

Town of Harvard



DEVENS DISPOSITION SUCCESS CRITERIA

Revised 12/03/08

The Harvard Board of Selectmen has developed Success Criteria for the disposition of lands within the Devens Regional Enterprise Zone (DREZ). This document identifies these criteria.

At this point in time no single disposition option has been agreed upon or is favored by the Board of Selectmen. However, it is certain that the eventual disposition will take one of the following forms.

1. The town of Harvard will acquire jurisdiction over the entire Enterprise Zone or at least reversion to our historic municipal boundaries.
2. The town of Harvard will acquire jurisdiction over a portion of the Enterprise Zone.
3. The town of Harvard would not acquire jurisdiction over any part of the Enterprise Zone.

Attached are these Success Criteria, which may or may not be applicable depending on the eventual option proposed.

COMMUNITY:

1. Any option must clearly state the impact of that option and also define a vision of what Harvard will look like after transition. All potential changes required in Harvard's town government should be identified as applicable to each option.
2. The integrity of the Devens community/village shall be maintained Existing Structures and residential neighborhoods must not be split between municipal jurisdictions.
3. Interior roads should be established or re-established that will rejoin Harvard and Devens residential and recreational areas.
4. Pathways and bikeways should be established that rejoin Harvard and Devens residential and recreational areas.
5. The current housing cap of 282 units may be modified to allow further growth in housing units in accordance with an integrated growth plan.

ECONOMIC:

1. The addition of any part of Devens must not adversely impact Harvard's finances. There needs to be a thorough understanding of actual economic risks, including those due to possible variations to the expected outcomes. The effect of a possible split tax rate on Harvard's businesses must also be considered.
2. Any transfer of jurisdiction shall be staged so as to ensure that expected revenues keep pace with projected expenses, capital plan costs and delivery of public services for land within the DREZ on an annual basis.
3. Any requirements to acquire existing or additional public infrastructure (schools, roads, administrative offices, DPW, Emergency services recreational facilities etc.) must be clearly identified along with a funding source that would support these requirements.
4. At completion of transition there shall be adequate provision for capitalization and stabilization funds.
5. A detailed plan for the disposition of all land, equipment, infrastructure and revenues related to the delivery of all Utilities within the DREZ shall be prepared by Mass Development and provide mutual benefit to the host communities.

EDUCATIONAL:

1. The quality of education in Harvard must be maintained. Provision shall be made to address additional school requirements based upon a range of expected new housing.
2. Location(s) for additional school facilities and their funding source(s) must be identified.
3. Reimbursement levels and financial support for any expansion of Harvard's educational facilities resulting from disposition shall be made legally binding with the state through chapter 70 funding or other sources.

ENVIRONMENTAL:

1. Harvard shall be indemnified from any liabilities from existing contaminated areas at transition and shall not assume jurisdiction over any state or federal parcels identified as contaminated. Responsible parties for all contaminated sites must be identified, including the level of cleanup required along with a timetable for their remediation.
2. Harvard shall have access to a specified amount of wastewater treatment capacity from the Devens Wastewater treatment facility to service the current Commercial 'C' District located on Ayer Road.
3. Harvard shall have access to a specified amount of potable water from wells on Devens for future drinking water needs. Provision shall be in place to ensure adequate protection of both the quality and quantity of water available from the Devens aquifer.
4. Provision for the protection of open space and recreational areas shall be followed in accordance with the 2008 Devens Open Space and Recreation Plan.

ADMINISTRATIVE/TRANSITIONAL:

1. MassDevelopment shall conduct all administrative services required and provide all data and materials in its possession necessary prepare for and effect a transition to permanent governance for land within the DREZ.
2. A timetable and detailed transition plan for transfer of jurisdiction must be in place that defines the level of municipal services to be provided within the DREZ and identifies specific responsibilities for delivery of all municipal services, financing of operations, taxation and all regulatory/permitting requirements.
3. Define and establish separate Fire Districts to service separate Harvard and Devens needs.
4. Water and Sewer Districts established to service existing areas.
5. A clearly defined adjustment period for compliance with Chapter 40B must be granted by the state to Harvard to allow for the successful re-integration of the undeveloped land within the DREZ and prevent the adverse effects of uncontrolled and inappropriate housing development. This is necessary to take into consideration the magnitude of changes required to gain jurisdiction over Devens, possible loss of existing affordable units on Devens and loss of land on which affordable housing can be economically built.