

**Harvard Devens Jurisdiction Committee
Small Meeting Room, Harvard Town Hall
Minutes of the July 9, 2018 Meeting
Paul Green, Clerk**

Members Present: SusanMary Redinger, Lucy Wallace, Kara Minar, Erin McBee, Victor Normand. Paul Green, Tim Myllykangas, George Glazer, Heather Knowles.

No Members Absent.

Minutes

The meeting was called to order by Lucy Wallace at 8:05 am.

Each member introduced themselves, in turn.

Lucy: When the base was announced for closure, the towns were really stunned. Prior to that, the Army had invested in upgrading the intelligence school facilities there. It looked like it was going to be a major intelligence facility. So when several years later the base was announced for closure, the towns got together and created the Joint Boards of Selectmen, to figure out what we were going to do. The state stepped in. Instead of the towns doing the redevelopment, with funds from the federal government to help with the transition, Governor Weld issued an executive order and said that the state would be the redevelopment entity, and MassDevelopment's precursor, the Land Bank, would take over. That created a lot of tension from the get-go. The towns were involved in the Devens reuse planning process. The Reuse Plan is online. The [Devens] By-Laws that govern Devens are online. Chapter 498 [of the Acts of 1993] is the law that set up how Devens will be redeveloped and gave us the deadline of 2033 to go back to the Legislature with a plan for how Devens is going to be managed at the local level. I've worked at various levels to see how the outcome of Devens could be beneficial for the communities and for Harvard. Devens was almost a quarter of Harvard's land mass when it was an Army base. Because the state stepped in and pushed its vision, the towns felt overlooked or pushed to the side. We probably would not have had the success that we've had if the state had not stepped in. The three towns (originally four towns; Lancaster stepped aside because they had no interest in the north post) would have had a difficult time. It is good to acknowledge the work of the state. There are infrastructure improvements. They worked with the Army to clean up the pollution; Devens was [still is] a superfund site. What was bad was that the towns did not look at the redevelopment as a part of our future; we stepped back. We were not particularly welcoming when the first residents moved in. It has been difficult for Harvard to overcome this start. The school contract has made a big dent in that problem. We now have families interacting and kids playing on teams together. Seniors on Devens can participate in our COA but we cannot provide transportation for seniors on Devens. We do not get funding from MassDevelopment to cover that cost. We are not allowed to provide social services to seniors on Devens, which is a big part of what the COA does. I hope as we go through this process we can encourage cross-fertilization of the different generations, not just of the education of children. 2033 is around the corner. Things in this town go at a snails pace. Thatcher Keezer said that it is not too soon to start planning for the next phase. I agree with Kara that you [Devens residents] are disenfranchised. You can vote for me or for SusanMary but you can't vote for your budget. That's been a problem.

Heather: They [MassDevelopment] say they are transparent, but the budget is not related to my property taxes. The taxes go up every single year by 2.5%. There is no justification for it. Over 17 years, that's led to property taxes that are 50% higher than when we first came in.

Lucy: I think it is important to move ahead. I've brought copies of the charge of this committee. The town has said that we should develop a plan to resume jurisdiction over its portion of Devens. This is the first step in a collaborative negotiation with Shirley and Ayer and MassDevelopment. Particularly Ayer, as Shirley has a well-defined portion of Devens and a plan for how they are proceeding. We will have a proposal that is comfortable for Harvard, and then we can negotiate with the other entities. There will be give and take. These 3 towns and MassDevelopment will start [to create a formal plan] 2031, submit it 2032 to the legislature, and then by 2033 the legislature has to vote on it. I'd like to go over this charge now to see if people are comfortable with it.

[Pause while members take the time to review the charge]

Kara: We should include the Nashoba Valley Chamber of Commerce in our discussions. They cover the region. We want to be sure the business community does not fear what is brewing in Harvard. They can be confident it will not change their permitting.

Erin: Do the large companies participate in the Chamber of Commerce? How do they keep abreast of what's going on?

Tim: Participation varies. They try. Bigger companies have a government relations person. Smaller companies pass the role around; they are usually pretty good about it.

Heather: What existing entities will survive after disposition? JBOS, DEC?

Lucy: We can recommend to keep them or not. We could say that the one-stop permitting has been really important to the vibrancy of Devens. We could change how the members are appointed, because it takes years to get the governor to appoint people. It could be up to the local communities, with some regional representation. I think that some folks in the statehouse think it would be good for towns to have [one-stop permitting] to facilitate development in the communities.

Paul: One of the things we learned on the [Devens] economic analysis team was that the state has invested over \$200 million in the redevelopment. They relaid out the roads. They redid all the utilities. The Army has paid for the cleanup but it isn't done. It is still a Superfund site. There are areas that have yet to be cleaned-up; Salerno Circle for example. There are other areas that can't be cleaned up because they are wetlands; they just have to be monitored while Mother Nature cleans them up. [Devens] is seen by the state as a jewel for the region. They have managed to replace many, if not all, numerically, of the jobs that were lost when the base closed. They have brought in important industries. There is significant amount of housing there. When this [the redevelopment] got started, one of the goals was to reduce the cost of housing. The recession kind of took care of that, at least temporarily. I think one of the things the state government (MassDevelopment, Legislature, Governor) is what kind of stewards will the towns be of this resource. We need to convince them that we will do a good job running this when we resume jurisdiction. If we ran it the way we run Harvard, the grass would be a lot longer, just to pick the most trivial example I can think of. I think it is important to understand why industry goes to Devens. There are a couple of reasons. It is hard to find significant plots of developable land in eastern Massachusetts where you can have below-market electric rates, a 75-day permitting process from the time you submit your paperwork to the time you can put a shovel in the ground. That's unheard of. You can't do much better than having land, all the utilities, and a quick permitting process. We jigger with those conditions at our peril. Any time we propose a change to any of those things, we have to consider how that makes Devens sit competitively against other areas from southern NH or Maine to northern CT. Devens is an economic magnet for this region and we need to figure out a way to protect that. We [the

DEAT] looked at how other multi-town industrial parks manager their facilities. There are some other examples of industrial parks that span municipal boundaries. There aren't examples of multi-town industrial parks that include a housing component. Devens is unique in that respect.

Lucy: Isn't there one in Mansfield area?

Paul: It is in Plymouth. [Oops. I was thinking of the Myles Standish Industrial Park in the City of Taunton, managed by the non-profit Taunton Development Corporation. It is entirely within the boundaries of Taunton. See <http://tauntondevelopment.org>. They also manage the nearby Liberty and Union Industrial Park.]

Lucy: If we are [also] rebuilding our town, we have to think about what attracts people to live there. The housing along Grant Road is in a beautiful spot. We have to look at it as a complete community with a large commercial base, which is very beneficial to this town. We have to be careful that we are not perceived as going in to grab the goodies. There is more to it than the commercial base and revenues. How do we keep the businesses there? How do we manage the open space? How do we use the recreational lands? The recreational lands are extensively used on the weekends. Maybe that's something that the residents would like to see backed-off. [It could go either way.] Mirror Lake is beautiful. There are opportunities for housing that Harvard doesn't offer. Because Devens has infrastructure that Harvard lacks, there is the ability to offer housing for Harvard residents to down-size. How does this help us with our housing strategy? Then there is the whole thing with Vicksburg Square. There is a lot in play. The overall question in my mind is "How are we re-knitting our community?"

Kara: [I'd like to follow up on] the balance between it being community and a business space. The [Harvard] planning board pushed back when MassDevelopment proposed a 20 acre site with a mishmash of zoning and no buffer. We had already dealt with people who had issues from Evergreen Solar. We pushed back and took quite a bit of heat for that. You have to engage with the business community but you also have to consider the quality of life of the people who live there. The folks at Devens really didn't have a voice in that process.

Heather: Zoning will be the biggest battle. What percentage of the land will MD still own at build-out? A lot of the things that you think of as open space aren't really open space. Rogers Field was just changed to open space. The Zoning is a mess, in my opinion. What we thought is our community park is now a parking lot. It is the backside of land that was behind the library. It was sold to a plastics company. MassDevelopment is protecting their investment; they own those lands. If they are going to give power to the 3 towns to zone that land, it will affect the value of that land. I think that zoning will be one of the big negotiations with MassDevelopment. Harvard can bring zoning to the party. Harvard has done a good job with zoning in the past.

Lucy: The buffer between commercial and residential development is something we need to look at. The businesses won't want us to throw the zoning out; they will all be grandfathered.

Heather: I'm not concerned about rezoning things that are already there. Going forward, if things are not fully built out, then Harvard will have a say in the zoning. You can keep it, but there can be some tweaking.

Kara: We also need to figure out the housing cap (292). The senior housing is above the cap. We will need to figure out what is the balance. Once we set the precedent that we were willing to exceed the cap, it is very difficult to put that genie back in the bottle. We have to figure out a plan for growth that makes sense.

Erin: Do we want to change the charge?

Lucy: No. This is the charge the selectmen adopted. This is a start. We can look at additional items. If there is a big piece of this that we think we should be authorized to undertake, then we can ask the Selectmen to add more pieces.

Kara: The draft RFQ is the skeletal framework for thinking about this.

Lucy: Before our next meeting, please look at the Reuse Plan, look at our 2016 Master Plan; both are online. You don't need to look at the By-Laws. Look at the recommendations in the Master Plan on Devens. The consultant discusses how resuming jurisdiction over Devens impacts Harvard's long-term master planning. Chapter 498 is also online.

Lucy: I will speak with Julie about creating a web page on the town web site for us. We can add links to these documents. The ad-hoc committee created a draft RFQ for a consultant; I will get that posted. We can read the documents and at our next meeting, speak about what we want to work on. Even small working groups (anything more than one person) are a committee, and have to post an agenda 48 hours in advance, take minutes, and all of the rules. You can't do a reply-all to group email.

Erin: Minutes are due within 30 days of the meeting.

Paul: Everyone needs to get sworn in by the Town Clerk, and take the state's conflict of interest test, and sign the receipt of open meeting law materials.

Lucy: Think about what you are willing to do. We should set a regular meeting time and day. Think about what works for you.

Kara: Nominate Paul for Clerk. 2nd by Lucy. (Approved unanimously).

Lucy: Nominate Heather for Vice Chair. 2nd by Erin. (Approved unanimously).

Lucy: Nominate Victor for Chair. 2nd by Kara. (Approved unanimously).

Victor: The conversation today reminds me how complicated and multi-faceted Devens really is. Our challenge as a committee will be to stay organized. We could spend months on one topic. Another challenge is that committees often develop a mindset and lose objectivity. Ultimately the work of this committee will come under the scrutiny of this town. We should always bear in mind that there are two sides to every issue. We need to allow enough time to look at things from every direction, even if, as a committee, that we need to do that. There is a lot of information to digest for the next meeting. I recommend that people really focus on reading the Master Plan. The master plan raised a lot of important issues and organized it well. It has no answers to those issues. It represents a comprehensive overview of what needs to be done going forward.

[The committee discussed the next meeting date.]

The second meeting will be Wednesday, August 8, 9 am for an hour at Town Hall in Harvard.

The third meeting will be Thursday, September 6 at 9 am for an hour at 33 Andrews Parkway in Devens.

Lucy: We need to think about our funding request for next year's Town Meeting.

Victor: Move to adjourn. [The meeting adjourned at 9:04 am]

References to Devens Documents

The following web page contains links to Chapter 498 of the Acts of 1993, which established the Devens Enterprise Zone, to the Devens Reuse Plan, to the Devens Zoning Bylaws, and to the Town of Harvard Master Plan, 2016 edition, and other documents related to Devens.

<https://www.harvard.ma.us/devens/pages/related-documents>

The main web page for Devens, created and managed by MassDevelopment is:

<https://devenscommunity.com>