

JBOS Joint Boards of Selectmen of the Towns of Ayer, Harvard, Shirley and the Community of Devens

December 15, 2011 Meeting Minutes
33 Andrews Parkway, Devens, MA

Outgoing: Chairman Jim Fay ~ Vice Chairman Ron Ricci
Incoming: Chairman Tom Kinch ~ Vice Chairman Jim Fay (pending)

* This meeting was recorded by APAC.

JBOS Members in Attendance. Enrico Cappucci (S), Tom Kinch (D), Frank Maxant (A), Peter Warren (H) and Ed Starzec (MD)

Call to Order. In the absence of the Chairman and Vice-Chair, Selectman Maxant called the meeting to order at 7:35 PM.

Approve the December 15 Agenda. Motion to approve by Mr Kinch. Second by Selectman Warren. The Agenda was **approved** as presented.

Approve the November 17 Minutes. Motion to approve by Mr Kinch. Second by Selectman Maxant. All in favor. The Minutes were **approved** as presented.

Cable Collaboration. Liz reported that the discs and mailers had been purchased. Selectman Warren noted that a volunteer from SPACO was on-hand to record the meeting, but the A/V closet was locked. Selectman Warren requested that MassDevelopment provide a key. Mr Starzec said that he would try to get a key for Liz.

Election of Chairman and Vice-Chairman. In accordance with the 2011 JBOS MOU, the order of Chairmanship is alphabetical. Selectman Warren nominated Mr Kinch from the Community of Devens to be the Chairman. Second by Mr Cappucci. All in favor. **Approved:** Mr Kinch accepted the nomination and is now the chairman for a one year cycle. In accordance with the MOU, the Vice-Chairman will be of the same town as the out-going chairman. Selectman Warren nominated Selectman Fay. Second by Mr Kinch. All in favor. **Approved:** Selectman Fay will be Vice-Chairman, pending his acceptance.

Vicksburg Square Collaboration. Mr Cappucci reported that the Trinity public hearing in Shirley held nothing Earth-shattering and nothing negative. Chairman Kinch reported that the public hearing in Devens elicited questions about education and costs. Phase one would start in one-to -two years and it would be a five year project; it would start in 2013 and be complete in 2018. There is pressure on MassDevelopment to pay to educate the children. The current contract with Harvard has a three-year term, then there is a cancel period. Mr Starzec noted that MassDevelopment could cancel at the end of the school year in June, and then there would be a two-year period to make other arrangements. Selectmen Warren added that any child could remain during this period. Chairman Kinch said that it is his understanding that people would want their kids to be educated according to the current contract. The reality is that the current contract could be ended and a new one in place by the time that people moved into Vicksburg Square.

Mr Starzec reported that the answers to the questions that MassDevelopment was asked to comment on would be sent out by Monday. MassDevelopment will follow-up with a public meeting. CEO Marty Jones will be available to answer questions. The target date for the meeting is January 18.

Mr Starzec noted that Trinity has completed their third public hearing and that they are now finalizing the amendment language to the Reuse Plan and the Zoning Bylaws. Mr Starzec will submit a request to the towns for a Super Town Meeting.

Selectman Warren said that there is concern in Harvard that MassDevelopment is not presenting at the public hearings. Proper legal notice is at issue. Mr Starzec said that he would like to get any concerns in writing and MassDevelopment will address the concerns.

2011 JBOS MOU. Signed MOU's were turned-in by Harvard, Ayer and Devens. Mr Cappucci will bring the MOU to the Shirley Board of Selectmen for approval and signatures.

Chairman Kinch noted that there are two earlier MOU's in the JBOS archives. The two MOUs do a good a job in describing what the JBOS is meant to do and how it is meant to work. Over the past few years, the JBOS task has been watered-down, however, it is important to remember that the JBOS is meant to be the voice of MassDevelopment to the Towns and the voice of the Towns to MassDevelopment. Liz will distribute the *1994 JBOS/Government Land Bank MOU* and the *1996 JBOS/MDFA MOU* to the JBOS for discussion in January.

Chairman Kinch said that the JBOS can make small accomplishments, such as addressing the two issues that have come up this evening: Setting a date for the Super Town Meeting and the difference of opinion regarding proper legal notice of public meetings.

Mr Cappucci added that the smaller JBOS is much better than the full contingent because it now puts everyone on the spot to say to their Boards: "this is what the JBOS is doing." The JBOS can lead with authority, confidence and action.

Shirley Village Growth District Project Planning. Chairman Kinch noted that the JBOS was surprised to hear of the Shirley Growth Planning and that, if the JBOS is to function as a group, something like this should be brought to the Board, not to slow you down, but so we may all be informed.

Mr Cappucci offered details on the project and shared a map depicting the portion of the Shirley Village Growth District owned by MassDevelopment and available for redevelopment . The goal is to get the Shirley tax base up. This is long-range planning for the land behind the school football field. MRPC gave a charrette to explore community ideas. Mr Starzec was in attendance. The room was divided into five brainstorming groups. Seven out of ten interests were common to each of the five groups, eg. housing, a pub and a hairdresser. Following the charrette, Shirley asked MassDevelopment to consider developing the land. Mass Development has warmed to the idea. When, and if, MassDevelopment turns land jurisdictions over to the communities, the assumption is that this land would go to Shirley. Shirley needs an increase in tax-base in order to survive and, in 2033, this would be very helpful.

Chairman Kinch asked for clarification that a Super Town Meeting is needed in order for the land to be developed. Mr Starzec said that the land is now zoned for retail, light industrial, hotel and mixed-use. If the land use were to include a residential component, then, yes. The idea is to create a retail destination by expanding the town center. MassDevelopment is willing to look into it and see if there is a market.

Chairman Kinch inquired about the 2011 RKG market study conclusions. Mr Cappucci said that the results indicate that there is a market within a 10 mile radius of Shirley. Chairman Kinch asked if the MassDevelopment study agrees with that conclusion. Mr Starzec said that there is an apparent market for retail and light industrial. More immediate results

could be achieved with light industrial; it would take longer to pull off office and mixed-use land development. Mr Starzec indicated that MassDevelopment may have relevant reports that they can share.

Public comment. Journalist Mary Arata asked what the time-frame might be for a Super Town Meeting on Vicksburg Square. Mr Starzec said maybe February or March, 2012. Ms Arata asked if the JBOS would make a recommendation on Vicksburg Square. Selectman Maxant said that he would support the JBOS expressing an opinion. Selectman Warren asked if the JBOS members would then be expressing or endorsing an opinion that was not necessary in alignment with their towns.

Selectman's Questions. Chairman Kinch asked that Liz supply a financial report with current balance and disbursements at each JBOS meeting. Liz reported that the balance in the Deven's Disposition Fund is \$56,210.58.

Motion to adjourn. Motion by Selectman Warren. Second by Selectman Maxant. All in favor. **Meeting adjourned: 8:20 PM.**

Next meeting. JANUARY 26, 2012

Meeting Documents:

December 15, 2011 JBOS Agenda

November 17, 2011 JBOS Minutes

1994 JBOS/Government Land Bank MOU

1996 JBOS/MDFA MOU

2011 JBOS MOU

November 17, 2011 MRPC Presentation to JBOS, re the Shirley Village Growth District Project Planning

October 18, 2011 Market Analysis for the Shirley Village Growth District I with Fiscal & Economic impacts. Prepared by RKG Associates in cooperation with MassDevelopment.

December 14, 2011 Staples receipt for \$19.95 (50 dvds and 5 mailers)

Minutes taken by Liz Garner_____

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