

Devens Jurisdictional Framework Committee

Minutes from December 13, 2023

**Attendance:** Victor Normand (Chair); Jannice Livingston (Vice Chair); Alan Manoian; **Robert Pontbriand**; Rich Maiore; Bill Marshall; Mike McGovern; John Katter; Kristen Cullen; Bryan Sawyer; Neil Angus; and Tim Bragan

**Absent:** Rico Capucci; Marissa Rivera

**Call to Order:**

The meeting was called to order at 3pm by Victor Normand in the First Floor Meeting Room of the Ayer Town Hall.

**Meeting Minutes Approval:**

The Committee reviewed the DRAFT meeting minutes from November 8, 2023.

J. Livingston advised she found no errors in the meeting minutes.

Motion: A motion was made by J. Livingston and seconded by R. Maiore to approve the meeting minutes from November 8, 2023. Motion passed 10

**Stakeholder Updates:**

**Town of Ayer:**

Jannice Livingston advised as of now it is too early for her Towns local committee to report any updated from the local committee, and advised they are meeting today (December 13, 2023)

**Town of Harvard:**

Victor Normand advised that the Town's local Committee meet last week. He advised during this meeting they mostly discussed Vicksburg Square. He is anticipating financial information from MassDevelopment. MassDevelopment advised that its board would review the agencies budget at their meeting on December 14, 2023. Harvard is expecting their budget for review and provide to the overall committee shortly after.

**Town of Shirley:**

M. McGovern and Bryan Sawyer advised that there was no new update at this time.

**Devens Representatives:**

Marissa Rivera advised their meeting with residents went very well last month. Most of the attendees stayed for the full meeting and asked many different questions. Some of the questions asked by residents are the following: Who is driving things to happen faster? Which towns requested an

accelerated timeline? What are the plans to deal with any toxic materials when renovating Vicksburg Square? What Role do businesses have in the selection of the way forward? Who made the decision to decouple Vicksburg Square from Devens? Can you summarize what the other towns have done in the last 5 years in relation to jurisdiction?

Marissa Rivera advised that residents are wanting more communication through surveys, emails, and small and large group meetings. Devens has tentatively identified their next large group meeting date and is working with its residents on specifics. She advised they are working hard to provide Devens residents with accurate information and created spaces for open conversation. She also advised that Senator Cronin join the December meeting at help answer some of resident's questions.

John Katter advised that Devens agrees with local Legislators that rezoning for housing is important; however, redrawing county lines and changing jurisdictions of certain partials on Devens (Vicksburg Square) will dramatically delay the opportunity to alleviate the housing crisis. While there is a large concern with Devens residents that Vicksburg Square needs to be saved, due to the cost occupancy is years away. Due to this Devens resident believe other partials are more feasible and should be rezoned for housing to more quickly alleviate the housing shortage. Devens resident do not find decoupling some partials from Devens to accelerate the timeline is appropriate. John Katter advised that no one has invested more personally in Devens than its residents. The residents at Devens will continue to support the Common Wealth through Social Services and housing, with the request that we have full equivalent stakeholders' role during the discussion and overall process.

#### **Devens Enterprise Commission (DEC) Update:**

Bill Marshall advised that Neil Angus provided the necessary information for the Super Town Meeting in the meeting packets. Both Bill Marshall and Neil Angus advised they believe Vicksburg Square should be handled separately from the Jurisdiction Committee. Neil Angus advised he believes that all stakeholders goals can be accomplish under the current Chapter 498 without the need to redraw town lines.

#### **MassDevelopment Update:**

MassDevelopment was not present at the meeting and there has been no new communication from them at this time.

#### **Old Business:**

#### **RFEI Document Final Review/Potential Vote:**

Michael McGovern Advised that the Town Manager in Ayer and himself have been working to complete the document. He advised that the provide document is a sample of the final RFEI. He also informed the committee of different legal requirements for an RFEI. Michael McGovern advised the current document is 80% complete.

#### **Vicksburg Square Super Town Meeting Draft Article:**

Victor Norman advised that Robert Pontbriand and he have been working on the draft article for Super Town Meeting. He advised that the comments brought up by Devens residents have already been taken into consideration when drafting the article. Victor Norman advised the article is the desire of the towns

and not set to happen until 2033. He advised that the 2<sup>nd</sup> item changes the zoning of Vicksburg Square to allow for housing. Along with this the 3<sup>rd</sup> article caps the number of units in Vicksburg Square to 400 and determines what they consist of.

Jannice Livingston what to clarify that she did not want to cause any extra stress by introducing Vicksburg Square into the conversation. She advised that the Town of Ayer is not trying to fast track the process and thought that discussion have been tabled. She also wanted to know how removing it would benefit the timeline.

Victor Norman advised that the article was written with the intention of passing Super Town Meeting. He expressed his concern that if it failed a 3<sup>rd</sup> time the state could take over the process.

John Katter advised that Devens residents do not want preferential treatment toward specific partials and advised doing so would delay or stop progress. He also advised that if Ayer received Vicksburg Square that they would get all the land between it and Ayer.

Victor Norman advised that the Towns do not need the states approval to create and impellent a reuse plan.

Neil Angus advised again that a sub-committee should be created to go over Vicksburg, as it is taking too much of the discussion away from the main process. He also advised having a separate committee handle it would expedite the process.

Victor Norman advised he does not believe that the discussion is taking too much time and that the process is still moving forward. He also advised that he would only be okay with creating a sub-committee for Vicksburg Square if MassDevelopment came back to the table.

Rich Maiore advised that he believes the Vicksburg discussion has reenergized the committee and should be kept on.

It was decided that the draft article will be brought back to the Town Boards and would be discussed again in February.

#### **Letter to Secretary Hao with responses:**

Victor Norman advised that communication between Devens legislators and Secretary Hao (Chair of MassDevelopment Board). He advised he also sent a letter to Secretary Hao which he received a response from with no commitments. His meeting with Hao assistant and one of the legislators also resulted in no changes.

#### **New Business:**

##### **Process for Amending the Reuse plan by Super Town Meeting:**

Bill Marshall and Neil Angus advised about the document created to show this process would take place and its requirements.

#### **Public Comments:**

Devens resident – What is the soonest the housing could be available if Vicksburg was approved.

Victor Norman - If approved it could be developed very quickly.

Devens resident – Has Ayer or any town been approached by a developer?

Jannice Livingston – No

Ayer resident – Wants to know if Vicksburg will be rezoned

Neil Angus – This is still being determined

Kurt Ayer resident – What does the current zoning for Vicksburg allow?

Neil Angus – It allows for business, small retail, and startup business

Jessie Devens resident – Wants to know the urgency for Vicksburg last meeting?

Bryan Sawyer – Advised that the building is ageing and all Towns want to make a decision before further decay.

Jessie Devens resident – Wanted to advise she saw a news article giving Devens a poor image and wanted Towns to understand Devens is a thriving community.

Kathy Devens resident – Stated she is worried Devens will become a “dumping ground” for the other towns if it is divided up.

Jannice Livingston – Advised the Towns are trying to get input from all residents including Devens.

Lisa Devens resident – Is worried that the local Towns are going to take portions of Devens.

Jannice Livingston – Advised the future of Devens is still be determined and not decisions have been made yet.

Devens resident – Stated he is worried they won’t get representation at the Super Town Meeting.

Jannice Livingston – Advised that ever voice matters at Super Town Meetings and will be taken into consideration.

Jim Devens resident – Wanted to know if affordable housing in Vicksburg will be taken into account for Ayers required number?

Jannice Livingston – It would not

Scott Devens resident – Has there been any word from the state on the process?

Michael McGovern – The state is waiting to see what the Towns do.

Devens resident – Has there been a decision on the sub-committee for Vicksburg?

Jannice Livingston – The towns will look into this topic and make a determination at their next meeting January 9 and 3:00 pm.

Devens resident – Wanted to inform everyone the attempts to develop Vicksburg Square have fail multiple times, and stated it is good the Town are looking into it further.

**Items for the Next Meeting Agenda:**

**Adjournment:**

Motion: A motion was made by R. Maiore and seconded by J. Livingston to adjourn the meeting at 4:40pm. Motion passed 10-0.

The meeting was adjourned at 4:40pm.

Minutes recorded and submitted by Logan Bries.

Requested edits from John Katter on 10JAN24

During the discussion of VSq, the Vice Chair of the DJFC, Jannice Livingston, stated that she put forth the Plan for the drafting of the VSq Warrant Article. On three occasions she also stated that, pertaining to the first item:

Approx 20:54 mark of video

“Maybe that needs to be reworded, or maybe that needs to be struck.”

Approx 30 minute mark of video

“...so that’s what drove this whole conversation, so “if we take off the first part, we all agree that rezoning is still going to be needed...so if we remove the whole paragraph one and focused on the rest, how soon can we get something together?”

Approx 1:16:39 mark of video

Devens resident -“So, therefore, the wording should not say it’s going to become a permanent part of Ayer.” Jannice L reply: “**And I said earlier I think we can strike that, that was simply for conversational purposes.**”

Minutes reviewed & approved by the Committee on **14 February 2024, Jannice Livingston, Vice-Chair DJFC**