

Harvard Devens Jurisdiction Committee Meeting
October 2, 2023: 10AM
Meeting Conducted Via Zoom

Members attending: Victor Normand, Paul Green, Heather Knowles, Don Ludwig, John McCormack, George Glazier, Kara Minar (joined 10:15am)

Members absent: Tim Myllykangas, SusanMary Redinger

Others Present: Carl Sciple (DEC appointee), John Geller (Shirley resident), Tim Hatch (Devens resident)

Victor Normand called the meeting to order at 10:05 AM

Approval of Minutes.

No action taken. The minutes of the September meeting will be reviewed at the November meeting.

Advance Plan and Report Dates in Chapter 498 Update:

Victor forwarded the document (Thoughts on the Future of Vicksburg Square) discussed at the September meeting to the Devens Jurisdiction Framework Committee (DJFC) and looks forward to discussing it with them next week. Essentially the point was floated at the DJFC that if we could just determine the future governance of Vicksburg Square (VS) then we could move things forward and deal with the issue of housing and relieve the pressure that the legislature may put on the project in other areas. However, it just seems to be too complicated to single out the issue of VS without determining the ultimate question of jurisdiction.

Victor will float the idea at the next DJFC is the idea that VS is really the only leverage that the towns and Devens have to getting the legislature and MD to pay attention. There is a large amount of interest in converting VS to housing. To advance the jurisdiction issue Victor would like to appeal to the Secretary of Housing. Jamie Eldridge felt he could get that meeting scheduled.

Most members expressed support. The following points were also raised:

- Having all three towns on board would be an incentive for MD to come to the table
- Concern over opening up Chapter 498 and the risks involved in that
- There is a lack of consensus from Devens residents and potential pushback from them if they're asked to decide on something sooner than planned.
- Devens residents currently have no say in changes made by MD so moving the date up might be a good thing.

- A question was raised about the army's obligation to remediate VS land and Victor added that it is zoned as commercial land and so that is the level of remediation regardless of subsequent zoning changes.
- Engaging the Secretary of Housing would add another interested party to the conversation which would be a good thing.
- Giving Devens' residents a voice in their future is a key component
- Moving the date forward could spur the current administration and MD to work with us and be in action.
- Devens' residents should be involved in whatever happens with VS.
- Public engagement is critical and nothing motivates people quite like a timeline and deadline
- It is important to deal with the whole issue when speaking with the Housing Secretary, not just bits and pieces
- The Secretary of Housing may not share our concerns so that could be risky
- There are different things at stake for the commercial entities vs. the landowners/residents of Devens who need to be enfranchised. How can we build a coalition to support that happening?

Based on the above, Victor will bring the idea of moving the date forward to the DFJC.

Status of 2016 Master Plan Action:

John McCormack's email to Victor regarding the Planning Board's process of tracking the action items and updating Harvard's Master Plan was reviewed. The goal is to update the status of the plan for resuming jurisdiction.

The notion of dedicating some parcels as a buffer around residential areas was raised and Kara agreed to look into a vote that was taken in 2015 to ensure that.

The issue of resolving potential changes to town borders was raised as a potential leverage point to resolve which could spur movement on a number of other issues.

Victor suggested having 2-3 members work on this and bring a draft to the next meeting that would provide a basic update to the action items. Kara and Paul agreed to do that. The map does seem to indicate the buffer already in place.

Devens Land Availability:

Members reviewed the map sent out. The three largest commercially zoned plots available for sale (from large to small) are the airfield, Salerno Circle and Vicksburg Square with other plots in that category scattered around.

Members reviewed the land analysis put together by Victor based on the map provided by MD. Ultimate he concluded that MD is actively working with 14 parcels of land of which only 5 are

larger than 10 acres and only one is larger than 20 acres. Ultimately MD has a small amount of land left to redevelop: 115 acres out of 4,200. The land that is listed as “sold” or as “open space” is really off the table.

Discussion points included:

- What about the addition of items normally found in residential areas, e.g. tennis courts or a childcare center. Where would they go?
- Looking at the parcels underscores the importance of Devens’ residents having a say in how the undeveloped lots are zoned and developed.
- Setting aside municipal land for a school has also been discussed by the HDJC at previous meetings.
- MD currently has the authority to do whatever they choose. Residents can only ask for things and the response is usually “no.”
- If Devens becomes its own town, then MD might stay in place if a contract is enacted between the town of Devens and MD. But for now, Devens residents have to ask MD for community assets.

Don agreed to ask Meg Delorier for an updated map.

Other Business:

None.

Public Comment:

Tim Hatch (Devens resident) commented that “MD is currently trying to help a group called Two Life Communities (TLC) build the remainder of the units under the 120 cap north of the Nashua River in the Shirley Village Growth district. The Shirley town administrator has gone to the conservation commission, the finance committee and the planning board. The SB hasn’t discussed this. Part of the plan is to take 4.6 acres from the 32 acre middle school site, which would allow TLC to create a community environment. Instead of building the 62 remaining units under the cap across Elliot road south of the current Shirley Meadows housing project TLC would build it on the school side of Elliott Road and take part of a football field and have an easement within 125 feet of the existing middle school building which is run by the Shirley Air Shirley School Regional School District. They have had conversations with a firm out of Boston for possible middle school additions. This was not with the consent of the Ayer Regional school district or the select board. Also in the plan is 1,000 feet of frontage on Elliot Road. It appears that the 32 acre parcel between the current senior housing and the Nashua River is being actively marketed. At the November town meeting, the town administrator wants to have it as an article put up to vote on. My question is it possible for any type of housing to be built considering there is a cap there that's going to be met with the senior housing? I'm talking about the 1,000 feet of frontage that TLC is interested in on the south side of Elliot Road. The expansion of senior housing is going to be on the north side. They seem to want 1,000’ of

frontage there. Is this such a thing as a housing emergency where they don't need to have any permissions from a super town meeting to be able to create their own cap?"

Members discussed the question and ultimately advised Mr. Hutch to take up the issue with the Devens Enterprise Commission. The exact language of the previous vote to allow Shirley to build an additional 120 units of senior housing will need to be looked at.

The meeting was adjourned by unanimous vote at 11:26am.

Respectfully submitted,

SusanMary Redinger, recording secretary