

**Harvard Devens Jurisdiction Committee  
Meeting Held at Harvard Town Hall, Harvard, MA  
Minutes of the December 6, 2018 Meeting  
Paul Green, Clerk**

## **Attendance**

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

**Members Absent:** Heather Knowles.

**Guests:** Chris Ryan (Town of Harvard), Bob Ruzzo (MassDevelopment), Jim DeZutter (DEC Member), Ed Starzec (MassDevelopment)

## **Approval of Minutes**

The meeting was called to order by Victor Normand at 9:00 am.

Tim moved to approve the minutes and SusanMary seconded the motion. The committee approved the minutes by majority vote, with one member abstaining.

## **Town Updates**

We discussed engaging department heads and committee chairs in town. We have sent an initial letter, and we have created a list of committee members who are assigned to each contact.

Tim passed out copies of a first draft of talking points for us to use when speaking with our contacts. The goal is to engage, open a dialog, and let them know that we want to know their key concerns. We are still working at a high level, and we expect that there will be more contacts and opportunity for engagement in the future. Victor stressed that the point of this memo is to ensure that each of our committee members is “on the same page” as we engage with town representatives. The memo presents speaking points, it is not another letter. [Ed: A copy of the draft is attached as an appendix to these minutes.]

Suggestions made during the discussion included adding an item that we plan to engage a professional consultant to help guide us in this effort. The information that we gather in this stage will help inform the eventual consultant.

Victor asked for someone to collate all of the responses. Paul offered to do this. Victor asked committee members to forward comments from town representatives to Paul. The feedback can be written statements or notes made during the interview.

Since town representatives are currently focused on preparing their FY20 budget requests, there may be some delay in attending to our request. Victor asked that we start now and just keep at it.

Victor asked Paul to mail out a list of the assignments and the corresponding email addresses. Paul passed out a sorted version of SusanMary’s assignment list, which currently lacks email addresses.

SusanMary suggested that we aim for January 15 to get the comments to Paul. If we can’t meet that deadline, then please work with the department head or committee chair to set up a specific meeting date, and give Paul a date by which you will report back to him.

Chris wrote a response on behalf of the Planning Board and sent it to Julie. Erin will follow up and send it to Paul for distribution to our committee.

## **MassDevelopment Updates**

We discussed the communication that we plan to send to MassDevelopment. Victor asked people to submit their comments in writing to him. He nominated Chris, Lucy, to serve with him on a small committee to compile the comments.

See the Appendix for a compilation of committee written statements submitted ahead of time, and a summary of their statements made during this meeting.

Ed commented that the intended outcome of the 2B process was quite complicated and that the Memoranda of Understanding (MOUs) were detailed. He explained that, as an example, MassDevelopment would have needed to build a cemetery. He further mentioned that the process of moving town and county lines was “a huge boulder to push.”

Bob noted that convincing MassDevelopment that something has to be done is not the real issue; they already know that. He felt that the most difficult phase of any policy is implementation. He acknowledged that Harvard has made an interim decision to go forward but then noted that he was not sure that MassDevelopment would move forward without knowing that Ayer and Shirley are on the same track. He applauded Harvard for going first and emphasized that local contributions and moving together with the other towns will be important. He then noted that the Reuse Plan is old and asked whether we (the towns and MassDevelopment) should revitalize it first. He suggested that the roadmap for future work will be the updated Reuse Plan. He finished by noting that enthusiasm waxes and wanes, and that the towns should think about ways to ensure to stay engaged in the process over the years to come. He said “Having skin in the game is important to ensuring that people stay engaged.” He suggested that the towns lay out the mechanisms by which they will stay engaged, in order to give confidence to MassDevelopment.

## **Political Update**

Not a topic for this meeting.

## **Pending Task Assignments**

Lucy will ensure that the Select Board’s budget for FY20 will include sufficient funds to support printing and mailing a report from this committee to all residents.

Victor will contact the new head of Devens, once one has been appointed.

SusanMary will ask Julie for an email address for our committee from the Town.

Paul will post the next meeting for January 3, 2018 at 9am at Harvard Town Hall. [Editor: This has been done.]

Paul will obtain the list of email addresses for department heads and committee chairs from Julie Doucet, and will obtain email addresses for Ayer, Shirley, and the reps from Victor.

Paul will send approved minutes, via email, to representatives of Ayer, Shirley, and MassDevelopment.

Paul will check into adding documents (including the 2002 Tri-Town review) to our web page.

Erin will forward Chris Ryan's response to Paul for distribution to the entire committee.

## **Adjournment**

Victor adjourned the meeting at 10:00 am.

## **Attachments**

1. Talking Points for Meetings with Department Heads and Committee Chairpersons.
2. Liaison Assignments, Sorted by HDJC Member.
3. Compilation of HDJC Member Statements on Requesting Support from MassDevelopment.

Victor,

Draft below for your review. I tried to soften the approach in light of the past attempts/ issues on this project, and the fact that the group that leads typically is viewed somewhat skeptically as having an agenda. Feel free to edit. I'll bring a few copies tomorrow.

I tried to cover these points;

1. Engage
2. Identify Key Issues
3. Open-up Dialogue

Dear <Interested Party>,

We would like to ask you to engage with us as we start to formulate a high-level plan regarding the future of Devens. As part of this planning process, our committee first wants to start with the various groups that would be involved with/impacted by this process to make sure; 1) we have open dialogue with each group, 2) gather input from each group to understand their various perspectives, and 3) identify the top issues for each group. We expect this to be a step-by-step process with time to discuss all issues and concerns as we move ahead. We are not looking to get into great detail at this point, but more to understand the high-level points. There will be multiple opportunities for all of us to discuss this and to get into greater detail as time moves on.

Our committee is open to meeting with any group that would like to do so. We do not have all of the answers so are not starting with any assumptions about how this will come together. Our goal is to start to develop a plan that will eventually reflect input from each group and be satisfactory to all.

One of our committee members will be following up with you to set up a time for a call or meeting to speak with you.

We look forward to speaking with you and to working together as we move forward.

Sincerely,

<Harvard Devens Jurisdiction Committee>

<u>Elected Town Offices</u>	<u>Contact</u>	<u>HDJC Liaison</u>
Library Trustees	Davida Bagatelle	SusanMary
Moderator	Bill Barton	Erin McBee
School Committee	Mary Traphagen	SusanMary
Select Board	Lucy Wallace	Lucy
Warner Free Lecture	Lisa Foley	Erin
<u>Appointed Town Boards &amp; Departments</u>		
Emergency Program Director	Chief Sicard	Erin
Fire Department	Chief Sicard	Erin
Hazardous Waste Coordinator	Chief Sicard	Erin
Land Stewardship Committee		Erin
Montachusett Joint Transp. Committee	none	Erin
MRPC	PB & SB Reps, as needed	Erin
Sewer & Water Commission	Cindy Russo	Erin
Ambulance Service	Jason Cotting	George
Cemetery Commission	Bruce Dolimount	George
Constable	Greg Newman	George
Elm Commission	Bill Calderwood	George
Animal Control Officer	Paul Willard	Heather
Bare Hill Pond Watershed Committee	Bruce Leicher	Heather
Community Preservation Committee	Didi Chadran	Heather
Conservation Commission	Don Ritchie	Heather
Historical Commission	Pam Marston	Heather
Agricultural Advisory Committee	Kerri Green	Kara
Board of Health	Libby Levison	Kara
Burial Officer	Chief Denmark	Kara
Cultural Council	Lucy Clerkin & Anne Butterfield	Kara
MBTA Advisory Board	none	Kara
Planning Board	Erin McBee	Kara
Police Department	Chief Denmark	Kara
Public Works Department	Tim Kilhart	Kara
Council on Aging	Beth Williams	Lucy
Devens Enterprise Commission Reps	Jim DeZutter & Duncan Chapman	Lucy
Elderly & Disabled Taxation Aid Committee	Amy Haley, Treasurer	Lucy
Finance Committee	Don Ludwig	Lucy
MART Advisory Board	Tim Bragan	Lucy
Old Library Accessibility Committee	Lucy Wallace	Lucy
Registrars of Voters	Marlene Kenney	Lucy
Select Board's Office	Tim Bragan	Lucy
Veteran's Agent	Mike Detillion	Lucy
Zoning Appeals Board	Chris Tracey	Lucy
Access to Services Liaison	none	Not Applicable
Fence Viewers	Ron Ricci, Leo Blair	Not Applicable
4th of July Committee	Anne Hentz	Paul
Broadband Committee	Noyan Kinayman	Paul
Harbormaster	Bob O'Shea	Paul
Municipal Affordable Housing Trust	Alice Von Loesecke	Paul
Tree Warden	J.C. Ferguson	Paul
War Monument Restoration Committee	Jon Shoenberg	Paul
Cable Access Committee	Bill Johnson	SusanMary
Capital Planning & Investment Committee	John Seeley & SusanMary Redinger	SusanMary
Energy Advisory Committee	Brian Smith	SusanMary

Library Department	Mary Wilson	SusanMary
Montachusett Voc. Tech HS	none	SusanMary
Park & Recreation Commission	Doug Thornton	SusanMary
495 Metowest Partnership Rep	Duncan Chapman	Tim
Inspectional Services	Gabe Vellante	Tim
Town Counsel	Mark Lanza	Tim
Board of Assessors	?	Victor
Housing @ Hildreth House	Rick Maiore	Victor
Minuteman Home Corp Rep	Pam Frederick	Victor
Personnel Board	Victor Normand	Victor

Harvard Devens Jurisdiction Committee  
Why MassDevelopment Should Support Our Efforts  
December 28, 2018

This memo records comments made in writing, and verbally, in response to the following request from Victor Normand, Chairperson of this Committee.

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Charge from Victor Normand, Committee Chairperson

Just a reminder to put your thinking caps on and come to our meeting next week with **three** salient points that help make the case for why MassDevelopment should support our efforts to study the jurisdiction issue with their staff and **financial** resources.

We have discussed this in general terms at our previous meetings and now is the time to formally make our case. We need a strong statement that deals with why the time is right for a comprehensive analysis of the current social and economic conditions at Devens, and how they would affect and be affected by the resumption of civic jurisdiction by Harvard.

It's not necessary to elaborate on your points at this time, just come to the meeting with them written down and be prepared to discuss them.

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George Glazier

There are some jurisdiction issues that require a higher level of discussion than one town can provide. Town lines run through neighborhoods. School issues must be addressed. The transfer of taxing authority from MassDevelopment to the Towns must be addressed. Devens residents have told me that they don't want Vicksburg Square to become a housing project. They have concerns about maintenance of the buildings, behavior of the residents, and so forth. Devens has its own utilities; how will this be divided up among the towns. Municipal services, such as DPW and the Police.

When we talk about tying the communities together, that includes roads, trails, access to Mirror Lake, and so on.

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Paul Green

1. Actions by government bodies take longer than anyone ever expects. Resuming jurisdiction over a large, already-developed, multi-use, complex area has never been attempted before in the Commonwealth, to the best of my knowledge. We have no template for how to do this or how long it will take. Many groups of people need to be contacted and consulted. Multiple government bodies, at all levels, need

to be consulted. New laws will need to be written and adopted. The views and concerns of citizens need to be collected, understood, considered, and acted upon. Plans and budgets need to be created and approved by various agents.

2. In my view, we should aim to have the plans for resuming jurisdiction in place and adopted at least 5 years before the deadline. This gives us 10 years to carry out the work to settle the various issues that need to be resolved. Setting a deadline of 2028 will focus the attention of each participant in the process and reduce the change that the work will drag out and thus create a rushed, imperfect, and incomplete result. It will also help the work from turning into a political football, where people and agents make statements for their own short-term benefit instead of the long-term benefit of everyone involved.
3. Aligning the expenses of MassDevelopment at Devens, and of Ayer, Harvard, and Shirley, and transitioning the existing Devens fees over to property taxes assessed by the towns, such that neither MassDevelopment, the Towns, or the tax-payers, experience a sharp and sudden change to their budgets should be a major goal of this effort. While the actual transition from fees to taxes may happen across a fiscal year boundary, each of the parties involved will need plenty of lead time so that they can understand the impact of the transition and make appropriate and reasonable plans. Because budgets are formed months in advance, and because taxpayers expect that their taxes will not undergo major shifts from one year to the next, it is vital that this process be well thought out far in advance so that there are no surprises and no sudden, unexpected changes.
4. We should consider enacting disposition via a phased process, whereby responsibilities are migrated from MassDevelopment to the Towns in steps, rather than via an overnight cutover. This could reduce the risk and the potential for disruption during the transition. This transition cannot fail. We need to look for risk-reduction schemes.
5. Devens is a dynamic situation. Ongoing sales activities are constantly changing the nature of Devens.
6. Harvard decided to take the first step. We should do everything we can to bring Ayer and Shirley and residents of Devens into this process, and we should bring our political representatives into the effort. At the end of the day, this must be a group effort.

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Heather Knowles



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## Erin McBee

The disposition process is a continuation of the effort to redevelop Devens. It is a necessary and important step to ensure the continued success of Devens as an economic engine for this region. We don't want to scare away businesses by not having a plan for what is going to happen in 15 years. MassDevelopment has a lot of economic data and projections that are unavailable to the towns. This information can be helpful in planning disposition and the impacts on the towns.

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## Kara Minar

MassDevelopment's role is a transitional, redevelopment agent. It is not a political body. Residents have no direct control over traditional government-run activities. MassDevelopment has done a great job building up the area economically. In the future, the opportunity to develop large-scale commercial lots will diminish and more development will be focused on residential areas. It takes a long time for bureaucracies to react. A disposition plan will give confidence to the residents and business community. People will know how services will be provided after disposition. We need to collaborate with MassDevelopment to ensure that Devens remains an economic engine for this region.

The Devens Reuse Plan calls for a Tri-Town review to be done every 5 years. I have not seen a review since 2002. We have missed several cycles. These reviews were performed using outside consultants. The DEC and Towns do the review. It is a mandated action.

The 1994 Reuse Plan is coming to the end of its life. We are making decisions that were not anticipated by the Reuse Plan. This isn't planning; it is tweaks for specific purposes. We need to think about schools, about tax revenue, about the coexistence of business and residential areas. Zoning is one of the tools we use to balance land-use purposes. Planning can ensure that buffers are placed between the different areas.

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## Tim Myllykangas

What will motivate MassDevelopment? As time goes on, maintaining Devens will cost more and more. Roads and other infrastructures will need to be maintained and renewed. The sooner MassDevelopment turns over these assets to the Towns, the sooner they can remove these capital projects from their budget.

By the time disposition happens, we will probably go through one or more stock market cycles. There is demand today for commercial and residential properties. Bond rates are historically low, and will start creeping up over time. Financing costs will probably continue to go up over time.

Towns have a strong interest in taking on this planning now. It is reflected in the town meeting vote and in our current master plan.

By funding this effort, the towns will know that the disposition process is real and will happen.

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## SusanMary Redinger

There is no template for changing jurisdiction. Many levels of government are involved. It is beyond the scope of one town to plan for disposition.

Base closures have taken place nationally. Data from these closures should be available to us. This information can be used to guide our efforts.

We need an overall party to come in to ensure that the overall process is equitable for all stakeholders. A 3rd party can help assure each of the parties that the process is fair and equitable.

The towns are small. We just don't have the ability to navigate all of the issues that will arise. This will forever change our towns. We have to get it right.

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## Chris Ryan

The key is fiscal impact. Determining this is a complex task requiring special skills. With 3 towns it is an even more complex issue.

See attached memo.

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## Lucy Wallace

1. After 20+ years of successful redevelopment and conversion of a military base to civilian use, it is now MassDevelopment's responsibility and obligation to help transition Devens to a form of locally-elected, representative municipal government. There is no locally-elected government for Devens today.
2. By 2032 the 3 towns and MassDevelopment need to have a plan to give to the Legislature and Governor for accomplishing the foregoing. Now is not too soon to start.
3. In order to Harvard to fully assess and plan for possible resumption of jurisdiction, it needs the expertise of a consultant with experience in transitioning communities from one form of management to another. MassDevelopment has the resources to provide Harvard (and the other towns should they request it) with funds to undertake such planning, and, in point of fact has done so in the past (Scenario 2B in 2006). This would be similar to MassDevelopment's practice of providing grants to other communities for planning-related activities.

4. Having a plan which the residents of Harvard support will increase the likelihood of the successful development of a recommendation to the Legislature which is supported by the 3 towns and MassDevelopment. Citizens need to feel that they have been consulted and that the process is fair.
5. We need to reassure the businesses that there will be stability in existing zoning. This doesn't mean that you won't take town and county lines into consideration. We have to be mindful of the long-standing concerns of Devens residents that they wish to remain a community.