

**WARRANT FOR THE 2024 TOWN OF HARVARD  
ANNUAL TOWN MEETING AND ELECTION  
COMMONWEALTH OF MASSACHUSETTS**

WORCESTER, ss.

To the Constable of the Town of Harvard:

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town, who are qualified to vote in Town affairs, to meet in the Cronin Auditorium located in The Bromfield School on Saturday, the 6th day of April, 2024 at 12:00 p.m. by the clock to act on the following articles:

**ARTICLE 1: ANNUAL REPORTS**

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)

**ARTICLE 2: PAY BILLS OF PRIOR FISCAL YEARS**

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)

**ARTICLE 3: NETWORK SECURITY RISK ASSESSMENT**

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)

**ARTICLE 4: MASTER PLAN UPDATE**

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)

**ARTICLE 5: VOTING MACHINES**

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)

## **ARTICLE 6: PERSONNEL POLICIES UPDATE**

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)

## **ARTICLE 7: OTHER POST EMPLOYMENT BENEFITS (OPEB) FUNDING**

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)

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

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)

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

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)

## **ARTICLE 10: OMNIBUS BUDGET**

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)

## **ARTICLE 11: PERFORMANCE-BASED WAGE ADJUSTMENTS**

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)

**ARTICLE 12: CAPITAL PLANNING AND INVESTMENT COMMITTEE  
RECOMMENDED EXPENDITURES**

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)

	<b>Description of Acquisition or Project</b>	<b>Board or Official Authorized to Expend Funds</b>	<b>Amount</b>
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 Flooding	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

**ARTICLE 13: CAPITAL PLANNING AND INVESTMENT COMMITTEE DEBT PAYMENT**

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)

**ARTICLE 14: CAPITAL PLANNING AND INVESTMENT COMMITTEE DEBT RECOMMENDATIONS**

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

**ARTICLE 15: COMMUNITY PRESERVATION COMMITTEE REPORT**

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)

**ARTICLE 16: COMMUNITY PRESERVATION COMMITTEE**

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

**ARTICLE 17: NEW TRANSFER STATION ENTERPRISE FUND**

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)

**ARTICLE 18: NEW WATER ENTERPRISE FUND**

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)

**ARTICLE 19: FY2025 ENTERPRISE FUND BUDGETS**

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)

## **ARTICLE 20: REVOLVING FUNDS**

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)

<b>Revolving Fund</b>	<b>Expenditure Limit</b>
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.

## **ARTICLE 21: MUNICIPAL CHARGES LIEN BYLAW**

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 of 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.

**ARTICLE 22: AMEND CHAPTER 125, PROTECTIVE BYLAW, of the CODE of HARVARD by ADDING SECTION 125-60: MBTA COMMUNITIES MULTI-FAMILY OVERLAY DISTRICT**

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. **EOHLC.** 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:

<b>Ground Floor</b>
<del>125-12 Small Scale Commercial uses</del>
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
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.
<b>Any Floor</b>
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	
<b>Lot Size</b>	
<b>Minimum (SF)</b>	40,000
<b>Height</b>	
<b>Stories (Maximum)</b>	3
<b>Feet (Maximum)</b>	45
<b>Minimum Open Space</b>	30%

**2. Floor area and Maximum Lot Coverage**

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

**3. Frontage and Setbacks**

Standard	
<b>Minimum Frontage (ft)</b>	50
<b>Front Yard Setback</b>	
<b>Min to Max (ft)</b>	10-40

Standard	
<b>Side Yard Setback</b>	
<b>Corner (ft)</b>	10-40
<b>Interior (ft)</b>	10-40
<b>Rear Yard Setback</b>	
<b>Min to Max (ft)</b>	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.

**ARTICLE 23: GRANT OF EASEMENT to TOWN of LITTLETON**

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)

**ARTICLE 24: CITIZENS PETITION**

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)

**ARTICLE 25: ACCEPTANCE OF GIFTS OF PROPERTY**

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)

**ARTICLE 26: ACCEPTANCE OF HIGHWAY FUNDS**

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)

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And furthermore, in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the said Town who are qualified to vote in Town affairs, to meet at The Bromfield School, 14 Massachusetts Avenue, on Tuesday, the 9th day of April, 2024, from 8 a.m. to 8 p.m., to cast their ballots for the following officers and questions:

Moderator, 1 position for 3 years; Select Board, 1 position for 3 years; Library Trustees, 2 positions for three years; School Committee, 2 positions for 3 years; Warner Free Lecture, 2 positions for 3 years.

**QUESTION #1 – Department of Public Works Building Project**

Shall the Town of Harvard be allowed to exempt from the provisions of Proposition Two and One-half, so-called, the amounts required to pay for the bond issued in order to fund the costs of the design, construction, and renovation of the DPW facility, and for the payment of all other costs incidental and related thereto?

YES \_\_\_\_\_ NO \_\_\_\_\_  
(Requires a majority vote for passage.)

**Summary of ballot question:** The Town previously appropriated funds for an analysis of the DPW facility. The subsequent phase further defined the components requiring code-compliant renovations, repairs, and improvements. Passage of this ballot question will allow the Town to borrow the funds (\$9,894,200, not including interest) appropriated at the April 6, 2024 Annual Town Meeting (Article 14) for the design, construction, project management and other incidental and related costs outside of the financial constraints of Proposition Two and One-half.

**QUESTION #2 – General Override – 2 Tiers**

*(Questions 2A and 2B are separate questions. You may vote for or against each question independently. Each question requires a majority of those voting on that question to pass. If more than one question passes, the question with the highest dollar amount will prevail.)*

2A Shall the Town of Harvard be allowed to assess an additional \$423,902 in real estate and personal property taxes for the purpose of funding the operating budgets of both Municipal Departments (\$83,830) and Public Schools (\$340,072) for the fiscal year beginning July 1, 2024?

YES \_\_\_\_\_ NO \_\_\_\_\_

(Requires a majority vote for passage.)

2B Shall the Town of Harvard be allowed to assess an additional \$752,964 in real estate and personal property taxes [which includes the amounts in Question 2A (\$423,902)] for the purpose of funding the Administrative Assistant position for the DPW (\$48,994), additional hours for the Board of Health Administrative Assistant (\$20,800), a Special Education Teacher (\$95,000) and an Athletic Director (\$100,000) for the Public Schools, and accompanying Benefits (\$64,268) for the positions listed in this question (2B), for the fiscal year beginning July 1, 2024?

YES \_\_\_\_\_ NO \_\_\_\_\_

(Requires a majority vote for passage.)


**Summary of ballot question:** Questions 2A and 2B are separate questions. You may vote for or against each question independently. Each question requires a majority of those voting on that question to pass. If more than one question passes, the question with the highest dollar amount will prevail. Question 2A provides for substantially the same services as provided in the current fiscal year (FY2024). Question 2B includes the level service in 2A plus allows the Town to add hours to one position and to fill another position, it allows the School Department to add two new positions, and it provides funding for the benefits for all of these positions.


(The polls will be open from 8:00 a.m. to 8:00 p.m.) And you are directed to serve this Warrant by posting three attested copies thereof, one at the Town Hall, one at the Post Office in Harvard, and one on the Town website, as directed by vote of the Town, seven days at least before the time of holding said meeting. Hereof fail not, and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 5th day of March, Two Thousand and Twenty-Four.

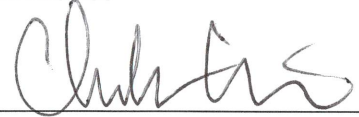
**Harvard Select Board:**

  
Richard Maiore, Chair

  
Donald Ludwig

  
Erin McBee

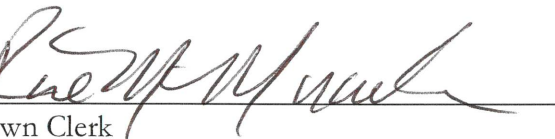
  
Kara McGuire Minar

  
Charles Oliver

I certify that I have posted two attested copies of the warrant for the April 6, 2024 Annual Town Meeting, one at the Town Hall, and one at the Post office in Harvard, at least seven days before the time of holding said meeting.

 #807  
Constable/Police Officer

3/14/2024, 2024  
(month and day)

  
Town Clerk

3/14/2024, 2024  
(month and day)

