

Town of Harvard  
Draft Devens Disposition Success Criteria

9/16/08

*Clean version with revisions incorporated as received at the Harvard BOS meeting 9/16/08*

The Harvard Board of Selectmen is currently developing Success Criteria for the disposition of lands within the Devens Regional Enterprise Zone (DREZ). This document when finalized will identify these criteria.

At this point in time no single disposition option has been agreed upon or is favored by the Board of Selectmen. However, it is certain that the eventual disposition will take one of the following forms.

1. The town of Harvard will acquire jurisdiction over the entire Enterprise Zone or at least reversion to our historic municipal boundaries.
2. The town of Harvard will acquire jurisdiction over a portion of the Enterprise Zone.
3. The town of Harvard would not acquire jurisdiction over any part of the Enterprise Zone.

Attached are these Success Criteria, which may or may not be applicable depending on the eventual option or options proposed as noted in the margin.

Devens Disposition Success Criteria

Draft Authorized by HBOS 9/16/2008 amended in session 9/16/2008

**Harvard's success Criteria Are:** ● = required ○ = dependant on land zoned residential Blank = Not Applicable

<b>COMMUNITY:</b>	1	2	3
Any option must clearly define a vision of what Harvard will look like upon transition to permanent governance.	●	●	●
The integrity of the Devens community/village shall be maintained Existing Structures and residential neighborhoods must not be split between municipal jurisdictions.	●	●	●
Interior road should be established that rejoin Harvard and Devens residential and recreational areas.	●	○	○
Interior pathways and bikeways should be established that rejoin Harvard and Devens residential and recreational areas.	●	○	○
The housing cap could be modified to allow MassDevelopment to add a maximum of 400 units of housing (above the current limit of 282).	●	○	
<b>ECONOMIC:</b>	1	2	3
The addition of any part of Devens must not adversely impact Harvard's finances or expose it to undue risk. The possible risks and variations to the expected outcomes must be understood.	●	●	●
Any transfer of jurisdiction shall be staged so as to ensure that expected revenues keep pace with projected expenses, capital plan costs and delivery of public services for land within the DREZ on an annual basis.	●	●	
The disposition for any and all public infrastructure or equipment owned by Mass Development as well as any requirements for additional public infrastructure (schools, roads, administrative offices, municipal service buildings recreational facilities, equipment, vehicles etc.) must be clearly identified.	●	●	●
It must be demonstrated that Taxation of property within the DREZ must provide sufficient capitalization and stabilization funds to support the services to be delivered within the DREZ	●	●	
A detailed plan for the disposition of all land, equipment, infrastructure and revenues related to the delivery of all Utilities within the DREZ shall be prepared by Mass Development and provide mutual benefit to the host communities.	●	●	●

**EDUCATIONAL:**

1 2 3

Provision shall be made to address additional school requirements based upon a range of expected new housing.

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Location(s) for additional school facilities and their funding source(s) must be identified.

• ○

Reimbursement levels and financial support for any expansion of Harvard's educational facilities resulting from disposition shall be made legally binding with the state through chapter 70 funding or other sources.

• ○

**ENVIRONMENTAL:**

1 2 3

Harvard shall be indemnified from any liabilities from existing contaminated areas at transition and shall not assume jurisdiction over any state or federal parcels identified as contaminated. Responsible parties for all contaminated sites must be identified, including the level of cleanup required along with a timetable for their remediation.

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Harvard shall have access to a specified amount of wastewater treatment capacity from the Devens Wastewater treatment facility to service the current Commercial 'C' District located on Ayer Road.

• • •

Harvard shall have access to a specified amount of potable water from wells on Devens for future drinking water needs. Provision shall be in place to ensure adequate protection of both the quality and quantity of water available from the Devens aquifer.

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Provision for the protection of open space and recreational areas within the DREZ shall be made in accordance with the 2008 Devens Open Space and Recreation Plan. Parcels designated in the Plan for permanent protection shall be placed under conservation restrictions or transferred to appropriate land stewardship agencies prior to transition.

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**ADMINISTRATIVE/TRANSITIONAL:**

1 2 3

MassDevelopment shall conduct all administrative services required and provide all data and materials in its possession necessary prepare for and effect a transition to permanent governance for land within the DREZ.

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A timetable and detailed transition plan for transfer of jurisdiction must be in place that defines the level of municipal services to be provided within the DREZ and identifies specific responsibilities for delivery of all municipal services, financing of operations, taxation and all regulatory/permitting requirements.

• • •

Define and establish separate Fire Districts to service separate Harvard and Devens needs. • •

Water and Sewer District service areas shall be identified. • • •

A clearly defined adjustment period for compliance with Chapter 40B must be granted by the state to Harvard to allow for the successful re-integration of the undeveloped land within the DREZ and prevent the adverse effects of uncontrolled and inappropriate housing development. This is necessary to take into consideration the magnitude of changes required to gain jurisdiction over Devens, possible loss of existing affordable units on Devens and loss of land on which affordable housing can be economically built. • • •

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