



Devens Community Participation Meeting

DDEB

Memorandum of Understanding

Devens Committee

March 11, 2006



General Agenda

- Introductions and today's goal
- DDEB Timeline
- Communications
- DDEB Memorandum of Understanding (MOU) Description
- Devens Residents MOU items
 - *These are interactive discussions, please feel free to ask questions and comment at any time.*



Introduction and Goals

- Presentations (**Interactive**)
- Goals
 - Purpose of MOU?
 - Initial MOU items identified
 - Resident Input
 - Mass Development feedback



DDEB Timeline

- MOU sent to DDEB Governance Committee **March 15**
- Draft MOU sent to DDEB **April 4**
 - Stakeholder comments
- Coordinating Committee resolve differences **May 1**
- Final MOU to DDEB and Stakeholders **May 4**
- Ratification of MOU **June 1**

Disposition Process Schematic

■ Stakeholder Working Group Proposal

- framework describing disposition outcome
- endorsement by stakeholders (2/16/2006)

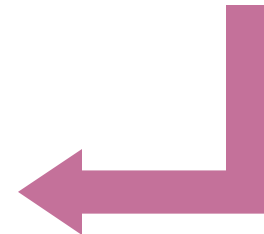


■ Memorandum of Understanding

- detailed description of the agreement
- defines outcomes, processes to achieve outcomes, and timelines
- provides basis for drafting legislation
- endorsement by stakeholders (4/6/2006)

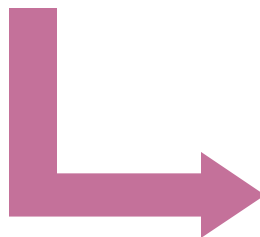
■ Report: Revised Reuse Plan and Draft Legislation

- required under Chapter 498
- drafted by Sasaki and MassDevelopment legal staff
- reviewed by VHB and DDEB legal staff
- public hearings at draft stage
- endorsement by stakeholders (7/6/2006)



■ Stakeholder Approval

- submission of ballot question (8/3/2006)
- town meetings (10/2006)
- vote on ballot question (11/7/2006)
- submission to the legislature (12/2006)





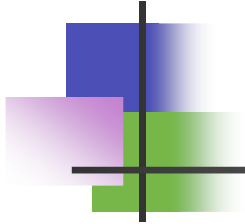
Communications

- *Devens Committee Communiqué*
- Mailings
- Email
- www.devenscommittee.org
- www.devensdisposition.org



Public Resources and Local Ballot Questions

- Campaign Finance Law: Chapter 55 & State Constitution
 - Prohibits publicly funded distribution of any information to voters concerning a ballot question without express statutory authority
 - Public resources include paper, postage, staff time, etc.
- Devens Disposition is an anticipated ballot question (Nov. 06)
- This impacts the ability of the Devens Committee (as well as all of the Stakeholders) to distribute information concerning disposition
 - MassDevelopment distributes this information with public funds



- Unsolicited distribution
 - Unsolicited is the key, therefore,
 - No mass mailings
 - No mass emailings
- What May Be Done
 - Materials may be posted on a web site
 - Materials may be prepared for distribution at public meetings
 - Materials may be distributed by mail or email if requested
- Disposition Information Request



Devens Disposition Memorandum of Understanding (MOU)

- What is an MOU?
 - Written agreement between the parties that sign it
- The Devens Disposition MOU
 - Describes common understandings
 - Provides common ground
 - Serves as blueprint for the report and legislation
- Written by DDEB Governance Committee
 - All Stakeholders participating



3 Major Sections

- Preamble
- Agreement
- Action Items



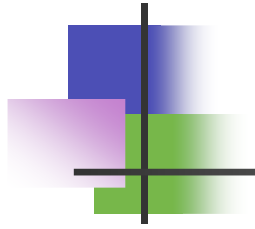
Preamble

- Lists parties and effective date
- Provides MOU purpose and goals
 - To set forth a single disposition scenario (2B)
 - Not to preclude additional study and analysis
 - Identify areas of consensus
 - Not binding
 - Statements of intentions
- Describes scenarios
 - Considered
 - Eliminated
 - Endorsed

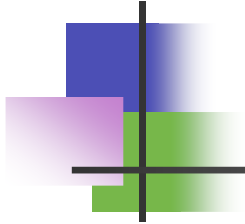


Agreement

- Process that will lead to disposition
 - Report
 - Votes
- Scenario description
 - Stakeholder criteria
 - Common themes leading to consensus
 - Remaining criteria differences
- Governance
 - Jurisdiction by geographical area
 - Transition
 - Transfer of jurisdiction and governance functions
 - Permanent government 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 Reuse Plan
 - Amendments to zoning district
 - Timing of zoning changes
 - Control over amended zoning
 - Amending zoning after jurisdiction

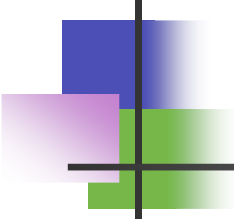


- Housing & Commercial Development
 - Maximum number of housing units
 - Areas to be rezoned and developed
 - Housing types
 - Density allowances
 - Commercial Development
- Education
 - School contract summary
 - Plans for new PK-6 school at Devens



Action Items

- (To be completed before Nov. 2006 vote)
- Economic Sustainability
 - Sustainability projections
 - Capital improvement plan
- Governance Issues
 - Unified permitting
 - Role of DEC
 - Future of the Enterprise Zone
- Draft the Legislation
- Draft Zoning By-Laws and Design Guidelines

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- Identify MEPA Certificate Issues
 - Transportation Issues
 - Roads, public ways, bridges
 - Traffic flow
 - Transfer of Assets
 - Utilities
 - Infrastructure
 - Buildings
 - Public Hearings on Disposition
 - Recreation and Open Space Issues
 - 40R and 40S Zoning Potential



Housing Plan (October 2005)

- DC – Mass Development Plan (1300 units over 20 units)
 - Grant Road Phase (approximately 233 units)
 - Vicksburg Square Phase (approximately 150 units)
 - Willard Heights Phase (approximately 257 units)
 - Golf Course Phase (approximately 20 units)
 - Salerno Circle Phase (approximately 200 units)
 - Daveo Circle Phase (approximately 70 units)
 - Town Center Phase (approximately 120 units)
 - Buena Vista Phase (approximately 100 units)
 - Population 3380, Students 416-494
- Any Parcel removed from scenario reduces housing units
- One housing phase will be an over-55 (minimum 200 units)
- Affordable housing cap 10%
- 40R revenues to town of Devens stabilization fund
- Commercial-Industrial build out tied to housing development (100K to 150K per year)
- Ratio of single family to multi family, 50-50
- Traffic flow patterns within Devens and transportation to Devens will be reviewed and the analysis will be incorporated into the layout of parcels to be developed



Sustainability, Transition and Replacement Revenue

- Timing of jurisdiction transfer to Devens occurs based on financial sustainability using build out metrics from the DDEB Finance Committee forecast models. The assumptions would include reasonable State aid projections.
- For any parcel removed from Barnum, Mass Development will provide replacement revenue until new “commercial or industrial” development is constructed elsewhere on core Devens that provides equal or more revenue.



Sustainability, Transition and Replacement Revenue (continued)

Note: It was agreed between the DC and Mass Development that a comprehensive description of the first two items will be written. The definition of sustainable will include both revenues and transfer of land/facilities/services.

The description will provide for financial sustainability to at least the end of 2015 and incorporation of the town of Devens during 2010.



School Campus (Elementary and Middle)

- Two complete facilities including land to house new elementary school and middle school financed by Mass Development. Ground breaking of elementary school in the 2011 timeframe. The middle school would follow 4 to 5 years later.
- Schools' location to be on adjacent parcels providing a campus environment with design criteria for initial school construction to include over capacity of facilities for future middle school addition.
- Shared auditorium between elementary and middle school



School Campus (Elementary and Middle)

- Elementary school to include
 - Auditorium
 - Arts wing or facilities
 - Conference rooms
 - Cafeteria
 - Computer labs (all rooms internet accessible)
 - Science labs (gas plumbed)
 - Special education facilities
 - Playground
 - Playing fields
 - Track
 - Gym (with sports equipment) (constructed to “high school” requirements)
- Administrative offices



School Campus (Elementary and Middle)

- Note: the criteria for the start of school construction needs specific dates and or metrics and this is still under discussion.
- The DEAC chair has reviewed this criteria and participated in all discussions with Mass Development and the Devens Committee on school items.



Library

- Note: The library situation needs to be discussed further. We are looking into a Library-network for an initial plan but require “land” to be identified for a future library site. This land would be provided to the town of Devens from Mass Development. We have investigated some buildings (Davis Library and Corregidor-Batann auditorium) but these buildings either have been identified for other reuse or require substantial renovation.



Land

Note: Land (to be provided to Devens and remediate to zoning at disposition)

- Community playground (site not agreed upon at this time)
- Rogers field (Mass Development has agreed to transfer to Devens)
- Willard field (Mass Development has agreed to transfer to Devens, possible school campus location)
- Buena Vista – Auman street field (Housing is slated for this location)



Land (continued)

- Cemetery (location selected in conjunction with Devens residents, how much acreage?)
- Sweet heart monument (Mass Development has agreed to transfer to Devens)
- Foreman's Garden (Mass Development has agreed to transfer to Devens)
- Fort Devens topiary (Federal Prison, maintenance)
- Transfer of current open space land to Devens (Mass Development has agreed to hand over all parcels designated open space and under their jurisdiction to the town of Devens)



Land (continued)

- Entrance/Exit areas to Devens at Jackson, Verbeck, Shirley and Barnum. (Mass Development has agreed to hand over all public right of ways and setbacks to the town of Devens)
- Right of first refusal to purchase any land, buildings or infrastructure owned by Mass Development over other potential buyers or before demolition. (No agreement)
- Golf Course (Under discussion, long term lease revenue and land)



Buildings and Facilities

- DPW buildings and land
 - Includes office-computer equipment upon transition
 - Includes DPW maintenance equipment upon review and audit with Devens Committee ([trucks](#), [mowers](#), [inventory](#))
 - Includes all original drawings, maps and relevant documentation from the DPW and the Engineering Office.
 - Includes stored supplies at time of transition

Note: No agreement at this time. Mass Development is considering funding and maintaining the DPW until build out.



Buildings and Facilities (continued)

- Fire station
 - Fire trucks and equipment
 - EMS trucks and equipment
 - Fire chief vehicle
 - Office-computer equipment upon transition
 - Includes station communication equipment and truck communication equipment.

- Police barracks (renovated)
 - Includes office-computer equipment upon transition
 - 4 cruisers, including police chief vehicle
 - Includes barracks dispatch equipment and cruiser communication equipment.

NOTE: It was agreed that Mass Development would provide a new Public Safety facility located along Barnum (possibly near POW site). It was also agreed that the existing Fire Department facility would not meet current criteria and the State Police location is targeted for demolition. A new facility would be the most cost effective to provide public safety for Devens. Equipment for public safety functions need to be identified and agreed to transfer to Devens.



Buildings and Facilities (continued)

- Davis library ([under discussion](#))
 - Startup funds to populate library
 - Renovation costs

NOTE: A town hall location has not been agreed to. The community center has been recommended as a potential site for a town hall. Mass Development has agreed to hand over the Community Center and accompanying land to the town of Devens.

- Vicksburg Square “adjacent building” and land for potential town hall
 - Includes renovation costs and maintenance costs until transition. ([NO](#))
- Community Center and land
 - Includes building and development costs to convert sections of facility to town use.
 - Includes office and computer costs for town use.



Buildings and Facilities (continued)

- Chapel and land (maintained until transition) (targeted for housing, tour)
- Corregidor - Batann auditorium (maintained until transition) (targeted for demolition, tour)
- Demolition and removal of buildings not identified with a reuse (review of complete list of buildings with the Devens Committee)
- Recreation Department equipment and all office-computer equipment at transition
- NOTE: Needs to be negotiated with the DEC
 - Devens Enterprise Commission (DEC) office-computer equipment at transition (all original approved applications and permits and any other relevant documentation approved by the DEC).



Infrastructure

- Ownership of all wells and land about wells located on Core Devens to be transferred to Devens (includes pumping station facilities and land) (part of regional system)
- Ownership of gas/electric utilities and lands associated with them (Mass Development has agreed to transfer ownership, likely with debt associated, to the town of Devens, dates and or metric required)
- Co-ownership of water/sewer waste treatment facility (regional agreements on these facilities are dependent on assured capacity for future Devens growth to 7.5M sq feet CI development, 1150 additional residential units and no added costs to Devens residents to regionalize).



Infrastructure (continued)

- All current public roadways and setbacks transferred to Devens
- All entrance land to Devens ([Jackson](#), [Barnum](#), [Verbeck](#), and [Shirley](#))
- Sidewalk completion to Walnut, Elm, Montana and Chance ([Walnut and Elm](#))
- New lighting to historical residential district area (poles and lights similar to Jackson Road lighting) (Walnut, Elm, Montana and Chance) ([NO](#))
- Water sewer infrastructure review and evaluation ([Regional entity](#))
 - Water-sewer infrastructure to be transferred in working condition
 - Remote visual inspection used to create permanent record of all water and sewer infrastructure to be transferred.



Infrastructure (continued)

- Wireless computer infrastructure made to all of Devens (provide access points, servers and support to present and future residential areas) (Requested Mass Development partner with potential server provider, IT group investigating, DC investigating)



Infrastructure (continued)

- Improved road network on Devens (similar to the Sasaki conceptual plan that redirects all incoming traffic at Verbeck gate behind Parker School to Patton Road) prior to any upgrade to MacPherson road.
 - Traffic monitoring on all Devens exits and entrances including forecasts prior to MacPherson upgrade.
 - Any linkage to Route 2 through Devens based on using full build out residential plus future commercial and industrial build out of 6.5M sq. feet on Devens.

Note: Mass Development has agreed to a committee made up of Devens residents and MD engineering to investigate and recommend a road network to address the MacPherson upgrade. ([Volunteers](#))



Municipal Services

- Barnum Road improvements will be carried out by a stated date including burial of utility wires, granite curbing and landscaping in order to put this entrance into Devens on a par with the Jackson Road entrance.
- Contract out services for any pieces of Barnum negotiated to Harvard (Fire, Police, DPW and EMS) ([looking at rate sheet and minimal service contract](#))
- Office-Computer equipment for municipal government start-up ([under discussion](#))



Zoning and Sunset Clause

- Devens will adopt current zoning established via the DEC
- Sunset Clause (zoning freeze) to last 10 years (**No agreement on timeframe or metric**)



Devens Enterprise Commission (DEC)

- DC proposal (transition period and at town incorporation)
 - During transition period immediate “equal” participation by Devens residents (2 appointed Devens residents will be placed on the DEC, the other stakeholders will appoint new representation or maintain their present membership, there will be at large participation appointed by the Governor)
 - At incorporation the creation of a unified permitting board made up of appointed Devens residents (possible at large participation but in a minority position) (3 Devens residents and possibly 2 at large)
 - Chairmanship maintained by a Devens resident
 - DEC administration and staff maintained throughout

Note: membership and formatting being negotiated at this time.



Government Structure

- Elected Positions
 - (Must be Devens residents)
 - Selectmen (3 to 5)
 - School Committee (5)
 - Finance Committee (5)
- Appointed Positions
 - Town Manager
 - Town Clerk
 - Town Treasurer
 - Police Chief
 - Fire Chief/Emergency Management
 - Town Accountant
 - DPW Superintendent/Animal Control/Tree Warden
 - Building Commissioner

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- Elected or Appointed Positions
 - Board of Assessors (3)
 - Parks and Recreation Committee (3)
 - Historical Commission (3)
 - Unified Permitting Agency: Fulfills Role of
 - Planning Board
 - Board of Health
 - Conservation Committee
 - Zoning Board of Appeals
 - Selectmen Assume Duties of
 - Water Commission
 - Veteran's Affairs
 - Library Trustees
 - Housing Authority
 - Water and Sewer Commission



County Selection

- County boundaries are determined by the boundaries of the towns in the county
- Core Devens is currently in two counties
 - Middlesex
 - The Ayer and Shirley portions
 - Worcester
 - The Harvard portion
- Need to decide in which county to place the new town of Devens



Transition Plan

- Comprehensive plan describing how and when municipal authority and functions are transferred to the town of Devens ([Governance Committee](#))



Mass Development Capital Projects

- Prioritization of projects on and off Devens (**Mass Development is uncomfortable with this broad statement**)