

Harvard Devens Jurisdiction Committee Meeting  
August 10, 2022  
Minutes - Approved

Members attending: Victor Normand, Don Ludwig, Paul Green, Tim Myllykangas, Heather Knowles

Members absent: Richard Cabelus, George Glazer, Kara Minar, SusanMary Redinger

Victor Normand called the meeting to order

Minutes of the July meeting will be brought back for approval at the next meeting.

**Devens Jurisdiction Framework Committee (DJFC) meeting update:**

Victor gave a recap of the July DJFC meeting. Members discussed the request of the enterprise commission to eliminate the commercial development cap. While no vote was taken members were aligned that this request represented an opportunity to negotiate something with Mass Development (MD) regarding their level of participation and discussion on this matter as the entity that should be available to do this.

The committee did decide to send a letter to the current 3 candidates for Governor (2 republican candidates and one democrat) inviting them to attend a Jurisdiction Framework Committee Meeting. The committee will review a draft and send out the letter after their next meeting. If candidates agree to attend Victor will notify members of the HDJC and is hopeful some of them can attend as well. The purpose of the meeting would be to air grievances with MD and to request the winning candidate take the work of the framework committee seriously when they seek appointment to the secretary of housing and economic development who will become chair of MD board. A request was made at the meeting to add a Devens resident to the framework committee. Victor approached a current member who is a Devens commercial representative who hasn't attended meetings and he agreed to resign, opening up a spot for a new representative. Victor will work with the current Devens resident to find someone to fill that slot.

Members discussed the commercial cap. There is no requirement of an endorsement by the DFJC, however, since all three towns as well as the Devens Enterprise Commission are on the committee, their endorsement is critical. No members of the DJFC raised any opposition to the cap. The representatives from each town had feedback for MD as part of the process used. All three towns approved the cap, however, Harvard approved raising the cap from 8.5m to 12m sq ft of development. The SB chair sent a letter to Jamie Eldridge reminding him that MD and the DEC agreed that they would not use the legislative route for any future changes, but would follow the Chapter 498 process of a super town meeting. The raising of the cap was deemed reasonable and would expand the tax base. Expanding a commercial cap has limited impact on municipal services (utilities, schools, DPW, etc.) and can be accommodate with the current

infrastructure. Zoning changes were not approved, nor were changes to the housing cap, and members discussed the need to review the draft legislation before a formal vote. Paul Green asked to include in the minutes that there will be some impact to municipal services with an increase to the commercial cap, notably: Snowplowing/DPW operations and water supply for example.

### **Devens Budget**

Don and Victor are working on an estimate of the incremental cost to the town of Harvard if it resumed jurisdiction. Development on Devens, plus potential development in light of the raised cap, it seems possible for them to come up with a fairly accurate estimate. The tax base is known, and good projections can be made on development. Don suggested having a meeting with Harvard's town administrator next to work on costs. Dan Rivera from MD agreed to meet with the select board and Don will work to speak with the person from MD who puts the budget together. Tim offered suggestions on how to build the model using assumptions and facts and add to it as information becomes available.

Jane asked what the impact will be on the Devens homeowners with regards to their property taxes. Some comparison would need to be made between current taxes under MD vs. new taxes as residents of Harvard to determine how to handle the large difference between Devens residents' current rate vs. what they would pay as a resident of Harvard if the same metrics are used.

### **Public Information Session**

SusanMary had suggested at the last meeting putting together a short video stating the issues and whatever outcomes we were suggesting to engage residents of both Harvard and Devens to gain feedback and help shape the process.

Heather wanted to reframe the planned presentation as an outreach session as opposed to an informational session. "Educating" Devens residents from the Harvard position would not be well received. After getting input first then you could do a presentation or a short video.

Paul suggested that we have an "anchor document" which is typically used in negotiations as the opening offer. It works if it's reasonable and worthwhile to consider. While we aren't selling/buying something, coming up with a set of guiding principles or wants/desires can be advantageous to the outcome. It will help the HDJC identify things we've missed or need further discussion.

Heather suggested framing whatever is presented as a draft plan with opportunities to provide input on the next version. She suggested that a similar document needs to be created from the Devens. Victor indicated that the original plan was that all three towns and Devens residents would bring all four plans together and see where we have agreement and where further work needs to be done.

Victor suggested that we formulate a document to circulate ahead of the public meeting and even ask for feedback ahead of time. Members discussed possible locations and formats for the meeting. Members aligned on holding one meeting in Devens and one in Harvard sometime in October, taking into account differing levels of background, differing interests in what information is presented, limited history for Devens residents vs. Harvard residents.

Heather will coordinate the date and location for Devens. Paul will work with SusanMary to find a date and location in Harvard, with a suggestion for the new school as the preferred location. In person events were preferred with the potential for recording/broadcasting.

The goal is to solicit feedback on the draft plan. Jane will work on publicizing the meeting once a date/location has been determined using a one page document out to the major towns and committees. Harvard Press, NextDoor, Devens weekly newsletter, Consider This article in the Press.

Victor has a document "Why Now?" which he can use to come up with a pre-amble to the summary plan along with a letter out to everyone. Don suggested using a separate page on the town website linked to the HDJC page to post the summary plan. Seeking feedback to the document ahead of time was considered a good idea.

**Action Items:**

- SusanMary to come up with a date for Harvard
- Heather to come up with a date for Devens
- Paul will work on technology for the sound/zoom
- Victor will work on a preamble to the summary plan and the Why Now letter

**Public Comment:**

Jim DeZutter, Devens resident, indicated that the DEC was pleased to see the cap raised, but indicated that the piece of legislation was not considered during the current session so it has to be considered at a future session. Question: 1: Is the maintaining of the current town boundary an acceptable outcome or decision of the committee? 2: Comment: the need for professionalism in respect to town governance is important.

Victor Norman adjourned the meeting without objection.

Respectfully submitted,

SusanMary Redinger, recording secretary