

# DEVENS JURISDICTION FRAMEWORK COMMITTEE

RECEIVED  
APR 04 2024

**Wednesday, April 10, 2024, at 3:00 p.m.**

TOWN OF AYER  
TOWN CLERK

10:00  
am  
CJ

This meeting will be held both virtually, via the Zoom video conferencing service, and in person in the Select Board Meeting Room in the Town Hall at 1 Main Street, Ayer MA. Members of the DJFC and members of the public may attend via either method.

Town of Ayer is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/85459144148>

**Meeting ID: 854 5914 4148**

## AGENDA

- ❖ **Call to Order**
- ❖ **Approval of Meeting Minutes** *(Representative from Ayer taking minutes for this meeting)*
  - 13 March 2024
- ❖ **Stakeholder Update (for other than agenda items)**
  - Town of Ayer
  - Town of Harvard
  - Town of Shirley
  - Devens Representatives
  - Devens Enterprise Commission
- ❖ **Old Business**
  - RFEI posting
  - Legislation Changes to 498
  - MassDevelopment Response to Vicksburg Square warrant article
  - Responses to Question 1 of Permanent Government Options Matrix
- ❖ **New Business**
  - Harvard's letter to schools
- ❖ **Public Comment**
- ❖ **Items for the Next Meeting Agenda**
- ❖ **Adjourn**

For further information/documentation related to this meeting please go to:

<https://devensjfc.weebly.com>

# DEVENS JURISDICTION FRAMEWORK COMMITTEE

Wednesday, March 13, 2024 at 3:00 p.m.

## Meeting Minutes

**Attendance:** Victor Normand (Chair), Alan Manoian, Robert Pontbriand, Mike McGovern, Rich Maiore, Bill Marshall, Neil Angus, Tim Bragan, Logan Bries, Bryan Sawyer

**Absent:** Kristen Cullen, Marissa Rivera, Jannice Livingston (Vice Chair), John Katter

### ❖ Call to Order

- The meeting was called to order by Victor Normand at 3:00 PM

### ❖ Meeting Minutes Approval

- Mr. Pontbriand made a motion to approve the February 14, 2024 Meeting minutes. Mr. Maiore seconded, motion passed (10-0) unanimous

### ❖ Votes

- Mr. McGovern requested to appoint Mr. Bries as a replacement committee member for Mr. Capucci
  - Mr. Bragan made a motion to accept Mr. Bries to the DJFC. Mr. Pontbriand seconded, motion passed (10-0) unanimous
- Mr. Bries thanked the board for appointing him

### ❖ Stakeholder Update

#### ➤ Town of Ayer

- Mr. Manoian advised that they had a great meeting with their Fire Chief. This meeting was regarding any changes that might take place if Ayer regained its old borders

#### ➤ Town of Harvard

- Mr. Normand advised they moved their meeting to the Monday after the DJFC meeting. This was due to the new update released by the Governor's office
- Mr. Normand also advised that Mr. Paul Green headed a committee to determine if any of the still available land on Devens should be reserved for municipal use (or School). Mr. Normand advised a study was done and this along with a letter was sent to the three school committees (Ayer, Shirley, and Harvard)

#### ➤ Town of Shirley

- No update

#### ➤ Devens Representatives

- No update

#### ➤ Devens Enterprise Commission

- Mr. Angus advised he provided an overview of the DEC to Devens residents so they know their role

- He also advised the presentation is listed on their website

❖ **MassDevelopment Update:** *if any*

- No update

❖ **New Business**

- New Bond Bill – lifting housing cape on Devens
  - Mr. McGovern advised that in light MassDevelopment continued absence and the Bond Bill released, he doesn't know why the Board is still meeting
    - Mr. McGovern advised that representatives from the Towns should try to set up a meeting with the Lieutenant Governor to see which direction the state is going.
    - Mr. Maiore agreed with Mr. McGovern and advised that the Committee is starting to feel like therapy rather than actually accomplishing anything
    - Mr. Bragan also agreed with Mr. McGovern. He advised that what the state just did proves that the decision for Devens won't be in the Towns hands. Mr. Bragan advised the state will make the ultimate decision
    - Mr. Angus advised that due to this decision he believes the committees role is even more important, and has a vital role
    - Mr. Normand advised he agrees with Mr. Angus. He stated that he believes determining Devens jurisdiction is very important. He followed this by stating that a meeting should be set up in order to get a better idea of the states plans
    - Mr. Pontbriand agree with Mr. McGovern and the others that the decision for Devens is in the states hand. He also agreed to the decision to set up a meeting with the Lieutenant Governor
    - Mr. Pontbriand advised that the Towns should determine what they want to get out of the meeting

❖ **Old Business**

- **Vicksburg Square Super Town Meeting Warrant Article update**
  - Mr. Normand advised he has received a confirmation of receipt from Mr. Rivera regarding Vicksburg Square, but has not received any updates yet
- **RFEI Vote**
  - Vote suspended due to Bond bill updates
- **Framework for Review of Permanent Government options Update**
  - Mr. Normand advised that that the documents presented to the committee has 5 different options for permanent governance of Devens
  - Mr. Normand also advised that there is a document to make 19 major decisions that determine each stakeholders responsibilities

- Mr. Angus advised that the document has an introduction about the different options for the future of Devens
- Mr. Normand and Angus advised these documents are beneficial to residents along with a future consultant
- Mr. Normand requested that all stakeholders go back to their communities and come back with an idea of how their Town would handle Devens
- Mr. Bragan advised that some parts of the document are not applicable, such as (keeping with the status quo) and (Devens roles)
  - He advised that if Devens becomes its own town that they will make their own decisions; and if the State keeps control they will be making the decisions
- Mr. Normand advised that he agrees some answers are apparent, but advised he believes it is beneficial to complete the document
- Mr. Angus agreed this document will show areas needing more thought

#### ❖ **Public Remarks**

- Mr. Green advised he is also frustrated with the State decision, but advised that there are positive aspect to the Bond Bill
  - He advised since the State made mention about leaving Vicksburg Square in the stakeholders hands, he found this promising about the continuing work of the committee
  - He also advised that the DJFC is even more important now with this legislation on the verge of passing
  - Mr. Green wanted to know how much land is considered developable
    - Mr. Angus advised roughly 80 archers is considered buildable

#### ❖ **Items for the Next Meeting Agenda**

- Create structure for Meeting with the Lieutenant Governor
- Framework document regarding administration
- Initial discussion on Harvard Devens Jurisdiction Committee education letter

#### ❖ **Adjourn**

- Mr. Bragan made a motion to adjourn. Mr. Pontbriand seconded, motion passed (10-0)

Minutes recorded and submitted by Logan Bries  
 Minutes reviewed & approved by the Committee on



April 1, 2024

99 High Street  
Boston, MA 02110

Main: 617-330-2000  
Fax: 617-330-2001

massdevelopment.com

Mr. Victor Normand  
Chair  
Devens Jurisdiction Framework Committee  
Harvard, MA

**VIA EMAIL ONLY**

Dear Mr. Normand,

Thank you for your letter of February 16, 2024, stating that the Devens Jurisdiction Framework Committee is recommending that the Devens Reuse Plan be amended to permit up to 400 residential units in the Vicksburg Square area. As you know, the Commonwealth is in the midst of a housing crisis and we need to find ways to boost the production of all types of housing, in all of our communities.

Maura Healey  
*Governor*

Kim Driscoll  
*Lieutenant Governor*

Yvonne Hao, Chair  
*Secretary of Economic  
Development*

Dan Rivera  
*President and CEO*

We applaud the Committee for considering draft language for a warrant article that seeks to allow more housing at Devens and appreciate that you have requested MassDevelopment's cooperation and concurrence with the provided language to facilitate consideration at a future super town meeting. We would welcome the opportunity to work collaboratively with the Committee and the Towns to ensure that the warrant article will, when adopted, have its intended effect, and would offer the following suggestions for your consideration in advance of, and with the hope of, scheduling some time together in the near future:

- In our experience, to avoid further amendment and multiple votes, the proposed language would need to specifically cite any proposed and required amendments or revisions to the Devens By-laws, Reuse Plan and/or affected zoning maps to effectuate the desired change.
- We would offer MassDevelopment's services and legal review to draft proposed warrant language to share with the boards of selectmen and other stakeholders to outline an intentional process to seek consensus and develop a schedule for an important educational campaign and ultimately super town meeting. We are also mindful, as you are, of the eventuality of the sections of the pending Economic Development Bill, and its charge to stand up the working group of stakeholders to determine a strategy and plan to provide for increased housing production within Devens.
- We believe the unit mix and affordability requirements in the draft warrant article as currently drafted will make it more difficult for housing developers to propose financially feasible projects. For that reason, we recommend, as is typical with most zoning by-laws, that the warrant article not dictate a specific mix of rental and for-sale units, nor dictate the types of housing.

- Recognizing the importance of an affordability mix (as you do) in the proposed new project; we recommend that affordability levels be set consistent with Devens zoning regulations for affordable housing which require a mix of affordability for both low- and moderate-income households.

If you would like to meet with me and my team to discuss these matters further, please let me know and we will find a time to do so as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Rivera', with a long horizontal flourish extending to the right.

Dan Rivera

cc: Yvonne Hao, Secretary EOED  
Ed Augustus, Secretary EOHLC  
James B. Eldridge, State Senator  
John J. Cronin, State Senator  
Danillo A. Sena, State Representative  
Tania Hartford, EVP Real Estate

# **Stakeholder Responses to Question One Permanent Government Options Matrix - Administration**

## **Town of Harvard – Resumption of Jurisdiction**

### Administration

Should the Town of Harvard resume political jurisdiction of its historic land on Devens the day-to-day municipal operations would conform to the charter of the town and existing policies and procedures. The exact relationship between the town administration and the various departments and personnel will be discussed in other specific sections of this framework.

Because of the extensive commercial enterprises and growing residential community, the position of Assistant Town Administrator for Devens may be added to the executive staff.

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## **Town of Ayer – Resumption of Jurisdiction**

Following the formulation, production, and delivery of the comprehensive Town of Ayer “Devens Resolution Committee” Study/Report - should the Town of Ayer elect to resume political jurisdiction of its historic township land at the Devens Enterprise Zone, the expanded daily administrative duties and operations would be in accordance with and subject to Ayer’s municipal bylaws, policies, and regulations, as well as the Town of Ayer Master Plan. The Town of Ayer’s executive staff and departmental team ably led by the Town Manager and Assistant Town Manager and strongly supported by a long-established, highly-professional, and well-staffed full-time Fire Dept., Police Dept., Public Works Dept., Public School District, Parks & Recreation Dept., Office of Planning & Development are all well-positioned, qualified, coordinated, and fully-prepared to engage in the provision of all required, envisioned and expanded municipal services and civic obligations.

**Status Quo: Devens Enterprise Commission:**

- 12 Commissioners 4 Alternates: Regional Representation (governor appointed) with expertise in industrial development, housing, finance, business, real estate, environment, planning, transportation and/or municipal government
- Unified Permitting (planning, zoning, zoning board of appeals, subdivision, historic, conservation, board of health, licensing authority, street discontinuation
- Expedited Permitting - 75 day permitting process)
- Administer and enforce Reuse Plan and Bylaws
- Develop, enforce and modify Rules and Regulations to achieve Reuse Plan and Bylaws.
- Staff, Building and Inspectional Services, legal, accounting, Development Peer Review Services
- Conservation Restriction holder

**Stsaus Quo: MassDevelopment (as per Ch. 498)\*:**

- Industrial Development Financing authority (One Stop Development and Financing)
- Landowner
- Police, Fire/Public Safety
- Operations and Maintenance
- General Regulations, Use of Motor Vehicles and Parking, Traffic
- Public Works (maintain public ways and facilities)
- Utilities (water, sewer, electric, gas)
- Engineering
- Real Estate/marketing
- Assessment/Taxation and collection

*\*This is a general listing of roles and responsibilities of MassDevelopment as outlined in Chapter 498 of the Acts of 1993. This list has not been vetted or reviewed by MassDevelopment. It is important that their input be included in this process to ensure a more complete matrix.*



# **Stakeholder Responses to Question One Permanent Government Options Matrix - Administration**

## **DJFC Working Group – Topic 1: Administration    Devens Resident Construct: Devens as a Town**

It is recognized that there will likely be a relatively lengthy transition period with MassDevelopment (MADev) and the Devens Enterprise Commission (DEC) before Devens achieves steady-state as a Town. A more detailed Transition Plan will need to be established.

### **Concept:**

- Devens to be formed as the 352d Town in the Commonwealth of Massachusetts
- Create Home Rule Charter
- Town to be governed by Open Town Meeting
- Executive authority vested in an elected Board of Selectmen
  - Five-member board established for broader representation of viewpoints to reduce risk of dominating biases, and open meeting law violations.
  - Due to growing complexities in government, implement a Chief Administrative position with a Town Manager, by establishing a legal framework, consistent with progressive community standards. Typical responsibilities would include supervising daily operations, budgetary & financial oversight, and personnel administration. The position should be codified in the charter or bylaw (TBD) for delegating statutory responsibilities and degrees of authority such as hiring and firing staff and signing the warrant.
  - Establish a centralized government structure with clear lines of authority for effective oversight and accountability.
- Create Consolidated Departments as a best practice by consolidating staff and operations that have parallel responsibilities. They enable the community to coordinate core functions, enable better coverage for peak workloads and employee absences, collaborate on long term planning, use resources effectively, and provide a competitive edge in recruiting and maintaining well-qualified managers.

# Harvard-Devens Jurisdiction Committee

Victor Normand, Chair  
[VNormand@aol.com](mailto:VNormand@aol.com)  
March 9, 2024

Erica Spann  
Chairperson, Ayer Shirley Regional School Committee  
[schoolcommittee@asrsd.org](mailto:schoolcommittee@asrsd.org)

Heather Knowles  
Chair, Devens Educational Advisory Committee  
[weasbeckknowles@gmail.com](mailto:weasbeckknowles@gmail.com)

Abigail Besse  
Chair, Harvard School Committee  
[abesse@psharvard.org](mailto:abesse@psharvard.org)

Dear Chairpersons,

The Harvard-Devens Jurisdiction Committee has been discussing the impact on the local school systems of creating additional housing in the Devens Regional Enterprise Zone. The HDJC has prepared a presentation that explains our concerns. At its regularly scheduled meeting on March 4, the HDJC unanimously approved the attached presentation and its transmission to you.

Our concerns focus on the education of school-age children at Devens as the number of housing units approaches, and eventually reaches, maximum buildout. How many school-age children will live at Devens? Will the existing schools have capacity to absorb all students? Will new school facilities need to be created? Who will pay for the added expenses? These are some of the questions we feel need to be urgently addressed.

We note that a significant portion of land at Devens is zoned for residential use, and the availability of a plentiful supply of fresh water and a parallel ability to treat a similar amount of wastewater implies a significant number of new housing units can be constructed, given appropriate zoning. While the present number of housing units is limited to 282 units under a long-standing cap, several mechanisms exist to raise or eliminate this cap, which would permit the maximum buildout of both single-family and multi-family units on a relatively short time scale.

The Commonwealth of Massachusetts now requires cities and towns served by the MBTA to update their zoning to permit by-right construction of multi-family housing units. The governor and various state senators and representatives are considering legislative actions to reduce or eliminate impediments to the construction of new housing across the state. State Senator John Cronin, whose district includes the Town of Shirley, recently introduced an amendment that would have eliminated the housing cap at Devens, rezoned the Innovation and Technology District to permit housing, and updated the Devens Reuse Plan to enable the immediate construction of all types of additional housing; essentially, his amendment would have removed all restrictions preventing maximum buildout. He withdrew his amendment, but he can reintroduce it. Governor Healy has recently introduced a bill that includes a provision to eliminate both the commercial construction limit and the residential cap at Devens, without modifying the zoning or reuse plan. Adoption of

these measures by the state would remove the ability of the citizens of Ayer, Harvard, and Shirley to make these decisions by convening a super town meeting.

In reaction to these initiatives by various arms of state government, representatives of Ayer, Harvard, and Shirley and representatives of Devens residents and businesses, via the Devens Jurisdiction Framework Committee, are advocating for rezoning the portion of the Innovation and Technology District known as Vicksburg Square to permit its redevelopment as housing and other compatible uses. The governor's recently introduced bill includes a provision to study this approach. Senator Cronin, among others, has said he prefers to focus on creating housing in areas that are already zoned for residential use but are still undeveloped. We won't know for some time whether either approach bears fruit.

Depending on the outcome of these and other initiatives, over the next decade or two, we believe a significant number of new units of both single-family and multi-family housing are highly likely to be constructed at Devens.

Fortunately, municipal uses—including public education facilities—are permitted in any zone. However, not all areas of all zones are suitable for educational use. Parcels of land that are zoned for commercial use are actively being marketed for sale today. Land that is now available for educational use may not be available when the state is no longer in charge of Devens. Therein lies our purpose in writing the attached presentation for your consideration.

We believe it is imperative to expeditiously study the questions regarding the education of children residing at Devens, before any additional housing is created, so that, at a bare minimum, sufficient land can be reserved now for future public educational uses. Whether such land is used for a school, playgrounds, athletic fields or some other educational purpose, or simply held in reserve until such time as the need becomes clear, is a question we urge you to address forthwith.

We recognize that questions about public education are deeply intertwined with questions about if, when, and how Devens will transition from state control to local control. We understand that potential solutions depend on whether Devens becomes its own town, or reverts to one town, or is divided up among two or three towns. We know that many residents are deeply concerned about how town boundaries will be drawn. Nonetheless, we are concerned that if the parties involved wait until all questions of jurisdiction are settled before addressing the issues involving public education, some solutions that are possible today may no longer be possible.

Further, we believe that public support for future redevelopment proposals will depend heavily upon how such proposals address the handling of public education for the children of Devens residents. Neither Senator Cronin nor Governor Healy has offered any suggestions as to how the costs of educating additional students, and possibly constructing additional facilities, will be divided among the Commonwealth, MassDevelopment, or the three towns. Without knowing the ultimate fate of the Devens Regional Enterprise Zone, especially how the taxes generated by activity at Devens will be distributed among the towns, if at all, we believe it will be difficult for residents to support proposals that merely add more units of housing, no matter who proposes them.

We encourage the Devens Educational Advisory Committee, the Regional School Committee of Ayer and Shirley, and the School Committee of Harvard, to work closely together to explore these issues and compile a set of recommendations that various parties can address. Regardless of how residential development at Devens proceeds, we believe that by working together, we can make the best possible decisions on behalf of residents, teachers, parents and children.

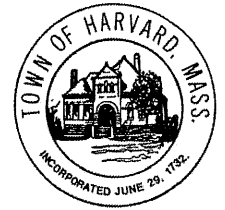
Sincerely yours,

Victor Normand  
Chair, Harvard-Devens Jurisdiction Committee

**OFFICES OF THE  
SELECT BOARD AND  
TOWN ADMINISTRATION**

13 Ayer Road, Harvard, Massachusetts 01451  
(978) 456-4100

harvard-ma.gov



April 3, 2024

Office of Governor Maura Healey  
Massachusetts State House, Room 280  
24 Beacon Street  
Boston, MA 02133

Secretary Yvonne Hao  
Executive Office of Economic Development  
1 Ashburton Place, Room 2101  
Boston, MA 02108

Dear Governor Healey and Secretary Hao,

The recently proposed Mass Leads Act contains a provision removing the housing and development caps in place in the Devens Regional Enterprise Zone, which would cause significant, long-term impacts to the residents of Harvard, Devens, Ayer and Shirley. We would like to outline some of the issues and challenges this economic development legislation creates along with formally requesting the inclusion of specific provisions to address these impacts in this proposed legislation.

**BACKGROUND:**

The United States' entrance into WWI in 1917 sparked the need for the rapid development of army training facilities. Fort Devens was created with land annexed from Harvard (2,722 acres); Ayer (1,068 acres), Shirley (630 acres); and Lancaster. Following the 1993 Base Closure Act, the transition from a military post to a primarily civilian use commenced, with a focus on expanding commercial and residential development in the historic lands of Harvard, Shirley, and Ayer, per the Legislative Acts of Chapter 498 and the Acts of 1993, the "Reuse Plan" for the Devens Regional Enterprise Zone.

This legislation established commercial development and housing caps because of some of the inherent constraints on the 4,400-acre parcel. There were environmental contamination concerns, conservation restrictions, and continued use by the National Guard, a federal prison and hospital. The closing of the base resulted in the loss of over 4,000 jobs so there was a strong interest in setting aside extensive land to build out a robust commercial development zone that would spur economic development in Central Massachusetts. New housing on Devens was required to be 25% affordable, but the legislation purposely set a cap to avoid creating a housing surplus—especially in Ayer where military personnel had previously resided. The housing caps were also implemented to ensure that the towns would not be overwhelmed by the influx of new residents who would increase demand for municipal services.

The enabling statute gave surety to the towns that the redevelopment agreement reached with the State would be adhered to, and over the past 30 years, every administration has kept faith with the towns of Ayer, Harvard, and Shirley, and abided by Chapter 498 and the Reuse Plan for Devens. The means for changing provisions of the legislation were established through Super Town Meeting whereby Ayer, Harvard, and Shirley would need to vote unanimously to adopt new zoning bylaw changes.

#### CURRENT STATUS:

Over the last thirty years, zoning has been changed successfully through this process. In 2022, however, Mass Development and the Devens Enterprise Commission appealed to the towns to bypass that legal procedure by raising the commercial development cap from 8.5m square feet to over 20m square feet. The towns were told that this was essentially an emergency measure, despite MD's awareness that the 8.5m cap was rapidly approaching several years prior. Harvard, Ayer, and Shirley agreed to lift the cap as requested, but the Harvard Select Board directly requested Mass Development President and CEO Dan Rivera and the DEC Director Peter Lowitt to abide by the provisions of Chapter 498 and the Reuse Plan in all future zoning change requests. Both Rivera and Lowitt gave their assurances that the law would be followed in all future zoning change requests.

Now, the economic development legislation recently submitted by the Healey Administration effectively abrogates the provisions of Chapter 498 and the Reuse Plan. The Mass Leads Act removes both commercial and residential development limits by making sweeping changes to the Reuse Plan, which have not been approved by town meetings as required by that Act, nor has there been any similar consultation with the Select Boards of Ayer, Harvard, or Shirley.

This breach of faith with the Towns, and the hundreds of citizens who participated in the development of the Reuse Plan was unexpected and cause for alarm. This action taken by the Governor's office on behalf of the Commonwealth, could be viewed as either a lack of organizational knowledge about Devens or the beginning of an era of further changes to Chapter 498 without the benefit of local participation or consent. The Towns would appreciate the opportunity to give a fuller picture of some of the challenges this proposed legislation portends.

Building additional housing on Devens is supported in principle by the Towns but before any ground is broken for new construction, the issue of determining a permanent governance structure for Devens must be resolved. Failing to do so is patently unjust to current and future residents who need to know the town and county in which they will reside, vote, pay their taxes and send their children to school. The administration's proposed legislation—while maintaining the jurisdictional limbo at Devens—could result in more than 1,000 households living under an unelected “interim government” operated by Mass Development. For example, one area designated for housing redevelopment is Vicksburg Square, where 30% of the building is located in Harvard, in Worcester County, and 70% is located in Ayer, in Middlesex County, presenting a clear functional problem in determining which town children will go to school, which police department will respond to a call, and where people will vote—which could vary literally from one housing unit to the next. As for schools, capacity is an issue, and a new school may be needed (requiring municipal land on Devens) to provide adequate facilities for hundreds of new students as a result of lifting the cap. Long-term planning and consideration are needed, not a rush to solve one problem at the risk of creating a myriad of others. Further, the residents of Ayer, Harvard and Shirley will need to understand and plan for the economic impact new housing construction will place on town budgets in order to provide appropriate municipal services and infrastructure.

Current Devens residents have no voice in how their community is managed. There is an advisory committee that has no legal authority, such as a select board, and holds no town meetings to approve budgets, enact policies or pass bylaws. Although they may vote in Harvard, Ayer, or Shirley, Devens residents pay property taxes to Mass Development but never see a complete budget of how those tax dollars are spent. Mass Development, the designated “interim government,” contracts for services including education, and borrows for municipal purposes with only a vote from its Boston-based board of directors, none of whom live on Devens or in the Towns. It is a fundamental right to vote for the people who will represent you and spend your tax dollars in a way that is transparent and accountable. As it stands, Devens residents are disenfranchised from making those key municipal decisions that affect their daily lives, property values, safety, and children’s education.

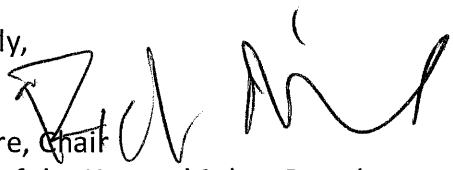
**MOVING FORWARD:**

Consistent with Section 23 of Chapter 498, the Towns are actively engaged in planning for future governance through the Devens Jurisdiction Framework Committee, which is comprised of three representatives from each of the towns, the Devens community, Mass Development, and the Devens Enterprise Commission. Mass Development withdrew from this effort in 2022, and despite frequent requests by the Towns and our legislative delegation to re-engage, MD has cited the 2033 disposition deadline in Chapter 498 as justification for delaying planning assistance to the DJFC for almost ten years. MD has avowed to wait until 2032 before beginning to focus on disposition planning with the Towns, giving the appearance that it can selectively choose which sections of Chapter 498 to follow.

**We recognize that housing is acutely needed in the Commonwealth, and more housing should be built on Devens. To accomplish this goal, we are formally requesting the Healey Administration to include a provision in the Mass Leads Act calling for the establishment of a permanent governance structure and the development of a disposition plan for Devens –by working in collaboration with the stakeholder communities, Mass Development and the DEC, as Chapter 498 envisioned. We also formally request that disposition planning be expedited and concluded prior to the 2033 deadline set by Chapter 498. We request that the Devens disposition *process* be resolved *before* any new residents take occupancy at Devens.**

The Healey Administration’s commitment to forge a Devens disposition agreement with the stakeholders of Harvard, Ayer, Shirley and Devens would be in keeping with the spirit of the Constitution of the Commonwealth, which guarantees the right to self-government to all its citizens. The fundamental principles embedded in that historic document include enumerating forms of local government and an “interim government” which disenfranchises citizens is not one of them. We look forward to working with you to positively resolve these issues as expeditiously as possible to the benefit of all parties.

Respectfully,



Rich Maiore, Chair

On behalf of the Harvard Select Board

CC: Town of Ayer  
Town of Shirley  
Devens Committee  
Executive Office of Housing and Livable Communities