

SPECIAL TOWN MEETING

October 3, 2020

The meeting was called to order on the field in front of the Library and The Bromfield School, located on Massachusetts Avenue on Saturday, October 3, 2020 at 12:01 p.m. by Moderator, William Barton. The call of the meeting and the return of service were found to be in order by Town Clerk Marlene Kenney.

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

Timothy Bragan	Town Administrator
Mark Lanza	Town Counsel
Lori Bolasevich	Finance Director
Tim Kilhart	DPW Director
Christopher Ryan	Economic Development Director
Richard Sicard	Fire Chief
Debbie Thompson	COA Director
Edward Denmark	Police Chief

Before motions commenced, Moderator William Barton took a non-binding straw poll of Special Town Meeting voters in attendance requesting they vote in favor or not in favor of the Town investigating electronic voting at Town Meeting. A majority voted in favor of investigating electronic voting at Town Meeting.

ARTICLE 1: EASEMENT NATIONAL GRID

To see if the Town will vote to authorize the Select Board to grant an easement to Massachusetts Electric Company and Verizon New England, Inc. in, on and over the area of Massachusetts Avenue as shown on the sketch entitled “EASEMENT Mass Ave Harvard, Ma” dated June 9, 2020 and prepared by A. Kubia, a copy of which sketch is on file in the Office of the Town Clerk, so Massachusetts Electric Company and Verizon New England, Inc. can move the telephone pole, located in the Bromfield School driveway, to the south and off of the driveway, or take any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Alice von Loesecke, 84 Warren Ave, Select Board and seconded,
I move that the Town authorize the Select Board to grant an easement to Massachusetts Electric Company and Verizon New England, Inc. in, on and over the area of Massachusetts Avenue as shown on the sketch entitled “EASEMENT Mass Ave Harvard, Ma” dated June 9, 2020 and prepared by A. Kubia, a copy of which sketch is on file in the Office of the Town Clerk, so that Massachusetts Electric Company and Verizon New England, Inc. can move the telephone pole, located in the Bromfield School driveway, to the south and off of the driveway.

Quantum of Vote on Article 1: 2/3rds Majority

Vote on Article 1 Main Motion: Passed Unanimously

ARTICLE 2: BROMFIELD HOUSE DISPOSITION

To see if the Town will vote to authorize a.) the School Committee to transfer the care, custody, management and control of 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 to the Select Board; and b.) the Select Board to sell, convey, transfer or otherwise dispose of said parcel of land and/or building, or take any vote or votes in relation thereto.
(Inserted by Select Board)

On a motion by Alice von Loesecke, 84 Warren Ave, Select Board and seconded,
I move that the Town authorize a.) the School Committee to transfer the care, custody, management and control of 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 to the Select Board; and b.) the Select Board to sell, convey, transfer or otherwise dispose of said parcel of land and/or building.

Quantum of Vote on Article 2: 2/3rds Majority

An amendment was proposed by Terry Morton, 87 Bolton Road and seconded to add the following wording to Article 2, "After the Select Board develop a plan, that plan is returned to a Town Meeting for a final decision."

The Select Board accepted this as a friendly amendment.

A revision to the friendly amendment was proposed by Willie Wickman, 27 Willow Road to insert the wording "Annual Town Meeting" in place of "Town Meeting".

The Select Board did not accept the revision of the friendly amendment.

A vote was taken to amend the friendly amendment to read as follows, "After the Select Board develop a plan, that plan is returned to an Annual Town Meeting for a final decision."

Quantum of Vote on revising the friendly amendment to Article 2: Majority

Vote on revising the friendly amendment: Voted less than Majority [DOES NOT PASS]

Quantum of Vote on Article 2 as amended: 2/3rds Majority

Vote on Article 2 as amended: Passed by 2/3rds Majority

As amended: That the Town authorize a.) the School Committee to transfer the care, custody, management and control of 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 to the Select Board; and b.) the Select Board to sell, convey, transfer or otherwise dispose of said parcel of land and/or building. After the Select Board develop a plan, that plan is returned to a Town Meeting for a final decision.

ARTICLE 3: BROMFIELD SCHOOL RAMP

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money to construct a new ramp at the Bromfield school, said sum of money to be spent with the approval of the School Committee, with any remaining funds to be returned to their funding source, or take any vote or votes in relation thereto.

(Inserted by Capital Planning and Investment Committee)

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

I move that the Town transfer from the Capital Stabilization and Investment Fund the sum of \$314,000, to be expended in conjunction with available funds received from Devens in the amount of \$150,000 and \$50,000 from the Miriam Shaw Trust to construct a new ramp at the Bromfield school, said sum of money to be spent with the approval of the School Committee, provided that any grants funds received for said project shall reduce the amount transferred from the Capital Stabilization and Investment Fund by up to \$114,000 of such grant with 50% of the grant funds in excess of \$114,000, if any, further reducing the amount so transferred and the other 50% of said excess grant funds reducing said funds received from Devens and the Miriam Shaw Trust in proportionate amounts, with any remaining funds at the end of said to be returned to their respective funding sources.

Quantum of Vote on Article 3: 2/3rds Majority

Vote on Article 3: Passed by 2/3rds Majority

ARTICLE 4: SCADA SYSTEM UPGRADE ADDITION

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds a sum of money to purchase a new computer system to be used with the Supervisory Control and Data Acquisition (SCADA) system, which sum of money shall be used with funds previously appropriated to update the SCADA system and shall be spent by the Town's Department of Public Works Director with the approval of the Select Board, with any remaining funds to be returned to their funding source, or take any vote or votes in relation thereto. (Inserted by Capital Planning and Investment Committee)

On a motion by Nate Finch, 165 Codman Hill Road, Capital Planning and Investment Committee and seconded, I move that the Town transfer from the Capital Stabilization and Investment Fund the sum of \$6,557, to purchase a new computer system to be used with the Supervisory Control and Data Acquisition (SCADA) system, which sum of money shall be used with funds previously appropriated to update the SCADA system and shall be spent by the Town's Department of Public Works Director with the approval of the Select Board, with any remaining funds to be returned to their funding source.

Quantum of Vote on Article 4: 2/3rds Majority

Vote on Article 4: Passed Unanimously

ARTICLE 5: EMERGENCY RENTAL ASSISTANCE PROGRAM

To see if the Town will vote to approve the transfer of \$20,000 from Community Preservation Fund Unspecified Reserves to the Harvard Municipal Affordable Housing Trust Fund, for the purpose of creating an emergency rental assistance program for those qualified occupants living in low to moderate income housing, or pass any vote or votes in relation thereto, to cover the implementation and administration of a COVID Emergency Rental Assistance Program for the Town of Harvard. (Inserted by Community Preservation Committee)

On a motion by Didi Chadran, 206 Stow Road, Community Preservation Committee and seconded, I move that the Town approve the transfer of \$20,000 from Community Preservation Fund Unspecified Reserves to the Harvard Municipal Affordable Housing Trust Fund for the purpose of creating an emergency

rental assistance program for those qualified occupants living in low to moderate income housing to cover the implementation and administration of a COVID Emergency Rental Assistance Program for the Town of Harvard.

Quantum of Vote on Article 5: Majority

An amendment was proposed by Michelle Catalina, 37 Old Littleton Road, Community Preservation Committee and seconded to add the words, “and mortgage” after the wording “...emergency rental...”

The Community Preservation Committee accepted this as a friendly amendment.

Vote on Article 5 as amended: Passed Unanimously

As amended: That the Town approve the transfer of \$20,000 from Community Preservation Fund Unspecified Reserves to the Harvard Municipal Affordable Housing Trust Fund for the purpose of creating an emergency rental and mortgage assistance program for those qualified occupants living in low to moderate income housing to cover the implementation and administration of a COVID Emergency Rental Assistance Program for the Town of Harvard.

ARTICLE 6: AMEND FISCAL YEAR 2021 OMNIBUS BUDGET

To see if the Town will vote to amend the Fiscal Year 2021 Omnibus Budget, adopted on June 20, 2020 under Article 3 of the Warrant for the 2020 Annual Town Meeting as follows:

	<u>FROM</u>	<u>TO</u>	<u>NET</u>
Raise & Appropriate	\$ 29,434,688	\$ 29,106,002	= (328,686)
TOTAL REVENUE AMENDMENT			= (328,686)
Health Insurance	\$ 3,522,436	\$ 3,384,436	= (138,000)
Worcester County Retirement	\$ 1,020,125	\$ 1,001,439	= (18,686)
Police Expense – Cruiser	\$ 45,950	-0-	= (45,950)
Police Personnel	\$ 557,312	\$ 543,262	= (14,050)
Harvard Schools	\$ 17,413,708	\$ 17,301,708	= (112,000)
TOTAL EXPENSE AMENDMENT			= (328,686)

Or take any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Alice von Loesecke, 84 Warren Avenue, Select Board and seconded,
I move that the Town amend the Fiscal Year 2021 Omnibus Budget, adopted on June 20, 2020 under Article 3 of the Warrant for the 2020 Annual Town Meeting as follows:

	<u>FROM</u>	<u>TO</u>	<u>NET</u>
Raise & Appropriate	\$ 29,434,688	\$ 29,106,002	= (328,686)
TOTAL REVENUE AMENDMENT			= (328,686)
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Worcester County Retirement	\$ 1,020,125	\$ 1,001,439	= (18,686)
Police Expense – Cruiser	\$ 45,950	-0-	= (45,950)
Police Personnel	\$ 557,312	\$ 543,262	= (14,050)
Harvard Schools	\$ 17,413,708	\$ 17,301,708	= (112,000)
TOTAL EXPENSE AMENDMENT			= (328,686)

Quantum of Vote on Article 6: Majority

Vote on Article 6: Passed Unanimously

ARTICLE 7: AMEND FISCAL YEAR 2021 OMNIBUS BUDGET

To see if the Town will vote to amend the Fiscal Year 2021 Omnibus Budget, adopted on June 20, 2020 under Article 3 of the Warrant for the 2020 Annual Town Meeting as follows:

	<u>FROM</u>	<u>TO</u>	<u>NET</u>
Stabilization Fund	-0-	\$ 200,000	= 200,000
TOTAL REVENUE AMENDMENT			= 200,000

Reserve Fund	\$ 350,000	\$ 550,000	= 200,000
TOTAL EXPENSE AMENDMENT			= 200,000

Or take any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Alice von Loesecke, 84 Warren Avenue, Select Board and seconded,

I move that the Town vote to amend the Fiscal Year 2021 Omnibus Budget, adopted on June 20, 2020 under Article 3 of the Warrant for the 2020 Annual Town Meeting as follows:

	<u>FROM</u>	<u>TO</u>	<u>NET</u>
Stabilization Fund	-0-	\$ 200,000	= 200,000
TOTAL REVENUE AMENDMENT			= 200,000

Reserve Fund	\$ 350,000	\$ 550,000	= 200,000
TOTAL EXPENSE AMENDMENT			= 200,000

Quantum of Vote on Article 7: 2/3rds Majority

Vote on Article 7: Passed Unanimously

ARTICLE 8: AMEND FISCAL YEAR 2021 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend the Fiscal Year 2021 Sewer Enterprise Fund Budget, adopted on June 20, 2020 under Article 15 of the Warrant for the 2020 Annual Town Meeting as follows:

	<u>FROM</u>	<u>TO</u>	<u>NET</u>
Sewer User Charges	\$ 150,000	\$ 125,000	= (25,000)
TOTAL REVENUE AMENDMENT			= (25,000)

Sewer Direct Expense	\$ 150,000	\$ 125,000	= (25,000)
TOTAL EXPENSE AMENDMENT			= (25,000)

Or take any vote or votes in relation thereto.

(Inserted by Select Board)

On a motion by Alice von Loesecke, 84 Warren Avenue, Select Board and seconded,

I move that the Town amend the Fiscal Year 2021 Sewer Enterprise Fund Budget, adopted on June 20, 2020 under Article 15 of the Warrant for the 2020 Annual Town Meeting as follows:

	<u>FROM</u>	<u>TO</u>	<u>NET</u>
Sewer User Charges	\$ 150,000	\$ 125,000	= (25,000)
TOTAL REVENUE AMENDMENT			= (25,000)

Sewer Direct Expense	\$ 150,000	\$ 125,000	= (25,000)
TOTAL EXPENSE AMENDMENT			= (25,000)

Quantum of Vote on Article 8: Majority

Vote on Article 8: Passed Unanimously

ARTICLE 9: AMEND PROTECTIVE BYLAW BY ADDING SECTION 125-57, SENIOR RESIDENTIAL DEVELOPMENT

To see if the Town will vote to amend Chapter 125 of the Code of Harvard, the Protective Bylaw by adding thereto the following Section 125-57, or take any vote or votes in relation thereto.

§125-57, Senior Residential Development

A. Purpose and Intent.

- (1) To address the town's demonstrated need for a variety of housing types, settings, and residential services to meet the needs of people as they age.
- (2) To permit the development of appropriately located, specially designed, and appropriately priced housing for seniors who would otherwise not have such housing opportunities within the town.
- (3) To provide opportunities for Harvard residents to age-in-place.
- (4) To allow flexibility in land use planning in order to improve site layouts, protect natural features and environmental values, and use land in harmony with neighboring properties;
- (5) To encourage the implementation of "Smart Growth" and sustainable development techniques to reduce land consumption and sprawl, provide for open space preservation, expand housing options, and encourage re-use of existing structures;
- (6) To reduce the typical costs of providing municipal services to residential developments;
- (7) To allow a type of development which has positive fiscal benefits to the Town; and
- (8) To protect Harvard's rural New England character by permitting the development of residential housing in clusters and village-like settings, in a manner which is in harmony with Harvard's historic development pattern, preserves and protects its natural resources, and is pedestrian friendly.

B. Applicability.

- (1) The Planning Board may grant a Special Permit for a Senior Residential Development project in accordance with this Section 125-57 on any tract of land meeting the requirements of the applicable section below based on community type.
- (2) A Senior Residential Development is one that anticipates and is marketed to people age 55 or over following the U.S. Department of Housing and Urban Development (HUD) requirements (See CRF Title 24, Subpart E or HOPA, 43 U.S.C. § 3601 *et seq.*, and Massachusetts General Laws Chapter 151B). Note specifically related to projects that shall include affordable units under the Local Initiative Program (LIP):

- a. Projects that intend to include a strict over-62 restriction are not eligible for inclusion in the LIP program and shall not be eligible for the Inclusionary Housing density bonus.
 - b. Projects that propose LIP units shall not exclude persons under 18 years of age from occupying the affordable units as long as at least one occupant is over the age of 55.
- (3) Senior Residential Developments are restricted to the locational criteria and zoning district(s) specified in Section D. below.

C. General Compliance

- (1) A Senior Residential Development proposal must comply with all other applicable Town Bylaws, and the applicable rules, regulations, and requirements of all departments, boards, and commissions, including the special sensitivities of the Historic District and the Groundwater Protection Overlay District.
- (2) Local Preference - The applicant is encouraged to provide, for an initial limited duration, a local preference program for the purchase or lease of dwellings unit. Fifty (50%) percent of units shall be offered to Harvard residents from the initial sale or lease up to 120 days beyond.
 - (a) Residency in Harvard shall be established through Town Clerk certification based on the Town Census, voter registration, or other acceptable evidence.
 - (b) Purchaser/Tenant Selection - Procedures for the selection of purchasers and/or tenants shall be subject to approval by the Town of Harvard or its designee.
 - (c) The developer of the Senior Residential Development shall make a diligent effort to locate eligible purchasers or renters for the Senior Residences who meet the local preference criteria and the applicable income requirements.
- (3) Age Restriction - Generally, all dwelling units in a Senior Residential Development may be subject to an age restriction described in a deed, deed rider, restrictive covenant, or other document that shall be recorded at the Registry of Deeds or the Land Court. The age restriction threshold shall meet the requirements of the Housing for Older Persons Act of 1995 (HOPA). In addition:
 - (a) For communities or units intended to be marketed to and occupied by residents age 62 or older, the age restriction may be comprehensive and applied to all units.
 - (b) For communities or units intended to be occupied by residents age 55 and older
 - [1] At least eighty (80%) percent of occupied units shall be occupied by at least one (1) person who is 55 years of age or older. Failure to maintain this minimum requirement risks the loss of age-restricted status permanently.
 - [2] Qualified residents 55 years of age or older may allow partners, spouses, adult children, or caretakers to also occupy the unit for the duration of the qualified resident occupancy. In the event that the qualified occupant or occupants no longer reside in the unit, the non-qualified occupants have no more than two (2) years to vacate the unit. However, temporary guests may reside in the unit for no more than one (1) month and thereafter will require an exemption to continue to occupy the unit.
 - [3] The age restriction shall run with the land in perpetuity and shall be enforceable by any or all of the owners of dwelling units in the senior residential development or by the Town of Harvard.

D. Basic Development Requirements.

- (1) A Senior Residential Development shall meet one of eight (8) development types detailed in Section I below and comply with the minimum and maximum requirements described per type. Specific density bonuses may increase the base density according to the following bonus categories. Maximum density caps may prevent the use of all available bonuses.

Table 2 – Senior Residential Development Density Bonuses

Bonus	Density Bonus	Comments
Mix of Smaller Units (≥50% under 1,200 s.f.)	15%	Encourages the construction of smaller-sized dwelling units. For meeting this requirement, an applicant earns fifteen (15) percent more dwelling units than what is shown in the Density category of the Dimensional and Other Criteria section of each development type.
Inclusionary Housing Provision (minimum 20% of project units or payment in lieu equivalent).	20%	All affordable units (80% or less Area Median Income) shall meet the requirements of M.G.L. Chapter 40B and the developer shall demonstrate that said units will be eligible to be included on the Town's Subsidized Housing Inventory (SHI) as determined by the Massachusetts Department of Housing and Community Development. For meeting this requirement, an applicant earns twenty (20) percent more dwelling units than what is shown in the Density category of the Dimensional and Other Criteria section of each development type.
Moderately Affordable Housing Provision (at least 10% of units in a development)	15%	All moderate units (Greater than 80% and up to 150% of Area Median Income). For meeting this requirement, an applicant may earn up to fifteen (15%) percent more dwelling units than what is shown in the Density category of the Dimensional and Other Criteria section of each development type.
Smart Growth (as per Sustainable Development Principles listed on Smart Growth Resources page of DHCD website, or as may be officially provided in alternative site)	15%	Per the Commonwealth of Massachusetts DHCD Criteria, meeting at least 7 of 10 of the principles. Encourages the utilization of "Smart Growth" or "Sustainable Development Principles", For meeting this requirement, an applicant earns fifteen (15) percent more dwelling units than what is shown in the Density category of the Dimensional and Other Criteria section of each development type.
Additional 25% Open Space	15%	Encourages the preservation of open space above what is required by D (3) below. For meeting this requirement, an applicant earns fifteen (15) percent more dwelling units than what is shown in the Density category of the Dimensional and Other Criteria section of each development type.

Energy Efficient Design and Construction	15%	Architectural planning and design that incorporates energy efficient design techniques, such as natural heating and cooling systems, use of sun and wind energy generation systems, including, at minimum, meeting the standards of the "Stretch Code" (780 CMR Appendix 115.AA).
Inclusion of Community Space	5%	The inclusion of meeting room(s) or spaces that will be made available to municipal and/or community groups at least 50% of available time for the facility.

(2) Parking - Minimum off-street parking requirements shall be as follows:

- (a) Accessory dwellings: 1 space per unit (no guest space required)
- (b) Cottage dwellings, two-family dwellings, or townhouses: 2 spaces per unit
- (c) 3-4 family dwellings: 1.5 spaces per unit
- (d) Independent living units: 1 space per unit
- (e) Assisted living residence: 1 space per two units
- (f) Skilled nursing facility or physical rehabilitation center, if included in a continuing care retirement community: 1 space per two beds
- (g) Guest parking: 1 space per 2 units or 2 beds, as applicable

The Planning Board may permit the reduction of required parking if the proposed development is designed to facilitate pedestrian circulation and connectivity to nearby activity centers and/or if alternative transportation options such as a resident shuttle or public transportation is made available.

Garages for individual units shall be located in the rear of the lot and may not be located on the façade. Larger garages shall be located in a centralized location or below grade.

- (3) Open Space - The minimum common open space in the development shall be 25 percent of the lot area but additional open space may be required by a specific project type. Not more than 25 percent of the required minimum common open space shall consist of wetlands. The upland open space shall be contiguous and usable by residents of the development and, as such, walking trails, gardens and public gathering spaces shall be incorporated into the required open space. A permanent conservation restriction running to or enforceable by the Town shall be recorded for the common open space area and shall include restrictions that the land be retained in perpetuity for conservation or passive recreation.
- (4) Maximum Number of Senior Housing Dwelling Units in Harvard – The maximum number of permitted housing units within all permitted senior housing developments in the Town of Harvard shall be limited to a number equivalent to 15% of the existing total residential housing units located in the Town of Harvard. For the purpose of this bylaw, the number of residential housing units shall be as established by the Board of Assessors as of January 1 of the calendar year. The Planning Board may waive this limitation if the Board finds that the proposed development fulfills a critical senior housing need for the Town of Harvard or the surrounding region. As of July 1, 2019, the current unit count was 1,909. Thus, up to 286 Senior Residential Development units may be built at this time.
- (5) Pace of Development – A maximum of 100 units may be approved by Special Permit on an annual basis and/or but no more than 30 units may be permitted in any one year. One exception is that the Planning Board may approve larger, master planned developments that may allow for more than 100 units approved on a per project basis as follows:

- (a) The project is exceptional in meeting all of the stated purposes and intents as per Section A above, clearly meets all 20 of the development standards as described in Section F below, and meets all criteria in Section 125-46C, Special Permit Authorization.
 - (b) The total number of units approved for a larger project would be annualized. For example, a project approved with 225 units would extend a cap over a period of 2.25 years.
 - (c) The only new Senior Development Units permitted over this cap period shall be accessory, infill, or conversion units.
- (6) Minimum Distance Between Projects – In order to mitigate the impact of multiple developments on surrounding neighborhoods, a proposed project must be located at least the distance established in the Minimum Distance between Projects Table below from any other existing or approved Senior Housing project, any existing or approved project including multi-unit residential buildings under G.L. c. 40B, or any existing or approved project including multi-unit residential buildings under any other provision or Bylaw, with the exception of projects located in the C or M districts.

Table 3 – Senior Residential Development Minimum Distance Between Projects

Combined Total Dwelling Units in Proposed Project and in Existing/Approved Projects	Minimum Distance Between Projects
Accessory Units	None
Up to and including 5 total dwelling units	500'
From 6 to 20 total dwelling units	0.50 mile
From 21 to 49 total dwelling units	1.0 mile
Exceeds 50 dwelling units	2.0 miles
Notes	
<p>1. The distance between projects shall be measured from the closest property boundary. Parcels in existence on May 5, 2008, may not be subdivided to avoid application of this provision. A project shall be deemed to be existing or approved if it has been constructed or if a special or comprehensive permit, or a site plan approval, has been granted; or if a special or overlay zoning district which allows multi-family housing has been approved.</p> <p>2. The determination of the required separation between projects shall be made at the time the special permit is issued under this Bylaw, in order to assess the most up to date existing project status.</p> <p>3. If a Chapter 40B housing proposal is filed and approved while an application for Senior Housing Special Permit has been filed and is under review by the Planning Board, that Senior Housing project shall be exempt from the distance requirement of this Section.</p> <p>4. One category of exceptions to this Section shall include infill, accessory, or conversion projects within the Historic District in Harvard Center.</p>	

- (7) Large-Scale Development Impact Analysis – Proposed Senior Residential Development projects shall be required to fund, through MGL Chapter 44, Section 53G, a Large-Scale Development Impact Analysis report that shall include the following information, if proposing more than 50 residential units:

- (a) Fiscal Impact Analysis - An independent fiscal impact analysis, which shall demonstrate likely revenues generated by the development and the estimated costs of providing municipal services. The Select Board may negotiate and enter into an agreement with the developer or owner of an assisted living facility which provides for, among other things, for payments to the Town to offset the Town's costs of providing services to the development and/or for the provision of services to the development by service providers other than the Town at the developer's expense.
- (b) Traffic Impact Assessment – Report including existing conditions, future anticipated conditions, a traffic operations analysis, site distance evaluation, and conclusions and recommendations for any improvements or redesign.
- (c) Environmental Impact Assessment – Conducting a MEPA ENF and EIR.

E. Age-Appropriate Design.

- (1) A Senior Residential Development shall be designed to provide housing options in a setting that encourages and supports aging in community. While units do not have to be age restricted by deed to adults 55 years and over, they must be “visitable” and designed for people as they age. At minimum, these terms mean that a Senior Residential Development shall have the following features:
- (2) Single-family, two-family, 3-5 family, and townhouse units shall provide for:
 - (a) At least one (1) zero-step entrance,
 - (b) Doorways with a 36-inch clear passage space,
 - (c) Master bedroom and an accessible en-suite bathroom located on the same floor as the kitchen, living room, and dining room, all being on the same floor as the zero-step entrance,
 - (d) Master bedroom and en-suite bathroom designed and equipped for seniors and people mobility impairments, and
 - (e) Indoor or structured parking.
- (3) Independent living units, 3-4 Family Senior Residences, and assisted living facilities shall, at a minimum, comply with the accessibility requirements of the Massachusetts Architectural Access Board.
- (4) Outdoor facilities, such as walkways, gardens, and recreation areas, shall be designed for universal access.

F. Development Standards.

As part of the Planning Board’s special permit review process, the Board shall evaluate the proposed Senior Residential Development for conformance to the following minimum design standards as they may be applicable.

- (1) Applicants shall include an AIA registered architect with experience in site planning and historic preservation as part of the project team.
- (2) Structures located near the project property lines shall be designed and located in a manner that reflects consistency and compatibility with neighboring areas, and shall include appropriate use of building density, heights, and design to minimize any intrusion on neighbors.
- (3) Outdoor recreation or gathering areas, particularly those that may generate significant noise and/or light and glare, shall be located to minimize intrusion on neighboring properties.
- (4) Structures shall be clustered, as appropriate, to reduce site disturbance and protect open spaces, natural and environmentally sensitive areas. They should mimic a village setting with a central green or common that has a pedestrian orientation. Parking and loading areas should be located in rear yards and away from pedestrian circulation areas.

- (5) To facilitate the pedestrian orientation, all Senior Residential Developments shall include or have access to a pedestrian facility such as sidewalks, pedestrian paths, shared use path, or similar facility that is appropriate to the scale, design, and location of the development. The Planning Board may provide an exception for specific projects where this requirement is not practicable.
- (6) For the purpose of this section, the Planning Board may consider lots on directly opposite sides of a street as a single tract of land.
- (7) Setbacks may be modified based on adjacent land uses, the character of the neighborhood, and the type of community being proposed.
- (8) Building design shall avoid use of long, unbroken facades, and shall include use of balconies, porches, offset walls, trellises and other design elements to provide visual interest and added functionality.
- (9) Building design, colors, and materials shall generally correspond to the natural setting of the project site, and to any prevalent design styles that may occur in neighborhoods within the general project area.
- (10) For townhouses, a maximum of eight (8) attached units per building
- (11) Garages and surface parking shall be located in the rear yards of single-family, two, family or townhouse units or buildings.
- (12) Unit Mix – While no specific unit mix shall be mandated, developers are expected to provide a balance of units ranging from smallest to largest in any particular residential development category.
- (13) Landscaping Plan – Senior Residential Development projects shall submit a landscaping plan sheet as part of the application package. The landscaping plan shall be developed as follows:
 - (a) The proposed landscape plan shall be prepared by a registered architect, landscape architect, registered land surveyor, or professional engineer except that this requirement may be waived by the Planning Board for projects that are not so complex that the use of the registered or licensed professionals is necessary to enable the Planning Board to make a decision that complies with the requirements set forth in this Section.
 - (b) The landscape plan shall be prepared at a scale of not less than one-inch (1”) equals 40 feet and on a sheet size of 18 inches by 24 inches.
 - (c) The plan shall contain the following information:
 - [1] Vicinity map of the areas surrounding the site for one-half mile.
 - [2] Date, north arrow, written and graphic scale, name and address of project, parcel size and legal description.
 - [3] The property lines and dimensions.
 - [4] The location, size and surface materials of all structures, topographic contours, parking areas, sidewalks, stormwater detention areas, signs and other manmade elements.
 - [5] The location, type, size and quantity of major existing plant material to remain on site.
 - [6] The location, type, size and quantity of proposed plant and other landscaping materials. Common and botanical names shall be noted adjacent to all plant materials or by use of a key and legend.
 - [7] Location and type of irrigation system.
 - [8] Landscape maintenance plan.
 - [9] Signature blocks for the property owner and the Planning Board.
- (14) All heritage trees shall be protected and any native species trees of 20” caliper or more shall be retained to the extent possible.
- (15) All plants to be introduced as part of a landscaping plan shall be native species to the extent possible.

- (16) Water Supply - The development shall be served by a water supply meeting the requirements of Chapter 145, Board of Health, 310 CMR 22.00, and other relevant state or local requirements.
- (17) Sewerage – The development shall be served by the appropriate means of sewage disposal requirements of Chapter 145, Board of Health, 310 CMR 15.00 (Title V), 314 CMR 5.00, and other relevant state or local requirements.
- (18) Stormwater Runoff - An adequate drainage design shall be provided meeting the design standards and submission requirements of Harvard General Bylaw Chapter X and the Rules and Regulations adopted thereunder.
- (19) Environmental Protection – The Planning Board, in granting a Special Permit for a Senior Residence, may impose reasonable conditions to protect the environment, and the health, safety and welfare of the neighborhood, of residents in the proposed development, and of the general public. Such conditions may include, but shall not necessarily be limited to, requirements for the advanced treatment of wastewater effluent, the location of wastewater effluent disposal, and necessary limitations on the total number of dwelling units to prevent negative impacts on the groundwater and other existing or potential public water resources.
- (20) The Planning Board may find that buffers and/or screening may be necessary to lessen the impact of a specific development.
- (21) Solid Waste – Solid waste receptacles must be located in an inconspicuous location on the site and screened from view.
- (22) Conversion and Accessory Standards – The following additional criteria shall be applied to any accessory or conversion Senior Development Project in Harvard:
 - (a) Conversions may be permitted on any parcel where minimum parking, access, or utility services can be accommodated.
 - (b) Conversions must meet the requirements of Section 125-10, except that for the purposes of this Bylaw, Subsection C shall be waived and all references to the Board of Appeals shall be substituted with the Planning Board.
 - (c) Conversions are limited to the existing envelope of the current structure including non-livable spaces such as porches, garages, mudrooms, and basements.
 - (d) Conversions must preserve the existing building's design integrity, with special emphasis on important historic features or components of the building.
 - (e) Accessory units may be permitted on parcels where minimum parking, access, or utility services can be accommodated.
 - (f) The proposed dwelling is consistent in architectural style, scale, setbacks, and frontage with abutting structures, and those in the immediate neighborhood. Specifically, dimensions shall adhere to mean setbacks and lot coverage ratios.
 - (g) No traffic congestion, health or safety limitations would be created by the development.
 - (h) Parking layout, landscaping, buffering, and screening shall prevent direct views of parked vehicles from streets and sidewalks, avoid spill-over light, glare, noise, or exhaust fumes onto adjacent properties wherever feasible.

G. Procedures.

- (1) The special permit application, public hearing, and decision procedures shall be in accordance with this Section, the Planning Board's Rules and Regulations, and Sections 125-38, 125-39, and 125-46 of this Protective Bylaw.
- (2) The Applicant shall submit a Senior Residential Development Special Permit application together with the size, form, number, and contents of the required plans and any supplemental information as required in the Planning Board's Rules and Regulations.
- (3) Subdivision – If a Senior Residence development requires approval under the Subdivision Control Law, MGL, Ch. 41, the application shall contain a definitive subdivision plan as required by the Harvard Subdivision Rules and Regulations. The applications for a Senior Residence special permit and a definitive subdivision approval plan shall be filed concurrently. To the extent permitted by law, the Planning Board shall consider both applications at the same time.
- (4) All Senior Residential Development projects shall include review by the Town of Harvard Design Review Board as per the procedures of Chapter 133-57 as part of the Special Permit process.

H. Decision.

- (1) Planning Board Action – In evaluating a proposed Senior Residential Development, the Planning Board shall consider the general requirements of this Bylaw and of this Section in particular; the existing and probable future development of surrounding areas; and the appropriateness of the proposed site plan in relation to the topography, soils and other characteristics and resources of the tract of land in question.
- (2) The Planning Board may determine on a project by project basis that specific dimensional criteria may need to be adjusted via waiver based on surrounding land uses or particular characteristics of the property. Additionally, the Planning Board may allow for larger or smaller units, not to exceed 10%, for a specific project.
- (3) The Planning Board may grant a Senior Residential Development Special Permit with any conditions, safeguards, and limitations it deems necessary and appropriate to mitigate the project's impact on the surrounding area and to ensure compliance with this article, only upon findings that:
 - (a) The proposed Senior Residential Development will not have adverse effects that outweigh its beneficial effects on either the neighborhood or the Town, in view of the characteristics of the site and of the proposal in relation to that site, considering each of the following general criteria:
 - [1] Social, economic, or community needs which are served by the proposal;
 - [2] Traffic flow and safety;
 - [3] Adequacy of utilities and other public services; and
 - [4] Qualities of the natural environment.
 - (b) The design of neighborhood, building form, building location, egress points, grading, and other elements of the project contributes to:
 - [1] Protect and enhances Harvard's New England character, its environmental and historic resources, and scenic vistas, this shall include minimizing the number of removed trees six (6) inches trunk diameter and larger;
 - [2] Provide Common Open Space that benefits the residents of the Town and the Senior Residence development;
 - [3] Provide quality housing for Seniors with a range of incomes and physical abilities
 - [4] Provide pedestrian, bicycle, or vehicular safety within the site and ingress/egress;
 - [5] Minimize the visual intrusion of parking areas viewed from public ways or abutting premises;
 - [6] Minimize the volume of cut or fill, or reduce erosion; and

[7] Provide safer and more efficient access to each structure for fire and service equipment.

- (c) The Senior Residential Development meets the purposes, requirements, and development standards of this Section 125-57, and
- (d) The Senior Residential Development is consistent with the goals of the 2016 Harvard Master Plan and this Bylaw.

I. Senior Residential Development Types

This bylaw provides for seven (7) Senior Residential Development types as follows:

- (1) Single-Family Senior Detached Residential (SRD-1)
- (2) Two-Family Senior Detached Residential (SRD-2)
- (3) 3-4 Family Senior Residential (SRD-3)
- (4) Independent Senior Living Multi-Family Residential (ISLMR)
- (5) Senior Residential Village (SRV)
- (6) Assisted-Living Senior Residential (ALSR)
- (7) Continuing Care Retirement Community (CCRC)

Each section below encompasses most of the provisions necessary for the specific type. General provisions covering all developments shall be provided in Sections D-F. Applicants should also refer to Chapters 125-38, 39, 46, and 59, as these may be relevant to the application as well. Graphic depictions are intended as singular examples of the styles of development encouraged and not to be considered limitations to quality architectural design that may be considered.

- (1) Single-Family Senior Detached Residential (SRD-1) – Small- to moderate-sized development clusters of cottages or other small- to medium-sized single-family residences for seniors. SRD-1 projects can be located on small lots, as infill or other locations adjacent to existing residential development, as standalone accessory units on residential lots, or they may be larger projects with an appropriate scale of amenities befitting a community cluster.

(a) Dimensional and Other Criteria

Criteria	Minimum/Base	Maximum	Accessory
Project Size	2.0 acres	30.0 acres	1.5 acres per accessory unit up to 3
Density	2.0 units/acre	5.0 units/acre	0.67 units/acre
Number of Units	4 units	100 units	Four (4) including primary residence
Unit Size	800 sq.ft.	1,800 sq. ft.	800-1,800 Min./Max.
Bedrooms (Per Unit/Total)	2/12	3/300	2/3 Min./Max.
Building Height	Not Applicable	35'	35'
Project Open Space	30%	No Maximum %	Min. 30%
Setbacks Project Site Front Side Rear	30' 20' 10' 20'	None specifically but setbacks should be no greater than that which would result in a village-like	Same as underlying zoning

		design and clustering.	
Zoning Districts Permitted	AR		AR
Locational Criteria	SRD-1 development intended as ranging from single cottage accessory units and infill development to moderate planned communities of clustered cottages fronting a central green or other open space.		

(b) Permitted Uses

- [1] Single-Family Residences (SRD-1)
- [2] Cottage Accessory Residence (up to 3 per lot and requiring minimum 1.5 acres per additional residence). Parcels with cottage residences shall be required have at least one residence, primary or accessory, that is occupied by the owner. Cottages shall be clustered and not scattered throughout the site, not located in front yard setback area, and sufficiently screened and buffered from adjacent properties.

(c) Conditional Uses - Primarily for the benefit of residents and their guests

- [1] Indoor or outdoor recreational facilities
- [2] Community center or senior center
- [3] Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, or indoor or outdoor recreation facilities
- [4] Conservation or agricultural uses
- [5] Co-housing community
- [6] Other amenities within the developed area for the benefit of residents of the development and appropriate to the scale of the development.

(d) Other Required Criteria or Optional Development Elements

- [1] SRD-1 developments are intended for smaller detached senior living units and communities with either smaller lots in pedestrian-friendly neighborhoods or as smaller infill units in town or village/hamlet centers designed to be in character with the surrounding residences as applicable.
 - [2] SRD-1 projects may also be developed as free-standing single-family condominiums in planned residential clusters surrounding a central green or other common open space.
- (2) Two-Family Senior Detached Residential (SRD-2) – Small to moderate sized development clusters of two-family residences for 55 and over population. SRD-2 projects can be small lots located in infill or other locations adjacent to existing residential development or they may be larger projects with an appropriate scale of amenities befitting a community cluster.

(a) Dimensional and Other Criteria

Criteria	Minimum/Base	Maximum
Project Size	3.0 acres	10.0 acres
Density	4.0 units/acre	8.0 units/acre
Number of Units	12 units	80 units
Unit Size	1,200 sq.ft.	1,600 sq. ft.
Bedrooms (Per Unit/Total)	2/12	4/275
Building Height	Not Applicable	35'
Project Open Space	30%	No Maximum %
Setbacks		

Project Site	30'	None specifically but setbacks should be no greater than that which would result in a village-like design and clustering.
Front	20'	
Side	10'	
Rear	20'	
Zoning Districts Permitted	AR	
Locational Criteria	Small isolated clusters, as part of MXD communities, or as infill units in Town Center or other village center area.	

(b) Permitted Uses

- [1] Two-family residences

(c) Conditional Uses - Primarily for the benefit of residents and their guests

- [1] Indoor or outdoor recreational facilities
- [2] Community center or senior center
- [3] Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, or indoor or outdoor recreation facilities
- [4] Conservation or agricultural uses
- [5] Other amenities within the developed area for the benefit of residents of the development and appropriate to the scale of the development.

(d) Other Required Criteria

- [1] Design – Harvard two-family residences must adhere to one of three design options:

- [a] Shaker Double – A classically designed two-family resembling a single-family residence from the street and adapted to traditional New England architecture.
- [b] Corner Duplex – A classically designed duplex located at a corner with an acute angle no less than 120 degrees. Each façade must appear, to the extent possible, as single-family residence. Design shall be adapted to traditional New England architecture.
- [c] Other innovative two-family or duplex design that minimizes or camouflages the two-family character in keeping with small town New England character.

- (3) 3-5 Family Senior Residential (SRD-3) – Intended for infill or adaptive retrofitting or conversion of large single-family residences or structures such as barns for a 55 and over population. SRD-3 projects can be located in infill or other locations typically in town center locations. They may also be a part of a mixed unit type community but may be no more than 15% of the total unit count.

(a) Dimensional and Other Criteria

Criteria	Minimum/Base	Maximum
Project Size	See (c)[2]. Below	See (c)[2] Below
Density	4.0 units/acre or infill/reuse	8.0 units/acre or infill/reuse
Number of Units	Based on project size	Based on project size
Unit Size	400 sq. ft.	1,200 sq. ft.
Bedrooms	2	3
Building Height	Not Applicable	35'
Project Open Space	Infill: Mean of Adjacent	No Maximum %

	Reuse: Mean of Adjacent Mixed: Governed by Project	
Setbacks	Infill: Mean of Adjacent Reuse: Mean of Adjacent Mixed: Governed by Project	None specifically but setbacks should be no greater than that which would result in a village-like design and clustering.
Zoning Districts Permitted	AR, ARV-SP	
Locational Criteria	As part of MXD communities or as infill or conversion units in Town Center or other village center area.	

(b) Permitted Uses

- [1] Three- four-, and five-family residences

(c) Conditional Uses - Primarily for the benefit of residents and their guests and only within mixed unit type communities.

- [1] Conservation or agricultural uses
- [2] Other amenities within the developed area for the benefit of residents of the development and appropriate to the scale of the development.
- [3] For infill or conversions, one (1) accessory structure, including detached garage, not to exceed 40% of the floor area of the primary structure, having a setback of not less than 5' from any side or rear lot line, and upon completion along with the primary residence shall have no more than 60% lot coverage.

(d) Other Required Criteria

- [1] For adaptive reuse or conversion projects, an existing single-family residence may be modified for no more than five (5) Senior Residences. Eligibility shall be limited to:
 - [a] Sites within ¼ mile of the Town Center; a hamlet such as Still River or Shaker Village; or a concentration of commercial, service, or social activities.
 - [b] Buildings that can be adapted while retaining the outward appearance of a single-family residence. No exterior alterations of the structure are allowed except those necessary to comply with applicable health, building, or fire codes or for the purpose of enhancing or restoring the historic or architectural authenticity.
 - [c] Sites with sufficient space for the parking of one (1) vehicle per unit and one (1) space per three (3) units for visitors.
 - [2] For infill and adaptive reuse/conversion projects, the parcel shall remain undivided unless it can be so divided whereby each new parcel meets or exceeds the mean parcel size for the block in which it is located.
- (4) Independent Senior Living Multi-Family Residential (ISLMR) – Residents live in their own private dwelling spaces and have access to common areas where they can gather with other members of the community. Independent living can also be referred to as an active adult community, senior apartments, or a retirement community.

(a) Dimensional and Other Criteria

Criteria	Minimum/Base	Maximum
Project Size (Acres)		
• C or ARV-SP District	8.0	20.0
• AR District	5.0	10.0
Density (Units/Acre)		
• C or ARV-SP District	10.0	16.0
• AR District	7.0	14.0
Unit Size	450 sq.ft.	2,000 sq. ft.
Number of Units		
• C or ARV-SP District	60 units	210 units
• AR District	30 units	105 units
Bedrooms (Per Unit/Total)	1/100	3/800
Building Height	No Minimum	35'
Project Open Space (%)		
• C or ARV-SP District	25%	No Minimum %
• AR District	35%	
Setbacks - Project Site		
• C or ARV-SP District	50'	No Maximum
• AR District	100'	
Zoning Districts Permitted	AR, ARV-SP, C	
Locational Criteria	Located on a minor or major arterial road ideally near local services such as institutional and commercial nodes, major intersections, and denser concentrations of residences.	

(b) Permitted Uses

- [1] Independent Living Multi-Family Residences (ISLMR)
- [2] Community center or senior center
- [3] Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, or indoor or outdoor recreation facilities
- [4] Conservation or agricultural uses

(c) Conditional Uses¹ - Primarily for the benefit of residents and their guests

- [1] Retail, up to a maximum of 5,000 sq. ft.
- [2] Personal services, up to a maximum of 2,500 sq. ft.
- [3] Restaurant, café, or coffee shop
- [4] Medical or related office or clinic
- [5] Other amenities within the developed area for the benefit of residents of the development and appropriate to the scale of the development.

¹ The aggregate floor area for the nonresidential uses shall not exceed ten (10) percent of the total gross floor area of the buildings in the development. These uses shall be incidental and subordinate to the principal residential uses in the Senior Residential Development

(d) Other Required Criteria

- [1] ISLR projects in or adjacent to AR district may be required to provide additional buffering and screening.
- [2] ISLR projects in C or ARV-SP zoning required to have at least 10% of floor area dedicated to commercial or office use. Such uses may be open to the general public.

- (5) Senior Residential Village (SRV) - A village-like mix of residential types for 55 and over population. SRV projects are a low- to medium-density planned residential development for aging “in community” on a single parcel or may be planned as a subdivision. Some non-residential uses may be permitted to create a genuine walkable mixed-use senior village development.

(a) Dimensional and Other Criteria

Criteria	Minimum/Base	Maximum
Project Size	12.0 acres	40.0 acres
Density	4.0 units/acre	12.0 units/acre
Unit Size/Mix		
Single-Family Unit Size/Mix	500 s.f. / 15%	1,800 s.f. / 50%
Two-Family Unit Size/Mix	750 s.f. / 15%	1,600 s.f. / 15%
Townhouse Unit Size/Mix	750 s.f. / 0%	1,800 s.f. / 15%
Independent Living Unit Size/Mix	500 s.f. / 20%	2,500 s.f. / 40%
Number of Units	28	290
Bedrooms	Studio	3
Building Height	NA	35'
Project Open Space	40%	No Maximum %
Setbacks		
Project Site	75'	None specifically but setbacks should be no greater than that which would result in a village-like design and clustering.
Front	20'	
Side	10'	
Rear	20'	
Zoning Districts Permitted	AR	
Locational Criteria	Should be located on a major or minor arterial roadway and adjacent to existing residential development and ideally near local services such as institutional and commercial nodes.	

(b) Permitted Uses

- [1] Single-Family Residences
- [2] Two-Family Residences
- [3] Townhouses
- [4] Independent Living Multi-Family Residences
- [5] Community center or senior center
- [6] Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, or indoor or outdoor recreation facilities
- [7] Conservation or agricultural uses

(c) Conditional Uses² - Primarily for the benefit of residents and their guests

- [1] Retail, up to a maximum of 5,000 sq. ft.
- [2] Personal services, up to a maximum of 2,500 sq. ft.
- [3] Medical office or clinic
- [4] Co-housing community
- [5] Other amenities within the developed area for the benefit of residents of the development and appropriate to the scale of the development.

(d) Other Required Criteria

- [1] SRV developments are intended to be planned residential projects with a comprehensive site development plan that meets all of the residential design guidelines for the Town of Harvard.
 - [2] SRV developments must establish a specialized type of homeowners or resident association to provide core Village services.
- (6) Assisted-Living Senior Residential (ALSR) – Communities that offer a multi-faceted residential setting that provides personal care services, 24-hour supervision and assistance, and activities and health-related services for seniors.

(a) Dimensional and Other Criteria

Criteria	Minimum/Base	Maximum
Project Size	15.0 acres	30.0 acres
Density	4.0 units/acre	10.0 units/acre
Number of Units	25	150
Unit Size	750 sq.ft.	1,800 sq. ft.
Bedrooms (Per Unit/Total)	1/40	4/600
Building Height	No Minimum	35'
Project Open Space	50%	No Maximum %
Setbacks		
Project Site	50'	None
Front	100'	
Side	50'	
Rear	50'	
Zoning Districts Permitted	C, ARV-SP	
Locational Criteria	Should be located on a major or minor arterial roadway and adjacent to existing residential development and ideally near local services such as institutional and commercial nodes.	

(b) Permitted Uses

- [1] Assisted-Living Residences (ALSR)
- [2] Personal services, up to a maximum of 2,500 sq. ft.
- [3] Medical office or clinic

² The aggregate floor area for the nonresidential uses shall not exceed ten (10) percent of the total gross floor area of the buildings in the development. These uses shall be incidental and subordinate to the principal residential uses in the Senior Residential Development

- [4] Community center or senior center
- [5] Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, indoor or outdoor recreation facilities, and administrative offices
- [6] Conservation or agricultural uses

(c) Conditional Uses³ - Primarily for the benefit of residents and their guests

- [1] Retail, up to a maximum of 5,000 sq. ft.
- [2] Other amenities within the developed area for the benefit of residents of the development and appropriate to the scale of the development.

(d) Other Required Criteria

- [1] Shall meet the minimum criteria for Assisted Living Facilities delineated in §125-52(I)
- [2] ISLR projects in C or ARV-SP zoning required to have at least 10% of floor area dedicated to commercial or office use. Such uses may be open to the general public.

(7) Continuing Care Retirement Community (CCRC)— Continuing Care Retirement communities are planned communities with accommodations for independent living, assisted living, and nursing home care. An aging adult can spend the rest of their life in a CCRC — sometimes referred to as a life plan community — moving between levels of care as needed.

(a) Dimensional and Other Criteria

Criteria	Minimum/Base	Maximum
Project Size	20.0 acres	40
Density	5.0 units/acre	14.0 units/acre
Number of Units	No Minimum	210
Unit Size/Bedrooms/Mix <ul style="list-style-type: none"> ▪ Independent Living or Townhouse <ul style="list-style-type: none"> ○ Studio ○ 1BR ○ 2BR ○ 3BR ▪ Assisted Living Units <ul style="list-style-type: none"> ○ 1BR ○ 2BR ▪ Skilled Nursing Units ▪ Hospice Care 	50% of units (20% Inclusionary) 400 sq. ft. [0%] 600 sq. ft. [40%] 900 sq. ft. [40%] 1,400 sq. ft. 20% of units (20% Inclusionary) 600 sq. ft. 900 sq. ft. 20% of units (20% Inclusionary) 0% of units (20% Inclusionary)	70% of units (20% Inclusionary) 650 sq. ft. [15%] 1,100 sq. ft. 1,600 sq. ft. 2,500 sq. ft. 30% of units (20% Inclusionary) 900 sq. ft. 1,300 sq. ft. 30% of units (20% Inclusionary) 5% of units (20% Inclusionary)
Building Height <ul style="list-style-type: none"> ▪ Congregate Building ▪ Other Buildings/Structures 	No Minimum No Minimum	40' 35'
Project Open Space	50%	No Maximum %

³ The aggregate floor area for the nonresidential uses shall not exceed ten (10) percent of the total gross floor area of the buildings in the development. These uses shall be incidental and subordinate to the principal residential uses in the Senior Residential Development

Criteria	Minimum/Base	Maximum
Useable Open Space (% of total OS)	75%	
Setbacks		None
Project Site	50'	
Front	100'	
Side	50'	
Rear	50'	
Parking Structures	100'	
Zoning Districts Permitted	C	
Locational Criteria	Should be located on a major or minor arterial roadway and adjacent to existing residential development and ideally near local services such as institutional and commercial nodes.	

(b) Permitted Uses

- [1] Single-Family Residences
- [2] Two-Family Residences
- [3] Independent Living Residences
- [4] Assisted-Living Residences
- [5] Skilled Nursing Units
- [6] Hospice Care Units
- [7] Congregate Structure
- [8] Community center or senior center
- [9] Accessory uses for residents, employees, and guests, such as central or common dining facilities or laundry facilities, indoor or outdoor recreation facilities, and administrative offices
- [10] Conservation or agricultural uses

(c) Conditional Uses⁴ - Primarily for the benefit of residents and their guests

- [1] Retail, up to a maximum of 5,000 sq. ft.
- [2] Coffee shop
- [3] Personal services, up to a maximum of 2,500 sq. ft.
- [4] Medical office or clinic
- [5] Rehabilitation and physical therapy facilities, including wellness center, swimming pools and Jacuzzis.
- [6] Auditoriums, meeting rooms, or libraries
- [7] Other amenities within the developed area for the benefit of residents of the development and appropriate to the scale of the development.
- [8] Living quarters for support staff
- [9] Bank or ATM machine

Note that the aggregate of non-residential uses and space within buildings and structures shall not exceed 25% of the total area of residences.

(d) Other Required Criteria

⁴ The aggregate floor area for the nonresidential uses shall not exceed ten (10) percent of the total gross floor area of the buildings in the development. These uses shall be incidental and subordinate to the principal residential uses in the Senior Residential Development

- [1] Buildings shall be in accordance with an overall plan and shall be designed as a single architectural scheme reflecting the traditional New England design predominant in Harvard. No single wall face shall have a horizontal dimension in excess of 175 feet.
- [a] Structure and site designs which blend the scale of residential units, institutional structures and professional office space;
 - [b] Minimization of traffic impacts and safe design of all ways, vehicular and pedestrian;
 - [c] Maximization of preservation of natural features and the protection of wetlands, scenic vistas and open spaces;
 - [d] Structure and site designs which meet the specific needs of the elderly;
 - [e] Site plan design which visually emphasizes building design and landscaped areas and minimizes the visual impact of parking areas;
 - [f] Site plan design which creates open space by using cluster principles.
 - [g] Enclosed walkways and/or unenclosed walkways connecting all buildings shall be permitted.
 - [h] Structures shall be located on the site so as to provide for the privacy of residents adjacent to the CCRC.

Definitions.

ASSISTED LIVING RESIDENCE --An assisted living residence is a long-term senior residential facility that provides personal care support services such as meals, medication management, bathing, dressing, and transportation, principally for people age 55 years and over, and certified by the Massachusetts Office of Elder Affairs.

ASSOCIATED SERVICES: a program of resident services primarily for the benefit of the residents of the CCRC.

CO-HOUSING – A semi-communal housing development consisting of a cluster of private homes and a shared community space (as for cooking or laundry facilities).

CONGREGATE STRUCTURE - a structure which provides a range of housing and support services. The structure may contain, but is not limited to, the following uses: Dwelling units with kitchen facilities; bedrooms with a bathroom and sitting area or without kitchen facilities; and common, social, and recreational areas such as dining rooms, libraries, and indoor and outdoor recreation facilities and gardening areas.

CONTINUING CARE RETIREMENT COMMUNITY --A Senior Residential Development that provides a continuum of senior housing and care services principally for people age 55 years and over, operated or sponsored as a coordinated unit by a corporation or organization, having among its principal purposes the provision of housing and associated services for senior citizens. A CCRC shall include a variety of housing types and may also include semi-institutional facilities such as skilled nursing care or a rehabilitation facility.

COORDINATED UNITS: a building or group of buildings under common management which provide housing and associated services which assist seniors in maintaining an independent lifestyle.

INCLUSIONARY HOUSING – A local policy that ties the creation of homes for low-and moderate-income households to the construction of market-rate residential development. A local zoning ordinance that either requires or encourages a developer to include affordable housing as part of a development, or contribute to a fund for such housing. The bylaw may provide incentives such as increased density, reduced parking requirements, or expedited permitting in exchange for the affordable housing.

INDEPENDENT LIVING UNITS --Multifamily buildings in a Senior Residential Development that are designed and intended for occupancy principally by people age 55 years and over, with units that include some basic services such as meals, housekeeping, grounds maintenance, security, and common areas and common facilities for events and activities benefiting residents of the development.

INFILL DEVELOPMENT LOT – Any lot within developed areas of the town, which has remained vacant between two developed lots, or a subdividable part of a lot that has at least as much lot area as each of the adjacent lots and at least as much lot area as the median lot size of the block in which it is located.

DWELLING, COTTAGE: A detached one-family dwelling that does not exceed 1,800 sq. ft. of livable floor area (meaning the heated floor area of the building above finished grade, excluding non-dwelling areas such as attic space or a garage).

DWELLING, SINGLE-FAMILY DETACHED --A dwelling other than a mobile home, singly and apart from any other building, designed or intended or used exclusively as the residence of one family.

DWELLING, TOWNHOUSE OR SINGLE-FAMILY ATTACHED --A residential building of at least three but not more than eight single-family dwelling units sharing at least one common or party or fire wall, and with each building having at least one floor at ground level with a separate entrance.

DWELLING, TWO_FAMILY -- A detached residential building designed or intended or used exclusively as the residence of two families. A two-family dwelling shall not include a detached single-family dwelling with an accessory apartment.

DWELLING, MULTIFAMILY --A building designed or intended or used as the residence of three or more families, each occupying a separate dwelling unit and living independently of each other, and who may have a common right in halls and stairways; with the number of families in residence not exceeding the number of dwelling units provided.

SENIOR HOUSEHOLD: Any household having at least one person 55 years or older.

SENIOR PERSON: Any person having reached the age of 55 years (also Elderly)

On a motion by Justin Brown, 15 Park Lane, Planning Board and seconded,
I move that the Town table this article.

Quantum of Vote on tabling Article 9: Majority

Vote on tabling Article 9: Passed Unanimously

The meeting was dissolved at 12:52 p.m.

Checkers for the meeting were Cary Browse, Nancy Cronin, Steven Cronin and Marc Sevigny. They checked in 108 voters out of a total of 4,501 registered voters (4,386) active voters).

Counters for the meeting were: Bruce Nickerson, Patricia Jennings, Eric Ward and SusanMary Redinger.

Respectfully submitted,

Marlene Kenney
Harvard Town Clerk