

## **DEVENS DISPOSITION FORUM: JURISDICTION RETURNS TO HARVARD**

December 3, 2003

Panelists: Judi Barrett, Planner with Community Opportunities Group and Project Lead for Harvard's 2002 Master Plan.

Larissa Brown, Principal, Community Design Partnership and Project Lead on 5-Year Review of the Devens Reuse Plan for the Joint Boards of Selectmen.

Moderator: Dave Westerling, Town Moderator

Question: What would Harvard look like in 5 - 10 years after resumption of full jurisdiction over the portion of Devens within its town boundaries?

### Opening Remarks by Panelists

Larissa Brown (LB): There are 4 options for the future governance of Devens outlined in Chapter 498:

1. Devens reverts to the towns or becomes its own town;
2. Devens is managed by a joint entity;
3. Devens is managed by town(s) and joint entity; or
4. Devens remains as is and is managed by the state.

LB considered option #4 highly unlikely and option #1 most likely.

LB addressed the benefits Harvard with return of jurisdiction over Devens. First, the addition of significant commercial-industrial development and lands zoned for such use with infrastructure in place would provide Harvard with a much-needed alternative tax base. Most communities are looking for improved commercial development to enhance revenues and counter increasing taxes on residential properties.

Second, jurisdiction would enable the town to manage and minimize the impacts of Devens' future growth on the mostly residential balance of the town.

Third, with the expected turnover in businesses on Devens, the town could influence redevelopment and attract businesses it would like to see located there.

LB noted that Harvard has a fear that the development on Devens is not sustainable, which she did not understand, believing Devens is, in fact, sustainable. She also noted that if Harvard did not have jurisdiction of Devens, it would still be subject to the impacts of its development (possibly more intense development) without the benefit of additional tax revenues.

LB believes the town will face challenges in reintegrating Devens. First, the town sees itself and is a family-oriented, bedroom community. The face of the town will change somewhat with the inclusion of Devens, but it is not unusual for a community to have multiple "faces." Second, the town would certainly need to hire more staff, the first being a planner. Another possible new position would be a community and economic development person. However, the town needs a planner now and might benefit from the services of a director of community and economic development.

Judi Barrett (JB): The 80% of Harvard that is outside Devens would continue to see low density residential development, geared mostly towards affluent families. The excellent schools will continue to attract families with children. There would be open space and orchards. The town would still be auto-dependent. These trends are reflected in the town's current zoning bylaws.

Some of the action items contained in the Master Plan may have been realized, such as a cluster development, greater mix of housing (affordable and senior), and the beginnings of a village development pattern along Ayer Road in the current Commercial District. A Town Center strategy may have been adopted and waste water disposal addressed, perhaps allowing the much-wanted coffee shop.

The remaining 20% of Harvard within Devens would also look much as it does today. The infrastructure improvements will support continued commercial-industrial development. The full complement of housing, 282 units, will have been built. There will be a pleasing mix of urban open space, recreational lands, and forest lands. This area will provide a net in tax revenues.

JB described both segments of the town as "opportunity areas," the first being an opportunity for low density residential development interspersed with open lands, and the second being an opportunity for greater commercial development.

The benefit for the town would be having direct control over 20% of its land area, rather than a tenuous control it has today or none if it was a separate town. We could influence a different mix of businesses, if we wanted, as LB had noted.

The challenge for the town is to simplify the nature of the problem or task before us: we are making it more complicated than it needs to be. School growth requiring new buildings will not come from the children on Devens, but rather from the large houses in Harvard and the town's appeal for families. Access does not need to be addressed first; rather will evolve over time. JB suggested starting with foot and bike access, followed by vehicular access. Commercial truck traffic could be prohibited.

Harvard has a tradition of homogeneity and minimalist development that results in large houses on large lots. The zoning required for successful commercial development is quite different and integrating the two will be a challenge. Harvard will require more staff to administer Devens, most notably a planner (which it needs now).

### Questions and Answers

1. The advantages to Harvard residents has been discussed. What would be the advantages to Devens residents to be part of Harvard?

LB: Several advantages, including stability of citizenship, shared values with Harvard (open space, lower density residential development) and access to an excellent school system. The challenge will be how Devens becomes a neighborhood of Harvard, how residents are integrated into the larger community, and how physical access is provided.

2. Isn't access required for integration?

JB: Vehicular access will have to be provided eventually; but it is not necessary for integration and it should not be considered a make or break piece of the decision to resume full jurisdiction

LB: There is a tendency to focus on the closed roads (Old Mill Road in particular). We should think in terms of multiple access points, which would spread out the traffic impacts. Agrees with JB that access should not be a make or break issue for jurisdiction.

3. What is the advantage to businesses to be part of Harvard?

LB: Depends on the nature of the business. If looking for an educated, skilled labor force, this is a prime area to be located in (witness Cisco building a campus in Boxborough). A Harvard location may be more attractive to businesses. But the town should have a staff person to address business issues and concerns. Perhaps a joint entity or shared community development position would be a way to interface with business interests.

Bottom line, a business' biggest concern will be delivery of infrastructure services (roads, water and waste water).

JB: Given the overall low density of residential development throughout Harvard (including Devens), businesses won't be asked to carry excessive tax burden (which often happens in communities with higher density residential development).

4. How are we making this decision on jurisdiction more complicated? How should we go about making this decision?

JB: It won't be an easy decision, but perhaps less complicated. For instance, schools. Unless there is an increase in the allowed housing on Devens, the planned residential development will not attract many school-aged children. Residential development in Harvard, however, will continue to attract families and children. Adequate space in the schools will be an issue with or without Devens. And given Harvard is taking choice students, there was probably space to accommodate Devens children. That said, the possibility of additional children coming from Devens should be incorporated into planning for schools.

LB: Harvard has a lot of bright people, probably all got A+ in school. And we think if we study something long enough, carry the answer out to the 6<sup>th</sup> decimal place, we will be able to come up with an objective answer. Instead, we should be asking ourselves if we are willing to take on new responsibilities (governing Devens) and benefit from Devens' potential for increased tax revenues and our ability to guide its future development? Change is coming to Harvard, regardless. Are we willing to take on additional change? If we don't have jurisdiction over Devens we won't have any say in its future development and may be negatively impacted.

5. What changes are coming to Harvard anyway?

LB: Harvard is on the "Sprawl Frontier" of eastern Massachusetts (the 495 corridor). Growth is happening all around us and the town will be impacted by it. Harvard may change slowly, but it will change.

JB: There is still considerable land to develop in Harvard and with continued upgrades in Title V-allowed systems, more land will be developable, resulting in more houses and more children. That's the town's development pattern.

6. MA Development (MD) appears to be accelerating the disposition process. There are many issues to resolve before final disposition, such as a master plan for the North Post area, redevelopment of Vicksburg Square, clean up of contaminated sites, and development of Salerno Circle. To what extent should we explore the end point before having answers to these questions?

LB: The whole disposition process will be a long one, requiring negotiation of many issues (clarifying responsibilities, expected outcome, etc). Understanding the ultimate disposition will come with resolution of these issues. The towns should keep jurisdiction alive to be part of the process.

The basic question is: Do we want to take on the responsibility of jurisdiction and the effort of pursuing negotiations because we see the benefits of having full jurisdiction?

7. Issue of lack of locally elected government is of concern to Devens residents. How will disposition be decided? Who votes? Does Harvard want to be rid of Devens? Why is MD speeding up this process?

LB: There are 4 governing/management options to consider. Devens residents should definitely be part of the discussion. Citizenship issues are problematic. The arrangement of having MD be the landowner/developer/regulator/municipal government puts MD in contradictory roles which is not sustainable in the long run. Therefore, we need to move towards a resolution of the governance issue earlier in the disposition process.

The survey prepared by the Focus Group was not educational for the general public, and Devens is a complicated issue that requires substantial education and information. The questions were not well written and, therefore, the results of the survey should not be considered definitive.

8. Harvard's leadership is being distracted by Devens. The town has serious financial problems (a \$1+ million shortfall last year that resulted in a \$500,000 override; a \$800,000 shortfall this year which will require some level of override); and next year will probably be the same). The town can't afford to keep increasing taxes; the leadership needs to focus on solving the grave financial problems. How will Devens really solve our problems?

JB: Yes, Devens is a distraction. This meeting was to consider the benefits and challenges for the town in resuming full jurisdiction of Devens.

LB: The town should look at Devens as an opportunity for additional tax revenues, not just in theory, but in reality. The question then is, what kind of town do we want to be? A Weston (95% residential) with very high taxes and good schools? Many

towns doing "fiscal zoning," allowing non-residential development that would provide additional tax base.

The question is are we willing to assume the responsibility of jurisdiction to gain some financial benefit?

9. What is the decision-making technique for disposition? If Harvard elects to assume jurisdiction of Devens, how do we raise the funds for additional staff costs, etc. We lost the federal funding for impacted communities to the state when the base was closed.

LB: Per Chapter 498, the legislature will ultimately decide the disposition of Devens; however not likely to go against the wishes of the towns. Therefore, politically the decision rests with the towns. The decision could be at town meeting or at a super town meeting.

Negotiations on disposition should include requests for funds from state to support towns during transition period. Joint entities may be established to manage water and waste water systems, as they cross town boundaries. Once town has jurisdiction, it will have right to tax lands and raise revenues.

10. What are the revenue advantages? Is Devens economically sustainable? And what will happen to Harvard's strong volunteer government if Devens is added to their responsibilities?

LB: The actual costs of running Devens are difficult to get from MD, so it is difficult to answer specifically the revenue advantages. However, don't assume MD's cost of doing business is the same as a town's cost.

To solely focus on "economic sustainability" is to ask the wrong question. The point of MD was to invest in infrastructure improvements and building removal, and to attract private development with tax incentives, lending, etc. Don't assume the past is prologue to the future.

JB: If the town had jurisdiction it would manage Devens more efficiently and effectively than MD does. She suggests we find a community with similar level of commercial development that is being successfully managed and look at it as a model. Harvard would never replicate MD's operating style.

#### General Comments from the Public

1. Be mindful of our experience with Boxborough and Cisco. We will feel the impacts of that development and never benefit from its tax revenues. If we don't have jurisdiction over Devens, we will be faced with many more Cisco's.
2. The town needs a planner. Town volunteer boards are overwhelmed with permitting and immediate problems and don't have the time for long-range planning.
3. Devens is an opportunity we can't afford to ignore. We should negotiate the outstanding issues.

4. Harvard is not the same as it was 50 years ago, when the town had a population of 1300. Now it has a population of 5600. It will continue to change.