



**DEC VIRTUAL READ FILE  
January 30, 2024**

**DEVENS IN THE NEWS:**

***DEC Initiates Online Permitting for Level 1 Permits on January 3, 2024***

Applicant portal: <https://devensec.portal.opengov.com/>

***Muralist's Video: Kim Carlino was commissioned by King Street Properties to install the mural at 65 Jackson Road (Amenities Building)***

<https://www.kimcarlinoart.com/remembranceforthefuture>.

***Devens seeking artists to make interactive mural, Artists to create mural on pavement, submit by Jan. 31 (Also featured in Sentinel and Enterprise)***

Lowell Sun, January 21, 2024:

<https://www.lowellsun.com/2024/01/21/devens-seeking-artists-to-make-interactive-mural/>

***Devens Emergency Alerts***

Harvard Press, Notice Board, January 19, 2024

<https://harvardpress.com/Happenings/Notice-Board/notice-board-january-19-2024>

***Devens residents elect new reps to key advisory boards***

Harvard Press, January 12, 2024

<https://www.harvardpress.com/News/News-Articles/devens-residents-elect-new-reps-to-key-advisory-boards>

**FULL ARTICLE BELOW**

***Emerson Green developer promises timely answers to complaints; no word on when work on rental units will resume***

Harvard Press, January 12, 2024

<https://www.harvardpress.com/News/News-Articles/emerson-green-developer-promises-timely-answers-to-complaints-no-word-on-when-work-on-rental-units-will-resume>

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***Committee aims to reengage MassDevelopment to rezone for housing at Vicksburg Square***

Harvard Press, January 19, 2024

<https://harvardpress.com/News/News-Articles/committee-aims-to-reengage-massdevelopment160to-rezone-for-housing-at-vicksburg-square>

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## ***Devens residents elect new reps to key advisory boards***

**Harvard Press, January 12, 2024**

<https://www.harvardpress.com/News/News-Articles/devens-residents-elect-new-reps-to-key-advisory-boards>

Friday, Dec. 15, was election day in Devens, the deadline for casting ballots in this year’s mail-in election to fill two open seats on the Devens Committee and two on the Devens Educational Advisory Committee.

None of the four seats was contested. As reported by MassDevelopment in the Dec. 22 and Dec. 29 issues of the Devens Weekly Newsletter, Laura Scott and Ralph Fehlberg, husband and wife, were elected to three-year terms on the five-member Devens Committee. Jesse Lowe and write-in candidate Fahima Shaik were elected to two-year terms on the seven-member DEAC. When the Devens Committee gathered Jan. 3 for its first meeting of the year, members elected Scott to replace longtime chair Tracy Clark. Clark had let it be known he did not wish to serve another term as chair. But for the first time in anyone’s memory, two candidates stepped up to fill the position: First Scott, who was nominated by Fehlberg and seconded by Clark, and then outgoing Vice Chair Michael Alves, who nominated himself and was seconded by Cindy Carter. During a brief question-and-answer session, the two candidates stated their reasons for running. Scott, who was recently promoted to assistant director of the Concord Municipal Light Plant, said that while she was new to the Devens community, having recently moved to Elm Street from Harvard, she was no stranger to boards. In addition to her position in Concord, Scott is a member of the board of the Public Utility Risk Management Association of Massachusetts. She said she hoped the committee could serve as a sounding board for Devens residents, “a way for people to communicate how they feel and what they think about the big issues.”

<b>Devens election results</b>		
Total votes cast: 96		
Total registered voters: 233		Turnout: 41%
	<b>Candidate</b>	<b>Votes</b>
<b>Devens Committee</b>	<b><i>Ralph Fehlberg</i></b>	<b>89</b>
	Laura Scott	88
<b>Devens Educational Advisory Committee</b>	<b><i>Jesse Lowe</i></b>	<b>87</b>
	Fahima Shaik (write-in)	24

Source: MassDevelopment

Alves, who is in his second year as a committee member, said that his Emerson Green neighbors had asked him to run in 2022 to speak on their behalf and ensure their concerns were heard. He said that when he had asked them what they thought of his performance over the past year, “residents told me that they felt like the meetings were better attended; they felt like there were things happening. There was more responsiveness. They told me I was doing a good job.”

Jim Geller of Chance Street asked the two candidates what role they thought the committee should play in discussions about the future governance of Devens. Scott said the issue should

be elevated to the highest level of the committee's strategic planning. "It is something I think is very important for the Devens residents to weigh in on." When it comes to voting, she added, "We don't have a lot of weight, but let's use whatever voting power we have to let people know what we want."

Alves said he was interested in hearing what residents thought. "MassDevelopment is doing a great job; the [Devens Enterprise Commission] is doing a great job." In attending meetings of the Devens Jurisdiction Framework Committee, he had found members of the Ayer, Harvard, and Shirley delegations to be "good people," he said. "I don't blame them for wanting to get back a piece of Devens that was theirs previously." But, he continued, determination of final disposition will take time, "because MassDevelopment is not done and they're not in a rush." Residents need to get organized, Alves said, "and be prepared to put our voice out there." When it came time for a vote, committee members elected Scott, 4-1, to chair the group for the coming year. Cindy Carter was elected vice chair and Ralph Fehlberg secretary.

According to a MassDevelopment spokesperson, a total of 96 ballots were cast in this year's Devens elections, identical to the number cast in 2022. However, because the number of residents who registered to vote increased from 218 to 233, turnout dipped slightly to 41% from last year's impressive 44%. (See table for individual vote tallies.)

MassDevelopment agreed to create the Devens Committee in a 1994 memo of understanding signed by the agency and the select boards of the towns of Ayer, Harvard, and Shirley to represent the residents of Devens and their concerns. "It is the intent of the parties that said concerns of residents of Devens be addressed through the Devens Committee," the memo says, and not the Boards of Selectmen of the three towns. The committee meets with MassDevelopment officials on the first Monday of every month to discuss issues of concern to residents and to hear reports of the agency's work.

The DEAC advises MassDevelopment on the education of children who live in Devens, and includes representatives of the school districts of Harvard and Ayer Shirley as well as a representative of MassDevelopment. The committee was established by Chapter 498, the act passed by the Legislature in 1994 that created the Devens Regional Enterprise Zone.

The mail-in ballots for this year's elections were counted by Karen Davis, MassDevelopment executive assistant for Devens operations, and MassDevelopment staff, a task that would be done by an elected or appointed town clerk in any other Massachusetts municipality.

### ***Emerson Green developer promises timely answers to complaints; no word on when work on rental units will resume***

**Harvard Press, January 12, 2024**

<https://www.harvardpress.com/News/News-Articles/emerson-green-developer-promises-timely-answers-to-complaints-no-word-on-when-work-on-rental-units-will-resume>

Last week's meeting of the Devens Committee was packed, with nearly two dozen residents, a majority from the Emerson Green neighborhood, who had come to engage with Robert Easton and Dan Gainsboro of Emerson Village Green LLC, the collaborative hired by MassDevelopment to design and build the community's 126 units.

For months, residents have complained that the Emerson Green developer and homeowner's association have failed to respond to a litany of issues ranging from the alleged inconsistent collection of homeowner association fees to lack of accountability for how the fees are spent.

Residents have also complained that the developer has failed to complete “punch lists” of improperly installed or unfinished items in homes that were purchased months or years ago. And finally, residents say that questions concerning lack of progress on a 46-unit multifamily complex of rental units have gone unanswered. Work was to have begun two years ago, but a fenced-in hole in the center of the village is the only evidence of an intent to complete the project.

Emerson Green LLC’s Easton fielded most of last Wednesday’s questions. “There’s no argument,” he said, that the developer and homeowner’s association needed to do a better job responding to the concerns of the residents. He promised to demonstrate progress in 30 days on homeowner’s association issues, but dealing with homeowner punch lists would take longer, he said.

Regarding the multifamily complex, however, Easton would say only that the project had encountered unforeseen difficulties and that the company hoped to resume work this spring. Pressed to provide additional details, Easton was unwilling to say anything more. “We talk to MassDevelopment every week. We talk to our contractors every week. In this forum, that’s all I feel comfortable sharing,” he said. Meg Delorier, MassDevelopment’s interim executive vice president for Devens, had no comment, nor did Robert Jenkins, MassDevelopment’s senior vice president for real estate development. Both were present for the discussion.

The Q&A with Easton lasted nearly an hour, but some in the audience questioned whether the Devens Committee was the appropriate forum. “I don’t think it’s appropriate that we air dirty laundry in front of the Harvard Press,” said Regina Todd, an Emerson Green resident, referring to a Press reporter present at the meeting. “I think this discussion is restricted to Emerson Green and I think that we need to do this offline as a homeowners association.”

But other residents disagreed. “I think the reason this is getting so much attention now is that the press is here,” said one Emerson Green resident. “I know some people consider this dirty laundry, but it’s reality,” she said. Residents had been polite, friendly, and professional in their dealings with the association and Emerson Village Green LLC for months, she said. “If there [had been] some responsiveness, we would not be here. But thank goodness for the press to be here to have accountability.”

As the discussion turned to next steps, newly-elected Chair Laura Scott proposed that a meeting of Emerson Green residents and the homeowners association be convened to deal with issues specific to the HOA—its fees, the services for which it is responsible, and its alleged lack of transparency. “I think [Emerson Village Green LLC] has had a good earful of the frustration and level of concern that’s out there, and I think it makes a lot of sense to move this next discussion to a more regional forum, which would pertain more specifically to the homeowners involved, and not to the wider neighborhood.”

“Quite candidly,” added Emerson Green LLC’s Gainsboro, “we don’t need this forum to do that. The point is, you’ve articulated a number of concerns. I believe we’ve heard them and now it’s incumbent upon us to address them.” If residents remained dissatisfied with their response, he and Easton would be willing to return and update the Devens Committee on their progress. This week, MassDevelopment confirmed in its newsletter that the Emerson Green Homeowners Association Trust will meet Wednesday, Jan. 31, at 6:30 p.m. at the Bob Eisengrein Community Center, 100 Sherman Avenue in Devens. According to one resident, the meeting will be the HOA’s first in four years.

***Committee aims to reengage MassDevelopment to rezone for housing at Vicksburg Square***  
**Harvard Press, January 19, 2024**

<https://harvardpress.com/News/News-Articles/committee-aims-to-reengage-massdevelopment160to-rezone-for-housing-at-vicksburg-square>

The committee charged with exploring options for the future governance of Devens seemed ready to return to its core mission last week but unwilling to let go of its recent preoccupation with Vicksburg Square, the historic but abandoned U.S. Army barracks located next to Rogers Field in the heart of Devens.

Last month, the Devens Jurisdiction Framework Committee circulated a draft warrant article among its members that if approved by simultaneous town meetings of Ayer, Harvard, and Shirley—known as a Super Town Meeting—would rezone the area’s buildings and grounds for housing. Its passage would allow up to 400 units to be built, with a fixed percentage reserved for rental and defined as affordable.

The draft is now being reviewed by each of the stakeholder groups represented by the committee, which include the select boards of the three towns, the Devens Enterprise Commission, and the residents and businesses of Devens. Harvard’s Select Board will discuss the measure at its Jan. 23 meeting. The framework committee plans to hear reports from the representatives of those constituencies in February. What happens after that remains to be seen, a question debated at length at the committee’s most recent meeting on Jan. 10 in Ayer Town Hall.

At that meeting, Neil Angus, the DEC’s director, argued, as he has done previously, that the task of drafting a Super Town Meeting warrant should be delegated to a subcommittee so the framework committee can get on with the work of exploring options for the future governance of Devens.

But Victor Normand, co-chair of the framework committee, said the job could be done more efficiently by a less formal working group of committee members. An appointed subcommittee, he noted, would be subject to Open Meeting Law and required to post agendas, keep minutes, and allow public access. He also worried that appointment of a formal subcommittee would create expectations beyond its abilities.

“I don’t think it makes any sense to establish a subcommittee without MassDevelopment at the table,” Normand said. MassDevelopment owns the land at Vicksburg Square and has the developer contacts and financial and engineering resources needed to build housing there, as it has done at Emerson Green. He said that while the framework committee has the expertise to prepare a rezoning article that represents a consensus of its members and clears the way for housing at Vicksburg Square, the committee is in no position to take responsibility for a project of that magnitude. If there is to be a subcommittee devoted to a buildout of the site, MassDevelopment needs to create and staff it, Normand said.

**The absent stakeholder**

Ironically, MassDevelopment is a founding member of the framework committee, which was created in 2018 at the suggestion of then-MassDevelopment CEO Lauren Liss. But in March 2022 the agency withdrew from the committee and said it would not return until 2030, when MassDevelopment is required to join the towns to study options for the future governance of Devens. However, the law that empowers the towns of Ayer, Harvard, and Shirley to alter the

current zoning at Devens also requires that the language of such proposals be approved by MassDevelopment. Without the agency's support, a Super Town Meeting cannot be convened. Although the committee's attention to Vicksburg Square has been motivated by the need for more housing in Central Massachusetts and a genuine concern for the fate of its historic buildings, there is also an expectation that by presenting MassDevelopment with a rezoning article endorsed by the towns and other stakeholders, the agency will be forced to reengage with the committee it has ignored for so many months.

Back to the table

For Shirley Town Administrator and committee member Mike McGovern, that's a goal. "I think it's very clear we have gotten people's attention ... over the last two or three months," he said. "I think if it stays here at the [framework committee's] table and we have these discussions, I think it could be a way to get MassDevelopment back to the table. I'm not saying that's going to happen in the next six months. But let me tell you, they're very well aware of our discussions." Jannice Livingston, Ayer Select Board vice chair and framework committee co-chair, added that with a draft Super Town Meeting warrant, "We can go to MassDevelopment and say, hey, you know something needs to be done. And we've gotten the consensus for you. We've done all the work. So now put the money forward and make a Super Town Meeting [happen.]"

The framework committee will meet next on Valentine's Day, Feb. 14, at 3 p.m. in Ayer Town Hall to hear feedback from its stakeholder members and attempt a consensus on the language and provisions of a warrant to rezone Vicksburg Square. Members seem to agree that preparation of a final draft should be done by a working group that includes Normand and Ayer Town Manager Robert Pontbriand—and perhaps others—and brought to the entire committee for final wordsmithing and approval.

The committee has already determined that one provision of the current draft should be dropped. It's the one that reads: "It is the choice of the towns that the land and buildings collectively known as Vicksburg Square shall be entirely and permanently within the jurisdiction of the town of Ayer." Both the Devens Enterprise Commission and representatives of Devens residents objected vigorously to its inclusion, saying it was premature. Livingston, the provision's original advocate, was ready to delete it. It had upset too many people, she said last week. "That's not a sword I intend to die on."