

TOWN OF HARVARD

PROCEDURE FOR

PARTNERING ON A LOCAL INITIATIVE PROGRAM PROJECT

1. A project may be recommended to the Board of Selectmen for consideration as a Local Initiative Program (LIP) project under Massachusetts General Laws Chapter 40B (“Chapter 40B”), Sections 20-23, 760 CMR 56.00 and DHCD Local Initiative Program (LIP) by the Harvard Housing Partnership, the Harvard Housing Authority, the Trustees of the Municipal Affordable Housing Trust Fund, or another local entity engaged in providing or improving affordable housing in Harvard. The Planning Board may also recommend a project for consideration as a LIP.
2. Upon receipt of recommendation for consideration as a LIP, the Planning Board shall request that the Developer provide qualifications and past projects of the Developer, particularly those built under Chapter 40B and/or as a LIP, any past or current litigation involving 40B or LIP projects as well as a list of references that includes contact name, address and telephone number. All qualifications, past projects, references and results of reference checks shall be documented and made available as a matter of public record.
3. A Developer seeking consideration of a project as a LIP shall submit to the Planning Board eight (8) copies of the following information for distribution to other Town boards and interested parties:
 - the name and address of the Developer;
 - the address of the proposed site and site description (to include wetlands, waterways, easements and land holding any conservation, recreation or other restrictions. It should also include a description of any existing buildings and their uses;
 - a locus map identifying the site within a plan of the neighborhood, accompanied by photographs of the surrounding buildings and features that provide an understanding of the physical context of the site to include wetland boundaries;
 - a tabulation of proposed buildings with the number, size (number of bedrooms, floor area), and type (ownership or rental) of housing units proposed;
 - conceptual design drawings of the site plan and exterior elevations of the proposed buildings, along with a summary showing the percentage of the land to be occupied buildings, parking and other paved areas, and by open areas. Also included in the summary shall be the number of parking spaces, and the ratio of parking spaces to housing units;
 - a narrative description of the approach to building massing, the relationships to adjacent properties, and the proposed exterior building materials;
 - a tabular analysis comparing existing zoning requirements to the Waivers requested for the Project;
 - Preliminary soil testing results and locations; as well as estimated or determined wetlands locations to support the viability of the proposed development
 - Traffic impact/study statements

4. The project should offer clear benefits to the community above a conventional (or “unfriendly”) Chapter 40B development. In order to be considered as a LIP project, certain benefits are necessary while others are beneficial but not all required.

Required benefits shall include:

- innovative site design
- a percentage of affordable units (in excess of the mandatory 25%)
- building density that does not maximize development of the site

Other benefits include but are not limited to:

- a location which is in harmony with the needs of the community
- architecture which blends in with and compliments the immediate neighborhood
- provision for enhancements to site and surrounding neighborhood (landscaping, drainage, etc.)
- ability to meet other town housing needs (such as: senior housing, workforce housing, rental housing)
- Energy efficient design and construction
- a financial contribution from the sale of “market rate units” to the Harvard Municipal Affordable Housing Trust Fund, or other organization identified by the Board of Selectmen

All benefits shall be clearly identified before a preliminary agreement is entered into between the Town of Harvard and the Developer and made available as a matter of public record.

5. The Planning Board will hold a duly posted public hearing within 30 days after receipt of all the information indicated in paragraph 3 above for the Developer to present the proposed project and for the public, other Town Boards and other Town entities to comment and/or raise concerns. All information and documents, as described in paragraphs 1 through 4, shall be made available at that public hearing. The Planning Board shall allow a minimum of 30 days following the close of the public hearing for all interested parties to submit written comments, which shall be accepted and made part of the public record.
6. The Zoning Board of Appeals shall be excluded from this process in order to preclude any potential issues of prejudice or bias should the project result in an Application for a Comprehensive Permit.
7. Within sixty (60) days following the close of the public hearing, the Planning Board shall decide whether or not to recommend a LIP endorsement and submit their recommendation and supporting information to the Board of Selectmen.
8. The Board of Selectmen shall inform the Developer of its decision and should the Board of Selectmen decide to proceed with a LIP Application, the Board of Selectmen shall provide a written report to support the decision and include all of the information, documents, results of reviews and comments made by the Planning Board, Board of Health, Conservation Commission, the public and other interested parties as part of the LIP Application. This information shall also be included in the Comprehensive Permit Application to the Zoning Board of Appeals.
9. Whenever possible, the Developer shall provide an electronic version of the information being presented at the “All Boards Hearing” so that the Planning Board will be able to provide this information on the Town of Harvard website, enabling residents that may be unable to make such a hearing to be able to view and provide written comments.