

AMENDED

DEVENS JURISDICTION FRAMEWORK COMMITTEE

Wednesday, May 8, 2024, at 3:00 p.m.

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

RECEIVED
MAY 02 2024

TOWN OF AYER
TOWN CLERK



AGENDA

- ❖ **Call to Order**
- ❖ **Approval of Meeting Minutes** (*Representative from Harvard taking minutes for this meeting*)
 - 10 April 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 update
 - Update on Legislative Changes to 498/Meeting Schedule
 - MassDevelopment update
- ❖ **New Business**
 - Responses to Question 2 of Permanent Government Options Matrix
 - Community One Stop for Growth Grant
 - Meeting Schedule Frequency
- ❖ **Public Comment**
- ❖ **Items for the Next Meeting Agenda**
- ❖ **Adjourn**

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

<https://devensjfc.weebly.com>

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11:00AM


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*****DRAFT*** Devens Jurisdiction Framework Committee**

Meeting Minutes from April 10, 2024

Attendance: Victor Normand; Jannice Livingston; Mike McGovern; Rich Maiore; Robert Pontbriand; Alan Manoian; Bryan Sawyer; Logan Bries; Neil Angus; Bill Marshall; Kristen Cullen; John Kater (Joined at 3:45pm)

Absent: Tim Bragan; Melissa Rivera

Call to Order:

The April 10, 2023 meeting of the Devens Jurisdictional Framework Committee (DJFC) was called to order at 3:00pm in the First Floor Meeting Room of the Ayer Town Hall by Victor Normand.

Approval of the March 13, 2023 Meeting Minutes:

The Committee reviewed the DRAFT March 13, 2023 meeting minutes.

Neil Angus asked for edits on page 2 changing “cape” to “cap”; on page 3 changing Green to Victor Normand; and rewording the phrasing to “80 acres not “archers” are available with some development restrictions.

Motion: A motion was made by Rich Maorie and seconded by Robert Pontbriand to approve the meeting minutes with edits. **Motion passed unanimous 11-0.**

Stakeholder Updates:

Town of Ayer: None.

Town of Havard: Have not met in April. No report at this time.

Town of Shirley: Mike McGovern reported that he has reached out to the State Senators and MassDevelopment for a meeting with someone from the Secretary’s Office. It will probably take a couple more weeks to schedule.

Devens Enterprise Commission: None.

Devens Representatives: None.

Old Business:

RFEI Posting:

Victor Normand stated that at the last meeting we had decided to hold this in abeyance given the uncertainty of things.

Jannice Livingston stated that she is concerned that this has not been issued. The deadline of 2033 for the study has not changed.

Michael McGovern stated that everything is in a state of flux with respect to MassDevelopment. We also do not have a defined funding source for this work and no consultant is going to be looking at how do they get paid. The consultant would also need to interface with MassDevelopment, and we have no idea what their plans are or if they will even participate.

Jannice Livingston stated that the point of the RFEI is to get more information.

Michael McGovern stated that we can send it out, it won't hurt but I would be very surprised if we receive any responses. This should have been an RFP.

Jannice Livingston stated that is what I originally wanted. We were all hurrying up and now we are going to sit.

Alan Manoian stated that we are not seeking proposals, but this is starting with the process and may help the group. We should put it out there and see if there is any interest. It could be beneficial.

Rich Maiore asked about the issue of having no funding.

Michael McGovern stated that is part of the problem in that we have no money.

Robert Pontbriand stated that there are no costs associated with issuing the RFEI and if it is the will of the Committee, we could issue it and see if we receive any responses.

Motion: A motion was made by Robert Pontbriand and seconded by Jannice Livingston to issue the RFEI for thirty days. **Motion passed 11-0.**

Legislation Changes to 498:

Rich Maiore referenced Harvard's recent letter that was sent on this topic.

Victor Normand stated that there should be a decision on governance before the issues of housing.

Bill Marshall stated that is the stance of Harvard and their inference is jurisdiction before housing, but we could be five to 6 years away from jurisdiction.

Bryan Sawyer stated that he agrees with Michael McGovern's approach to get a meeting with the Governor's Office to find out where the State stands on these issues.

Robert Pontbriand stated his frustration with the almost three-year cone of silence from MassDevelopment on this effort. He further stated that there is an unprecedented crisis with political and public implications currently on the State Government to resolve the migrant issue, the housing crisis, and facing a budget deficit. Crisis and politics create unique opportunities and perhaps the State is looking to quickly build affordable housing on the 82 acres of land currently under their jurisdiction on Devens. This is just speculation absent any communication or information from the State but could be a possibility given the current circumstances and reality. Until MassDevelopment is at the table with us as part of the process and part of the solution we are at a loss on how to effectively proceed.

Neil Angus stated that meeting with the State is a step forward to find out where they stand on these issues.

[[John Kater joined the meeting at 3:45pm]]

MassDevelopment's Response to Vicksburg Square Warrant Article:

Victor Normand provided an overview of the issues and Dan Rivera's letter.

Neil Angus stated that we should definitely take Dan Rivera up on his offer to meet.

Robert Pontbriand concurred with Neil Angus and suggested that the Committee plan to meet with Dan Rivera at the May meeting.

John Katter stated that with the housing crisis in the Commonwealth there may be short-term and long-term strategies that need to be addressed and discussed. We would also be interested in MassDevelopment speaking to the future plans of other parcels besides Vicksburg Square.

Kristen Cullen stated that recruiting to this region is a challenge due to the cost of housing.

Victor Normand stated that he would reach out to Dan Rivera and invite him to the May meeting.

Responses to Question 1 of the Permanent Government Options Matrix:

Victor Normand provided an overview of the responses. He stated that Marissa Rivera did a particularly thorough job with her response on behalf of the Devens Representatives. He

further stated that for the next meeting the topic will be Open Space and Recreation and he asked all stakeholders to prepare their respective responses.

New Business:

Education Letter from Harvard:

Victor Normand provided an overview of the letter from the Harvard Jurisdictional Committee to the Superintendents of Harvard Schools, Ayer Shirley Regional Schools, and the Parker Charter School on the role of education and the future of disposition. He further stated that the letter raises the idea of setting aside land on Devens for the future purposes of a school.

[Michael McGovern and Bryan Sawyer leave the meeting at 4:05pm]

Alan Manoian stated that in 1970 the majority of students in the Ayer Shirley Schools were on Devens.

John Katter stated that we need to start discussing this issue more. How does additional housing impact schools and education? Enrollment in the Harvard Schools is at the lowest since 2006.

Neil Angus agreed with John Katter and stated that we need to really look at the relationships between housing stock and school enrollment.

Public Comment:

Devens Resident (did not state name): How valuable is the Harvard School Contract to the Town of Harvard? Is there enough capacity for further housing at Devens for Harvard to educate those children? Will there be funding to support education expansion needs due to new housing?

Items for the Next Meeting Agenda:

- RFEI Update
- Meeting Date Update for the State from Michael McGovern
- Dan Rivera to meet with the Committee regarding Super Town Meeting
- Stakeholders to submit their responses for Open Space and Recreation

Jannice Livingston stated that the next meeting is May 8 so the meeting packet will be available the Friday before May 8.

Victor Normand thanked Ayer for hosting the meeting.

Adjournment:

Motion: A motion was made by Rick Maoire and seconded by Jannice Livingston to adjourn the meeting at 4:13pm. **Motion passed 6-0.**

The meeting adjourned at 4:13pm.

Minutes recorded and submitted by Robert Pontbriand.

Minutes reviewed and approved by the DJFC on _____.

DRAFT

Devens Jurisdiction Framework Committee

April 11, 2024

Dan Rivera, President, and CEO
MassDevelopment
99 High Street, 11th Floor
Boston, MA 02110

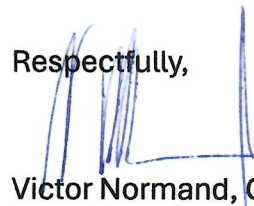
Dear Mr. Rivera:

The Devens Jurisdiction Framework Committee (DJFC) appreciates the response to my letter of February 16, 2024, and would like to continue the Vicksburg Square housing dialogue with you.

In your letter you reference the Governor's pending Economic Development Bill that mentions in part, the feasibility of housing within the Innovation and Technology Center (ITC) zone. While the Bill would remove the limitation on the number of housing units at Devens, it does not change the requirement for a Super Town Meeting to amend zoning. As you know, Vicksburg Square is in the ITC zone.

That being said, the importance of crafting a warrant article that would have a high likelihood of majority support at the three simultaneous town meetings is critical. Yesterday the committee agreed that a meeting between you and your staff and the DJFC would be the most effective way forward. The members felt that your presence along with staff at the next DJFC meeting on May 8, 2024, at 3:00pm in Ayer Town Hall would be most efficient and much appreciated.

Respectfully,



Victor Normand, Chair, DJFC

CC:

Secretary 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

OPEN SPACE AND RECREATION MATRIX RESPONSE

Town of Ayer MA Recreation & Open Space

The need and provision of healthful, accessible and well-maintained public Open/Recreational Space is crucial for the Town of Ayer's future sustainable growth. Within the historic Ayer land at Devens there are (35.5 acres) of civic open space and recreational fields, including "Verbeck Field" (9.0 acres) at 27 Antietam St., "Willard Field" (21.5 acres) at 21 Antietam St., and "Antietam Field" (5.0 acres) at 95 Buena Vista. Should these lands/fields return to Ayer, the municipality would protect and maintain the existing "Open Space/Recreation" Zoning classification. Long-standing and successful athletic tournament partnerships, special civic events, and contractual use agreements would be reviewed, maintained and well-administered. The approx. 35.5 acres of potentially additional open/recreation space would be professionally-managed and maintained by the Town of Ayer Parks Department. An expanded Parks Department staff and escalated operational budget would be required if the open/recreational space were transferred to the municipality. The additional 35.5 acres would also have direct staff/budgetary service impact to the Ayer Police Department, Ayer Fire Department and Ayer Dept. of Public Works.

OPEN SPACE AND RECREATION MATRIX RESPONSE

Open Space and Recreation Status Quo: Devens Enterprise Commission:

- Protect Natural Resources within Devens
- Natural system connectivity (NbS and Green Infrastructure)
- Maintain and enhance natural, historic, and cultural features in Devens
- Local Conservation Commission - Conservation Restriction holder/management
- Manage active and passive open space areas as ID'd in the Reuse Plan, Devens Bylaws and Devens Rules and Regulations, as well as the Devens Open Space and Recreation Plan.
- Continue to implement the Multi-Use trail Network.
- Continue to implement Devens Open Space and Recreation Plan.
- Collaborate with local, regional and state partners (Town connections, MassAudobon, NRWA, NHESP, MassWildlife, USFWS, etc.)

Status Quo: MassDevelopment*:

- Active recreation coordination (full-time Recreation Director)
- Devens DPW – management and oversight of active recreation areas
- Manage active and passive open space areas as ID'd in the Reuse Plan, Devens Bylaws and Devens Rules and Regulations, as well as the Devens Open Space and Recreation Plan.
- Trail system operations and maintenance
- Mirror Lake Recreation oversight (implement Mirror Lake Master Plan)
- Devens Open Space and Recreation Plan implementation (regional recreation resources)
- Collaboration with other CR holders (Trustees of Reservations, New England Forestry Foundation)
- Seasonal community recreation and social events

**This is a general listing of roles and responsibilities of MassDevelopment as they pertain to open space and recreation issues on Devens. 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.*

OPEN SPACE AND RECREATION MATRIX RESPONSE

DJFC Working Group – Topic 2: Open Space and Recreation (OSR) Devens

Resident Construct: Devens as a Town

Devens as a Town would honor the principles and standards established in the 1994 Reuse Plan, DEC Regulations, 2003 Recreation Strategic Plan (RSP), and Devens OSRP.

The land use was expected to serve a wide range of passive and active recreational needs of the DREZ and **the region** as a whole, and to protect sensitive ecosystems, wildlife habitat, scenic views and significant landscape features.

FUTURE:

- Continue vision, objectives, and goals for OSR as maintained over 30 years.

“Devens would continue to serve a role as a regional destination for recreation.”

Recreation:

- Fields: Generate revenue to support recreation facilities per RSP.
 - Rogers – is the “crown jewel” - the center of recreation and community in the Historic District; retain and use for its intended purpose.
 - Other playing fields to continue their recreational role.
 - Evaluate potential use by adjacent towns for team sports – TBD.
- Mirror Lake – Maintain contract with MLM for water operations.
- Support numerous business, military, and resident events.
- Continue to work with various entities to further develop trail linkages.
- Continue “pocket” parks/playgrounds nestled within neighborhoods.

Open Space:

- Continue to actively maintain permanently protected land and submit CR documents as identified and stay true to the values and principles of OS&R and Sustainability initiatives.
- Continue to lead/participate in various Regional Councils.

Organization:

- Work with the DEC and transition to future organic town organization.
- Maintain the Recreation Department under the DPW.

Other:

- Update, maintain and enforce Regulations and Plans.

OPEN SPACE AND RECREATION MATRIX RESPONSE

Town of Harvard MA Recreation & Open Space

The Select Board appoints members to the Park and Recreation Commission (5), and the Open Space Committee (6) to manage all aspects of town recreation and open space programs and assets. It is expected that Devens programs and facilities would be added to their charges, and Devens residents considered for membership on both organizations.

Open Space Committee

Annually, the Open Space Committee prepares a plan formatted according to specifications of the Massachusetts Division of Conservation Services with input from a survey of residents. While over half of the land in Harvard is open space, less the half of that is permanently protected. The Committee's goal is to continually identify opportunities for future acquisition for both passive and active recreation. Including Devens open spaces land in the program would be a priority. The Committee's membership includes representation from the Select Board, Agricultural Commission, Conservation Commission, Harvard Conservation Trust, Parks and Recreation Commission and School Department. Expanding membership to include representation from the Devens Enterprise Commission would be considered.

Parks and Recreation

Charged with the direction of town park and recreational activities, the Park and Recreation Commission members are appointed to staggered three-year terms. The commission oversees the organization and direction of the Town's recreational programs, maintenance and operation of the Town Beach and the playing fields, and the hiring of lifeguards and other safety personnel. The Commission has hands on experience in beach management, fields maintenance, trails upkeep as well as taking care of playgrounds and courts.

For discussion under new business.

<https://www.mass.gov/guides/community-one-stop-for-growth>