

Devens Committee Communiqué

Devens Citizen Advisory Committee

Stakeholders Consider Devens Disposition MOU

After a process lasting over 16 months, the Devens Disposition Executive Board (DDEB) narrowed over 9 original possible disposition scenarios to the one commonly known as Scenario 2B (Devens as a town with some parcels reverting to the towns). The DDEB reached this decision as it became apparent over the past several months that 2B was the sole scenario with a chance for consensus among at least 5 of the 6 disposition stakeholders.

On February 16, the DDEB formally charged its Governance Committee to draft an MOU providing the understandings of each of the 6 entities. Anticipating this charge, the Governance Committee had presented an MOU outline.

The Disposition MOU being developed includes 3 major sections: Preamble, Agreement, and Action Items. Over the next several weeks, the Governance Committee will be fleshing out the entire MOU based on criteria and input of the six stakeholders. Once finalized, the Governance Committee will submit it to the DDEB. After the DDEB approves it, the MOU will be presented to the 6 stakeholders for approval.

Preamble

- Lists the parties and effective date
- Provides MOU goals and purpose
- Recites statements describing the process.

Devens residents are actively represented on the Governance Committee by DC members Mike Boucher, Bob Eisengrein and David Winters. Mike Donabedian, Mary Leonhardt and Phil Crosby have also participated on this committee.

Agreement

- Disposition scenario selection and vote
- Consensus-based scenario description
 - ◆ Summary of each stakeholder's criteria
 - ◆ Common themes leading to consensus
 - ◆ Remaining criteria differences
 - ◆ More detailed scenario description
 - ◆ Refers to a minority report, if there is one
- Governance
 - ◆ Jurisdiction by geographical area
 - ◆ Transition period
 - ◆ Transfer of jurisdiction and governance functions
 - ◆ Permanent governance structure
- Ownership
 - ◆ Parcel transfer agreements (if applicable)
 - ◆ Intent of MassDevelopment to develop areas it owns
- Boundaries
 - ◆ Written description and map
 - ◆ Changes to towns and counties
- Zoning
 - ◆ Amendments to the Reuse Plan
 - ◆ Amendments to the zoning district
 - ◆ Timing of zoning changes
 - ◆ Control over amended zoning
 - ◆ Amending zoning after disposition
- Housing and Commercial Development
 - ◆ Maximum number of housing units
 - ◆ Areas to be rezoned and developed
 - ◆ Housing types
 - ◆ Density allowances
 - ◆ Commercial development
- Education
 - ◆ School contract summary
 - ◆ Plans for a new PK-6 school at Devens

What is an MOU?

An MOU (memorandum of understanding) is a written agreement between the parties that sign it. The current Devens Disposition MOU under discussion describes the common understandings the parties have concerning the status of disposition and the next steps to be taken. It provides common ground as the parties continue to move the disposition process forward. It will serve as the blueprint for the report and legislation submitted to the Legislature should this disposition scenario be approved by the stakeholders. The MOU is an important part of the consensus process being used in disposition.

Action Items (to be completed before the vote in November 2006)

- Economic Sustainability
 - ◆ Sustainability projections
 - ◆ Capital improvement plan
- Governance Issues
 - ◆ Unified permitting
 - ◆ Role of DEC
 - ◆ Future of Enterprise Zone
- Draft Legislation
- Draft Zoning By-Laws and Design Guidelines
- Identify MEPA Certificate Issues
- Transportation Issues
 - ◆ Roads, public ways, bridges
 - ◆ Traffic flow
- Transfer of Assets
 - ◆ Utilities
 - ◆ Infrastructure
 - ◆ Buildings
- Public Hearings on Disposition
- Draft Language of the Vote
- Article 97 and open space protection
- Recreation and open space use issues
- 40R and 40S Zoning Potential

Community Participation Meeting

Devens Citizen Advisory Committee

Mike Boucher (Chair): 978-772-5055
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Tom Kinch: 978-772-9849
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Date: Saturday, March 11, 2006

Time: 9:00 a.m.—12:00 noon

Location: Community Center

Agenda Items

- ◆ **Communications**
- ◆ **Disposition Memorandum of Understanding**
- ◆ **Devens Resident Disposition Criteria**

Preview the suggested criteria at
www.devenscommittee.org

**Babysitting Provided
Refreshments**

Sponsored by the Devens Committee

Important Web Sites

- www.devenscommittee.org
- www.devensdisposition.org

Why Wasn't This Newsletter Mailed to Me?

MassDevelopment recently notified the Devens Committee that state law does not allow them to spend public funds on issues that are being submitted to the voters through a ballot. Since disposition is a ballot issue, MassDevelopment cannot distribute unsolicited materials, such as this newsletter.

The DC and MassDevelopment are exploring ways to continue effective communication with residents. The DC will discuss this issue at the March 11 Community Participation Meeting.

While the Devens Committee cannot use MassDevelopment resources to mail this newsletter to all Devens residents, we have put it on the DC website (www.devenscommittee.org). Copies are available at the MassDevelopment office and will be at the DC meeting on March 6 and Community meeting on March 11.

Disposition Process Timeline

March 15
Stakeholder submit requirements for MOU inclusion

April 1
DDEB Working Committees complete reports

April 4
Governance Committee provides draft MOU to DDEB
Drafting of legislation and/or zoning bylaws begins

April 20
Stakeholder comments on draft MOU

May 4
Final MOU distributed to DDEB and stakeholders

June 1
Stakeholder ratification

Devens Resident Scenario 2B Disposition Criteria

The majority of discussion at the March 11 Community Participation Meeting will focus on the list of disposition criteria to include in the MOU. To initiate the discussion, the DC has identified the following 10 basic areas.

- ◆ Jurisdiction transfer timing based on financial sustainability
- ◆ Replacement revenue for Barnum parcels until equal or more new revenue developed
- ◆ School campus
- ◆ Land

- ◆ Buildings and facilities
- ◆ Infrastructure
- ◆ Education
- ◆ Municipal Services
- ◆ Zoning
- ◆ Zoning Sunshine Clause

The complete, detailed 4 page draft document is on the DC website (www.devenscommittee.org).

Future Devens Committee Meetings

Monday, March 6

**Saturday, March 11:
Community Participation Meeting**

Monday, March 20

Monday meetings begin at 7:00 p.m.

33 Andrews Parkway

First Floor Conference Room