mechanicals. Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.

h. Dumpsters. Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.

i. Stormwater management. Strategies that demonstrate compliance with the Local Harvard Bylaw of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines. Drainage shall conform to the requirements in § 125-39F.

j. Water supply. Any well must comply with MassDEP's well guidelines. These guidelines require a public water supply well if the well services were more than 24 people.

3. Buildings: General.

a. Entries. Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.

4. Buildings: Multiple buildings on a lot.

a. For a mixed-use development, uses may be mixed within the buildings or in separate buildings.

b. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.

c. A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.

d. The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.

e. The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.

5. Buildings: Mixed-use development.

a. In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.

- b. Paved pedestrian access from the residential component shall be provided to residential parking and amenities and to the public sidewalk, as applicable.
- c. Materials for non-residential uses shall be stored inside or under cover and shall not be accessible to residents of the development.
- d. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.

6. Buildings: Shared Outdoor Space. Multi-family housing and mixed-use development shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace.

7. Buildings: Corner Lots. A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.

- a. Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
- b. Fire exits serving more than one story shall not be located on either of the street-facing façades.

8. Parking.

- a. **Surface parking** shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
- b. **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
- c. **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings or mixed-use development shall be subordinate in design and placement to the multi-family or mixed-use building(s) on the lot.

9. Waivers. Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive the requirements of this § 125-60 G. General Development Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.

H. Affordability Requirements.

1. Purpose.

- a. Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;
- b. Provide for a full range of housing choices for households of all incomes, ages, and sizes;
- c. Increase the production of affordable housing units to meet existing and anticipated housing needs; and

d. Work to overcome economic segregation allowing Harvard to be a community of opportunity in which low and moderate-income households have the opportunity to advance economically.

2. Applicability.

This requirement is applicable to all residential and mixed-use developments with ten (10) or more dwelling units, whether new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion (Applicable Projects). No project may be divided or phased to avoid the requirements of this section.

3. Affordability requirements.

All units affordable to households earning 80% or less of AMI created in the MCMOD under this section must be eligible for listing on DHCD's Subsidized Housing Inventory.

4. Provision of Affordable Housing. not fewer than ten percent (10%) of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded down to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the AMI.

5. Development Standards. Affordable Units shall be:

a. Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;

b. Proportionately dispersed throughout the development with respect to location, unit type, quality and character, room size, and number and distribution of bedrooms, and in all respects shall be indistinguishable from the development's comparable market-rate dwelling units;

c. Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;

d. Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;

e. Distributed proportionately across each phase of a phased development.

f. The dimensional requirements that are set forth in Section E of these bylaws shall apply both to the development's affordable dwelling units and its market-rate dwelling units.

g. Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis. The last Occupancy permit issued shall be for a market-rate unit.

6 Administration.

a. The Zoning Enforcement Officer/Building Commissioner shall be responsible for administering and enforcing the requirements in this section.

b. Severability: if any provision of this bylaw were determined to be invalid by a court of competent jurisdiction, the remainder hereof shall not be affected but shall remain in full force and effect. The invalidity of any provision of this bylaw shall not affect the validity of the remainder of the bylaw.

On a motion by Richard Cabelus, 103 Pinnacle Road, Planning Board and seconded,

I move that the Town amend Chapter 125, Protective Bylaw, of the Town Code by a.) adding thereto the new section, 125-60: MBTA Communities Multi-Family Overlay District, printed on pages 52 through 61 of the Finance Committee Report and Warrant for the 2024 Annual Town Meeting; and b.) amending the Zoning Map referenced in Section 125-42 by adding thereto the MBTA Communities Multi-family Overlay District as shown on the map entitled “Harvard, MA: Potential Multi-Family Overlay District”, dated February, 2024 and prepared by the Montachusett Regional Planning Commission, a copy of which overlay district map is on file in the Office of the Town Clerk.

A motion was made by Robert Douglas, 163 Stow Road, and seconded to move the question. The question was so moved. (231 In-Favor, 32 Opposed)

Vote on Article 22, Main Motion: Passed by Two-Thirds Majority (209 In-Favor, 60 Opposed)

ARTICLE 23: GRANT OF EASEMENT to TOWN of LITTLETON

(Two-Thirds Majority Vote Required)

To see if the Town will vote to authorize the Select Board to convey to the Town of Littleton an easement to construct, install, and maintain utilities for the supply of water in any portion of the public way in Harvard being a portion of Littleton County Road extending south from the Littleton Town Line to Beaver Brook Road in Boxborough, as shown on the plan set entitled “Town of Littleton, Massachusetts, Electric Light and Water Departments, Water Supply Main Extension Littleton / Boxborough DWSRF No. 12397”, dated October 2023, prepared by Weston & Sampson Engineers, Inc., a copy of which is on file with the Town Clerk, and as may be amended; and further to authorize the Select Board to enter into such agreements and execute such documents and instruments as may be necessary or convenient to effectuate the purposes of this article; or take any other action relative thereto.

(Inserted by Select Board)

On a motion by Richard Maiore, 50 Slough Road, Select Board and seconded,

I move that the Town authorize the Select Board to convey to the Town of Littleton an easement to construct, install, and maintain utilities for the supply of water in any portion of the public way in Harvard being a portion of Littleton County Road extending south from the Littleton Town Line to Beaver Brook Road in Boxborough, as shown on the plan set entitled “Town of Littleton, Massachusetts, Electric Light and Water Departments, Water Supply Main Extension Littleton / Boxborough DWSRF No. 12397”, dated March 2024, prepared by Weston & Sampson Engineers, Inc., a copy of which is on file with the Town Clerk, and as may be amended; and further to

authorize the Select Board to enter into such agreements and execute such documents and instruments as may be necessary or convenient to effectuate the purposes of the easement.

Vote on Article 23, Main Motion: Passed by Two-Thirds Majority (220 In-Favor, 11 Opposed)

ARTICLE 24: CITIZENS PETITION

(Majority Vote Required)

To see if the Town will vote to request that the Select Board delay selling the parcel of land, with the building thereon, known and numbered as 39 Massachusetts Avenue, Harvard, Massachusetts and described in the deed dated June 2, 1982 and recorded with the Worcester District Registry of Deeds in Book 7501, Page 344 (“the Property”), and allow it to continue to be used as a residence for refugees, with utilities paid by tenants, in exchange for a monthly payment equal to the monthly cost of insurance for the Property and a fair and appropriate rent, for a period of at least five years, or pass any vote or votes in relation thereto.

(Inserted by Citizen Petition)

On a motion by Jason Cole, 67 Warren Avenue, and seconded,

I move in the words of the article.

A motion was made by Lucy Wallace, 18 Orchard Hill, and seconded to move the question. The question was so moved. (199 In-Favor, 13 Opposed)

Vote on Article 24, Main Motion: Passed by Majority (166 In-Favor, 30 Opposed)

ARTICLE 25: ACCEPTANCE OF GIFTS OF PROPERTY

(Majority Vote Required)

To see if the Town will vote to accept gifts of land or interests in land for any municipal purpose, and authorize the Select Board to acquire said parcels of land or interests therein so donated or purchased by eminent domain for the purpose of confirming and making clear the Town’s title to said parcels of land or interests therein, or pass any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Kara Minar, 204 Still River Road, Select Board and seconded,

I move that the Town take no action on this article.

Vote on Article 25, Main Motion: Passed by Majority (147 In-Favor, 4 Opposed)

ARTICLE 26: ACCEPTANCE OF HIGHWAY FUNDS

(Majority Vote Required)

To see if the Town will vote to accept State funds to be used for reconstruction and improvements of public ways, or pass any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Kara Minar, 204 Still River Road, Select Board and seconded,

I move that the Town accept the Fiscal Year 2025 State funds to be used for reconstruction and improvements of public ways.

Vote on Article 26, Main Motion: Passed by Majority (162 In-Favor, 4 Opposed)

A motion was made by Moderator William Barton and seconded to adjourn the meeting to October 5th, 2024 at 12:00pm. This motion passed by majority vote. Town Meeting was adjourned at 5:01pm.

Of the 4,720 registered voters in the Town of Harvard, 392 voters were checked-in to attend.

With much gratitude, we extend our great thanks to our incredible team of volunteers and League of Woman Voters for checking-in voters and providing exceptional logistical support at this meeting.

Respectfully submitted,

***Rose Miranda,
Town Clerk***