

ANNUAL TOWN MEETING

March 31, 2001

The meeting was called to order in the Bromfield School Gym at 9:25 A.M. by Moderator, William L. Patton. The call of the meeting and the return of service were found to be in order by Town Clerk Janet A. Vellante.

The meeting approved the following non-voters to speak:

John Petrin	Town Administrator
Mark Lanza	Town Counsel
James Smith	Director of the DPW
Evan Katz	Finance Director
Mihran Keoseian	Superintendent of Schools
Brooke Trivas	Tappe Associates, Architect
Tony Tappe	Tappe Associates, Architect
Delma Josephson	Assistant to the Principal
James McAuliffe	Principal
Ken Buckland	Master Plan consultant
Mike Kirwin	Technology Consultant

ARTICLE 1: ANNUAL REPORTS

To hear the reports of the Selectmen, School Committee, and any other officers or committees that may be ready to make a report and act thereon.

(Inserted by Selectmen)

On a motion by Kerry Curley, 306 Still River Road, Board of Selectmen, and seconded,

Voted unanimously yes that the Town accept the reports of the Selectmen, School Committee, and any other officers or committees as printed in the 2000 Town Report.

ARTICLE 2: SUPPLEMENTAL APPROPRIATIONS - FISCAL YEAR 2001

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to certain line items appropriated under Article 5 of the 2000 Annual Town Meeting of March 25, 2000 or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

On a motion by Steve Colwell, 192 Littleton Road, Finance Committee, and seconded,

Voted unanimously yes that the Town a) transfer \$86,183 from Free Cash, b) transfer \$2,175 from Article 8 of the Special Town Meeting of November 13, 1999, and c) transfer \$8,421 from Article 10 of the Annual Town Meeting of March 28, 1998, all to be added to Article 6, Reserve Fund of the 2000 Annual Town Meeting of March 25, 2000.

ARTICLE 3: FUND TRANSFERS

To see if the Town will make certain transfers of money, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

On a motion by Carl Luck, 85 Tahanto Trail, Finance Committee, and seconded,

Voted unanimously yes that the Town transfer the following amounts from the following funds and accounts to the following line item appropriations under Article 5 of the 2001 Annual Town Meeting:

\$ 6,296 from Wetlands Protection Fund to line 12, Conservation Commission;

ARTICLE 4: REVOLVING FUNDS

To see if the Town will vote to continue the Revolving Fund Account for Elm Commission Activities established at the Special Town Meeting of June 27, 1991 pursuant to Massachusetts General Laws Chapter 44 Section 53E 1/2, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by Cindy Russo, 116 Oak Hill Road, Board of Selectmen, and seconded,

Voted unanimously yes that the Town continue the Revolving Fund Accounts for Elm Commission Activities established at the Special Town Meeting of June 27, 1991, pursuant to MGL Chapter 44 Section 53E 1/2 with all departmental receipts being credited to the fund and that the fund shall expend no more than \$7,500 under the authority of the Board of Selectmen during the ensuing fiscal year.

ARTICLE 5: 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, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

The following motion was made by George McKenna, 41 Old Littleton Road, Finance Committee, and seconded,

I move that the Town appropriate the sum of \$14,866,702 to defray the expenses of the Town for Fiscal Year 2002 as printed in the Finance Committee Report on pages 23 through 29 and that such appropriation be provided by raising and appropriating \$14,866,702 by taxation.

George made a presentation for the Finance Committee prior to discussion of the article

The following motion was made by Randy Dean, 48 Madigan Lane, and seconded,

I move to amend Article 5 by increasing line #57 to \$100,000 and amending the total raise and appropriate to \$14,966,702.

Finance Committee met within the meeting to discuss this amendment and voted 5 to 1 not to support it.

Cindy Russo stated that the Board of Selectmen voted unanimously against this amendment.

Voted majority NO on the motion to amend Article 5 by increasing line #57 to \$100,000 and amending the total raise and appropriate to \$14,966,702.

Voted majority yes that the Town appropriate the sum of \$14,866,702 to defray the expenses of the Town for Fiscal Year 2002 as printed in the Finance Committee Report on pages 23 through 29 and that such appropriation be provided by raising and appropriating \$14,866,702 by taxation.

ARTICLE 6: RESERVE FUND

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be placed in the Reserve Fund Account for unforeseen and extraordinary expenses for the ensuing fiscal year, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

On a motion by Randy Dean, 48 Madigan Lane, Finance Committee, and seconded,

Voted unanimously yes to transfer the sum of \$75,000 from Stabilization Fund and transfer the sum of \$50,000 from Overlay Surplus to be placed in the Reserve Fund Account for unforeseen

and extraordinary expenses for Fiscal Year 2002.

David Westerling, 63 Slough Road, served as Moderator for Articles 7, 8 and 9.

ARTICLE 7: DEBT EXCLUSION - SCHOOL BUILDING

To see if the Town will vote to appropriate, and authorize the Town Treasurer, with the approval of the Selectmen, to borrow pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or any other enabling authority, a sum not to exceed \$16,689,000 for the renovation and expansion of The Bromfield School, contingent upon the passage of a proposition two and one-half debt exclusion ballot question at the Annual Election on April 3, 2001, or pass any vote or votes in relation thereto.

(Inserted by School Committee)

(2/3 vote required)

The following motion was made by Molly Culter, 56 Stow Road, School Committee, and seconded,

I move that the Town appropriate, and authorize the Town Treasurer, with the approval of the Selectmen, to borrow pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or any other enabling authority, a sum not to exceed \$16,685,000 for the renovation and expansion of The Bromfield School, contingent upon the passage of a proposition two and one-half debt exclusion ballot question at the Annual Election on April 3, 2001.

A presentation was made by the School Building Committee.

A presentation was made by Steve Colwell, Finance Committee and he stated that the Finance Committee does support this article.

Cindy Russo, chairman of the Selectmen, stated that the Board of Selectmen supports this article by a vote of 3 to 2.

After approximately three hours of discussion, a motion was made by Bruce Blain, 40 Blanchard Road, to move the question, and was seconded,

Voted majority yes to move the question.

Voted 336 yes, and 144 no [passed by greater than the required 2/3rds], that the Town appropriate, and authorize the Town Treasurer, with the approval of the Selectmen, to borrow pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or any other enabling authority, the sum of \$16,685,000 for the renovation and expansion of The Bromfield School, contingent upon the passage of a proposition two and one-half debt exclusion ballot question at the Annual Election on April 3, 2001.

ARTICLE 8: DEBT EXCLUSION - FIRE ENGINE

To see if the Town will vote to appropriate, and authorize the Town Treasurer, with the approval of the Selectmen, to borrow pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or any other enabling authority, a sum not to exceed \$200,000 in order to purchase a fire engine, and to authorize the sale or trade of existing equipment, contingent upon the passage of a proposition two and one-half debt exclusion ballot question at the Annual Election on April 3, 2001, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

(2/3 vote required)

On a motion by William Ashe, 25 Myrick Lane, Board of Selectmen, and seconded,

Voted greater than 2/3rds yes, that the Town appropriate, and authorize the Town Treasurer, with the approval of the Selectmen, to borrow pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, or any other enabling authority, the sum of \$200,000 in order to purchase a fire engine, and to authorize the sale or trade of existing equipment, contingent upon the passage of a proposition two and one-half debt exclusion ballot question at the Annual Election on April 3, 2001.

ARTICLE 9: GRANT APPROVAL - LIBRARY

To see if the Town will vote to accept the preliminary design for the Harvard Public Library and to authorize the Library Trustees of the Harvard Public Library to apply for any state grants which may be available for the project or pass any vote or votes in relation thereto.

(Inserted by Library Trustees)

The following motion was made by Joseph Frye, 146 East Bare Hill Road, Library Trustee, and seconded,

I move that the Town accept the preliminary design for the Harvard Public Library and to authorize the Library Trustees of the Harvard Public Library to apply for any state grants which may be available for the project recognizing that the Library Trustees have committed not to bring a funding request for this project to the Town in excess of \$2.6 million.

A presentation was made by Joseph Frye for the Library Trustees.

Finance Committee was non-committal in their support.

Board of Selectmen voted 4 to 1 to support this article.

The following motion was made by Carl Luck, 85 Tahanto Trail, and seconded,

I move that the Town accept the preliminary design *and approve this* Harvard Public Library

project and to authorize the Library Trustees of the Harvard Public Library to apply for any state grants which may be available for the project recognizing that the Library Trustees have committed not to bring a funding request for this project to the Town in excess of \$2.6 million.

The amendment was accepted by the Library Trustees.

Robert Lerner, 101 West Bare Hill Road, made a motion to move the question. It was seconded and voted unanimously yes.

Voted majority yes, that the Town accept the preliminary design and approve this Harvard Public Library project and to authorize the Library Trustees of the Harvard Public Library to apply for any state grants which may be available for the project recognizing that the Library Trustees have committed not to bring a funding request for this project to the Town in excess of \$2.6 million.

ARTICLE 10: PROFESSIONAL CONSULTING SERVICES

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the purpose of providing professional consulting services for various projects, with unexpended funds as of June 30, 2003, being returned to their funding source, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by Lucy Wallace, 18 Orchard Hill, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town raise and appropriate the sum of \$15,000 for the purpose of providing professional consulting services for various projects, with unexpended funds as of June 30, 2003, being returned to their funding source.

***A motion was made by Robert Lerner, 101 West Bare Hill Road, to take Article 29 out of order, was seconded and voted unanimously yes.**

ARTICLE 11: FIRE DEPARTMENT CHIEF'S VEHICLE

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the purpose of purchasing a vehicle for the fire chief, with unexpended funds as of June 30, 2002, being returned to their funding source, and to authorize the sale or trade of existing equipment, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by William Ashe, 25 Myrick Lane, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town raise and appropriate the sum of \$25,100 and transfer the sum of \$3,900 from Stabilization Fund for the purpose of purchasing a vehicle for the fire chief, with unexpended funds as of June 30, 2002, being returned to their funding source, and to authorize the sale or trade of existing equipment.

ARTICLE 12: PUBLIC SAFETY BUILDING FIRE ALARM SYSTEM

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the purpose of relocating the fire alarm system to the new public safety building, with unexpended funds as of June 30, 2003, being returned to their funding source, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by Cindy Russo, 116 Oak Hill Road, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town raise and appropriate the sum of \$8,000 for the purpose of relocating the fire alarm system to the new public safety building, with unexpended funds as of June 30, 2003, being returned to their funding source.

ARTICLE 13: TOWN HALL COPIER AND PHONE SYSTEM

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the purpose of purchasing a copier and phone system for Town Hall, with unexpended funds as of June 30, 2002, being returned to their funding source, and to authorize the sale or trade of existing equipment, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by Lucy Wallace, 18 Orchard Hill, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town raise and appropriate the sum of \$19,500 for the purpose of purchasing a copier and phone system for Town Hall, with unexpended funds as of June 30, 2002, being returned to their funding source, and to authorize the sale or trade of existing equipment.

ARTICLE 14: NEASC ACCREDITATION

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for professional consulting services and expenses related to the NEASC Accreditation process, with unexpended funds as of June 30, 2004, being returned to their funding source, or

pass any vote or votes in relation thereto.
(Inserted by School Committee)

On a motion by Linda Moore, 72 Slough Road, School Committee, and seconded,

Voted unanimously yes that the Town raise and appropriate the sum of \$14,000 for professional consulting services and expenses related to the NEASC Accreditation process, with unexpended funds as of June 30, 2004, being returned to their funding source.

ARTICLE 15: HES AIR CONDITIONING

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for the purpose of providing air conditioning for portions of the Harvard Elementary School, with unexpended funds as of June 30, 2003, being returned to their funding source, or pass any vote or votes in relation thereto.
(Inserted by School Committee)

On a motion by Dwight Harshbarger, 4 Madigan Lane, School Committee, and seconded,

Voted unanimously yes that the Town raise and appropriate the sum of \$20,000 for the purpose of providing air conditioning for portions of the Harvard Elementary School, with unexpended funds as of June 30, 2003, being returned to their funding source.

ARTICLE 16: MASTER PLAN

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money not to exceed \$50,000 for completion of the update of the Master Plan, or pass any vote or votes in relation thereto.
(Inserted by 10 or More Citizens)

On a motion by Suzanne Artemieff, 19 Craggs Road, Planning Board, and seconded,

Voted majority yes, that the Town raise and appropriate the sum of \$50,000 for completion of the update of the Master Plan.

ARTICLE 17: WEED BARGE

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$49,500 for making minor improvements to the existing harvester and for acquiring a weed barge, with unexpended funds as of June 30, 2002, being returned to the funding source, or pass any vote or votes in relation thereto.

(Inserted by 10 or More Citizens)

A motion was made by Gene Marsh, 122 Tahanto Trail, Bare Hill Pond Watershed Management Committee, and seconded, to take no action on this article.

A discussion followed as to why he recommended that we take no action.

Patricia W. White, 162 East Bare Hill Road, made a motion to move the question, it was seconded and voted majority yes to move the question.

Voted majority yes that the Town take no action on this article.

ARTICLE 18: CONTRACT - POLICE WAGES

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to line #20, Police Personnel of Article 5 of this Warrant in order to fund the collective bargaining agreement negotiated with the Police Union, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by William Marinelli, 50 Stow Road, Board of Selectmen, and seconded,

Voted unanimously yes that the Town raise and appropriate the sum of \$23,282 to be added to line #20, Police Personnel of Article 5 of this Warrant in order to fund the collective bargaining agreement negotiated with the Police Union.

ARTICLE 19: POLICE INCENTIVE CAREER PAY

To see if the Town will vote to accept Chapter 41, Section 108L of the General Laws of Massachusetts establishing a police career incentive pay program, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by William Marinelli, 50 Stow Road, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town accept Chapter 41, Section 108L of the General Laws of Massachusetts establishing a police career incentive pay program.

ARTICLE 20: ANIMAL CONTROL OFFICER

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of

money to be added to line #31, Dog Officer of Article 5 of this Warrant in order to expand the responsibilities of the dog officer to an animal control officer, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by William Marinelli, 50 Stow Road, Board of Selectmen, and seconded,

Voted majority yes, that the Town raise and appropriate the sum of \$7,500 to be added to line #31, Dog Officer of Article 5 of this Warrant in order to expand the responsibilities of the dog officer to an animal control officer.

ARTICLE 21: SCHOOL CHEMICAL DISPOSAL

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for chemical disposal at The Bromfield School, or pass any vote or votes in relation thereto.

(Inserted by School Committee)

On a motion by Mark Hardy, 18 Ann Lees Road, School Committee, and seconded,

Voted unanimously yes, that the Town raise and appropriate the sum of \$20,000 for chemical disposal at The Bromfield School.

ARTICLE 22: STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be placed in the Stabilization Fund, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

On a motion by Donald Boyce, 310 Stow Road, Finance Committee, and seconded,

Voted unanimously yes, that the Town take no action on this article.

ARTICLE 23: 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 Selectmen)

On a motion by Kerry Curley, 306 Still River Road, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town accept State funds to be used for reconstruction and improvements of public ways.

ARTICLE 24: ACCEPTANCE OF GIFTS OF PROPERTY - CONSERVATION LAND

To see if the Town will vote to accept the gifts of land or interests in land for conservation or other land preservation related purposes, previously accepted by the Conservation Commission and approved by the Board of Selectmen, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by Kerry Curley, 306 Still River Road, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town take no action on this article.

ARTICLE 25: PERSONAL PROPERTY EXEMPTION

To see if the Town will vote to accept Chapter 59, Section 5 Clause 54 of the General Laws of Massachusetts establishing a minimum fair cash value of \$1,000 for personal property accounts to be taxed, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by Cindy Russo, 116 Oak Hill Road, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town accept Chapter 59, Section 5 Clause 54 of the General Laws of Massachusetts establishing a minimum fair cash value of \$1,000 for personal property accounts to be taxed.

ARTICLE 26: PROPERTY TAX DEFERRALS FOR SENIORS 65 AND OLDER

To see if the Town will vote to accept Chapter 59, Section 5 Clause 41A of the General Laws of Massachusetts establishing a maximum qualifying gross receipts amount of \$40,000 for seniors 65 and older property tax deferrals, or pass any vote or votes in relation thereto.

(Inserted by Selectmen)

On a motion by Cindy Russo, 116 Oak Hill Road, Board of Selectmen, and seconded,

Voted unanimously yes, that the Town accept Chapter 59, Section 5 Clause 41A of the General Laws of Massachusetts establishing a maximum qualifying gross receipts amount of \$40,000 for seniors 65 and older property tax deferrals.

ARTICLE 27: ACCEPTANCE OF SEPTIC SYSTEM LOT - FORMER WATT LAND

To see if the Town will vote to: a) accept the parcel of land on Still River Depot Road, Harvard, Worcester County, Massachusetts, containing approximately 4.0 acres, shown as "SDS Parcel-1" on a plan entitled "Plan of Land (Area to be dedicated to Subsurface Disposal) Located on the: NORTH SIDE OF STILL RIVER DEPOT ROAD, HARVARD, MA." dated January 26, 2001, prepared by DeFalco Engineering, Inc. for D.M. Watt & Sons, a copy of which plan is on file in the Office of the Town Clerk and in the Office of the Planning Board; b) authorize the Board of Selectmen to grant, transfer, convey or otherwise dispose of to the United States of America, acting by and through the Secretary of the Interior through the United States Fish and Wildlife Service, a conservation easement on said parcel of land; and c) authorize the Board of Selectmen to execute and deliver any and all documents necessary for the acceptance of said parcel of land and for the grant, transfer, conveyance or other disposition of a conservation easement thereon, or pass any vote or votes in relation thereto.
(Inserted by Selectmen)

On a motion by Lucy Wallace, 18 Orchard Hill, Board of Selectmen, and seconded,

Voted unanimously yes that the Town accept, as a gift, the parcel of land on Still River Depot Road, Harvard, Worcester County, Massachusetts, containing approximately 4.0 acres, shown as "SDS Parcel-1" on a plan entitled "Plan of Land (Area to be dedicated to Subsurface Disposal) Located on the: NORTH SIDE OF STILL RIVER DEPOT ROAD, HARVARD, MA." dated January 26, 2001, prepared by DeFalco Engineering, Inc. for D.M. Watt & Sons, a copy of which plan is on file in the Office of the Town Clerk and in the Office of the Planning Board, subject to a conservation easement held by the United States of America, acting by and through the Secretary of Interior through the United States Fish and Wildlife Service; and authorize the Board of Selectmen to execute, deliver and record any and all documents necessary for the acceptance of this parcel of land subject to a conservation easement thereon.

ARTICLE 28: SALE OF FORMER WATT LAND

To see if the Town will vote to: a) authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise the parcel of land on Still River Depot Road, Harvard, Massachusetts, Worcester County, Massachusetts, containing 4.7 acres, shown as Lot No.3 on a plan entitled "Plan of Land Located on Still River Depot Road" prepared for the Watt Brothers, Inc. dated August, 1988, and recorded with the Worcester District Registry of Deeds in Plan Book 640, Plan 82; b) appropriate a sum of money for the acquisition of said parcel of land; c) provide for said appropriation, authorize the Town treasurer, with the approval of the Board of Selectmen, to borrow a sum of money pursuant to Massachusetts General Laws Chapter 44, Section 7, or any other enabling authority, for the acquisition of said parcel of land; and d) authorize the Board of Selectmen to sell, transfer, convey or otherwise dispose of said parcel of

land to the United States Fish and Wildlife Service, for consideration and other land preservation purposes, for consideration of not less than the consideration or compensation paid by the Town for the acquisition of said parcel of land, or pass any vote or votes in relation thereto.
(Inserted by Selectmen)

On a motion by Lucy Wallace, 18 Orchard Hill, Board of Selectmen, and seconded,

Voted unanimously yes that the Town a) authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise the parcel of land on Still River Depot Road, Harvard, Massachusetts, Worcester County, Massachusetts, containing 4.7 acres, shown as Lot No.3 on a plan entitled "Plan of Land Located on Still River Depot Road" prepared for the Watt Brothers, Inc. dated August, 1988, and recorded with the Worcester District Registry of Deeds in Plan Book 640, Plan 82; b) raise and appropriate the sum of \$1.00 for the acquisition of said parcel of land; c) authorize the Board of Selectmen to sell, transfer, convey or otherwise dispose of said parcel of land to the United States Fish and Wildlife Service, for conservation and other land preservation purposes; d) authorize the Board of Selectmen to transfer and assign the proceeds of the sale of said parcel of land to the Harvard Conservation trust; and e) authorize the Board of Selectmen to execute, sign, deliver and record all documents necessary for the acquisition, sale and transfer and assignment of the proceeds of the sale of said parcel of land.

***ARTICLE 29 was taken out of order after article 10.**

ARTICLE 29: ZONING

To see if the Town will vote to amend the Protective (Zoning) By-law of the Town of Harvard as follows:

1) Amend Section 7.3.2.6 (i) by deleting it entirely and inserting in lieu thereof the following:

- (i) A driveway which serves as access to parking or garaging for trucks shall be constructed to be at least two lanes wide for its entire length, and shall meet the following materials and construction standards, which materials and construction standards shall be shown on the driveway design plans. (Also refer to the accompanying sketch labeled *Typical Driveway Cross- Section* for visual reference):
 - a) Ordinary borrow material shall be used as sub-base material in areas where fill is required to bring the site up to sub-grade. The ordinary borrow material shall meet the requirements of Massachusetts Highway Department's Standard Specifications for Highways and Bridges (SSHB) section 150, Embankment and M1.01.0, Ordinary Borrow.
 - b) All organic and compressible sub-grade materials shall be removed prior to the placement of borrow material.
 - c) Gravel base material having a minimum depth of 12 inches shall be placed on the

sub-base or existing sub-grade. The gravel base material shall meet the requirements of SSHB section 405, Gravel Base Course and M1.03.0 Type b, Gravel Borrow.

- d) The finish surface shall be:
 - 1. A bituminous concrete pavement surface (min. 2 inch compacted binder course and min. 1-1/2 inch compacted finish course) meeting the requirements of SSHB section 460, Class I Bituminous Concrete Pavement Type I-1 and M3.11.00, Class I Bituminous Concrete.
- e) All materials listed in items a through (d) shall be compacted as specified in SSHB.
- f) Driveway construction standards shall be in accordance with the Massachusetts Highway Department's Standard Specification for Highways and Bridges.

If such a driveway, which serves as access to parking or garaging for trucks, is more than 150 feet long it shall be constructed as a roadway serving the same intensity of use as specified in the Rules and Regulations of the Harvard Planning Board relative to Sub-Division Control as amended through March XX, 2001; this sentence applies to new driveway construction or extension undertaken after March XX, 2001.

- 2) Amend Section 7.3.2.6 (iii) by deleting the entire first paragraph of this sub-section, beginning with the words "Except as otherwise provided" through the final words ".....for the particular situation." and inserting in lieu thereof the following:

(iii) Except as otherwise provided, driveways regulated under this sub-section shall meet the following materials and construction standards, which materials and construction standards shall be shown on the driveway design plans. (Also refer to the accompanying sketch labeled *Typical Driveway Cross-Section* for visual reference):

- a) Ordinary borrow material shall be used as sub-base material in areas where fill is required to bring the site up to sub-grade. The ordinary borrow material shall meet the requirements of Massachusetts Highway Department's Standard Specifications for Highways and Bridges (SSHB) section 150, Embankment and M1.01.0, Ordinary Borrow.
- b) All organic and compressible sub-grade materials shall be removed prior to the placement of borrow material.
- c) Gravel base material having a minimum depth of 12 inches shall be placed on the sub-base or existing sub-grade. The gravel base material shall meet the requirements of SSHB section 405, Gravel Base Course and M1.03.0 Type b, Gravel Borrow.
- d) The finish surface shall be one of the following:
 - 1. A bituminous concrete pavement surface (min. 2 inch compacted binder course and min. 1-1/2 inch compacted finish course) meeting the requirements of SSHB section 460, Class I Bituminous Concrete Pavement Type I-1 and M3.11.00, Class I Bituminous Concrete, or
 - 2. A "Star-Pac" material (min.4 inch compacted depth), or

3. A 3/4 inch to 1-1/2 inch sized crushed stone material to a minimum 4 inch compacted depth.
- e) All materials listed in items a through (d) shall be compacted as specified in SSHB.
- f) Driveway construction standards shall be in accordance with the Massachusetts Highway Department's Standard Specification for Highways and Bridges.

or pass any vote or votes in relation thereto.

(Inserted by Planning Board)

(2/3 vote required)

The following motion was made by Jack Purdy, 10 Littleton Road, Planning Board, and seconded,

I move that the Town amend the Protective (Zoning) By-law relative to sections 7.3.2.6(i) and 7.3.2.6(iii) as printed in the *Warrant Articles and Report and Recommendations of the Finance Committee and Report of the Capital Plan Committee* handbook on pages 37 through 39 inclusive with the following change: the two dates of March XX, 2001 be deleted and March 26, 2001 be inserted in lieu thereof.

Robert Lerner, 101 West Bare Hill Road, made the following motion to amend, which was seconded,

I move that the Town amend Article 29, Section 7.3.2.6(iii),d),2 by replacing the original wording of this sub-sub-section in its entirety with the following:

“2. A minimum 4 inch compacted depth of a dense graded crushed stone material eg. Star-Pac”, so called, or equivalent as determined by the planning Board, or ”

The Planning Board accepted the amendment.

Robert Lerner, 101 West Bare Hill Road, made the following motion to amend, which was seconded,

I move to further amend the motion under the article by adding at the end of (d) the following sentence:

“However, in any particular situation the use of a paving material other than bituminous concrete is subject to approval by the permitting or approving Board..”

The Planning Board accepted the amendment.

Voted greater than 2/3rds yes, that the Town amend the Protective (Zoning) Bylaw relative to sections 7.3.2.6(i) and 7.3.2.6(iii) as follows:

1) Amend Section 7.3.2.6 (i) by deleting it entirely and inserting in lieu thereof the following:

- (i) A driveway which serves as access to parking or garaging for trucks shall be constructed to be at least two lanes wide for its entire length, and shall meet the following materials and construction standards, which materials and construction standards shall be shown on the driveway design plans. (Also refer to the accompanying sketch labeled *Typical Driveway Cross- Section* for visual reference):
 - a) Ordinary borrow material shall be used as sub-base material in areas where fill is required to bring the site up to sub-grade. The ordinary borrow material shall meet the requirements of Massachusetts Highway Department's Standard Specifications for Highways and Bridges (SSHB) section 150, Embankment and M1.01.0, Ordinary Borrow.
 - b) All organic and compressible sub-grade materials shall be removed prior to the placement of borrow material.
 - c) Gravel base material having a minimum depth of 12 inches shall be placed on the sub-base or existing sub-grade. The gravel base material shall meet the requirements of SSHB section 405, Gravel Base Course and M1.03.0 Type b, Gravel Borrow.
 - d) The finish surface shall be:
 - 1. A bituminous concrete pavement surface (min. 2 inch compacted binder course and min. 1-1/2 inch compacted finish course) meeting the requirements of SSHB section 460, Class I Bituminous Concrete Pavement Type I-1 and M3.11.00, Class I Bituminous Concrete.
 - e) All materials listed in items a through (d) shall be compacted as specified in SSHB.
 - f) Driveway construction standards shall be in accordance with the Massachusetts Highway Department's Standard Specification for Highways and Bridges.

If such a driveway, which serves as access to parking or garaging for trucks, is more than 150 feet long it shall be constructed as a roadway serving the same intensity of use as specified in the Rules and Regulations of the Harvard Planning Board relative to Sub-Division Control as amended through March 26, 2001; this sentence applies to new driveway construction or extension undertaken after March 26, 2001.

2) Amend Section 7.3.2.6 (iii) by deleting the entire first paragraph of this sub-section, beginning with the words "Except as otherwise provided" through the final words ".....for the particular situation." and inserting in lieu thereof the following:

(iii) Except as otherwise provided, driveways regulated under this sub-section shall meet the following materials and construction standards, which materials and construction standards shall be shown on the driveway design plans. (Also refer to the accompanying sketch labeled *Typical Driveway Cross-Section* for visual reference):

- a) Ordinary borrow material shall be used as sub-base material in areas where fill is required to bring the site up to sub-grade. The ordinary borrow material shall meet the requirements of Massachusetts Highway Department's Standard Specifications for Highways and Bridges (SSHB) section 150, Embankment and M1.01.0, Ordinary Borrow.
- b) All organic and compressible sub-grade materials shall be removed prior to the placement of borrow material.
- c) Gravel base material having a minimum depth of 12 inches shall be placed on the sub-base or existing sub-grade. The gravel base material shall meet the requirements of SSHB section 405, Gravel Base Course and M1.03.0 Type b, Gravel Borrow.
- d) The finish surface shall be one of the following:
 - 1. A bituminous concrete pavement surface (min. 2 inch compacted binder course and min. 1-1/2 inch compacted finish course) meeting the requirements of SSHB section 460, Class I Bituminous Concrete Pavement Type I-1 and M3.11.00, Class I Bituminous Concrete, or
 - 2. A minimum 4 inch compacted depth of a dense graded crushed stone material eg. "Star-Pac", so called, or equivalent as determined by the Planning Board, or,
 - 3. A 3/4 inch to 1-1/2 inch sized crushed stone material to a minimum 4 inch compacted depth.

However, in any particular situation the use of a paving material other than bituminous concrete is subject to approval by the permitting or approving Board.

- e) All materials listed in items a through (d) shall be compacted as specified in SSHB.
- f) Driveway construction standards shall be in accordance with the Massachusetts Highway Department's Standard Specification for Highways and Bridges.

Approved by the Attorney General on July 25, 2001.

ARTICLE 30: REPORT OF COMMITTEE - DEVENS REUSE

To see if the Town will hear a report from the Devens Reuse Committee.
(Inserted by Devens Reuse Committee)

On a motion by Marge Darby, 8 Ayer Road, Devens Reuse Committee, and seconded,

Voted that the Town hear a report from the Devens Reuse Committee.

The meeting adjourned at 1:45 PM for lunch and reconvened at 2:35 PM.

The Board of Selectmen honored Elizabeth May as Citizens of Note and acknowledged Larry Green who retired after 30 years with the Department of Public Works.

Checkers for the meeting were Betty Ashe, Marylin Morgan, and Helen Fiore. They checked in 623 voters out of a total of 3580 registered voters (3427 active voters). Tellers were Richard Watson, Patricia White, George Randig, and Tom Hill.

The meeting was dissolved at 4:55 P.M.

Respectfully submitted,

Janet A. Vellante
Town Clerk