



**OFFICES OF THE  
SELECT BOARD AND  
TOWN ADMINISTRATOR**

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April 28, 2025

Yvone Hao, Secretary  
Department of Economic Development  
1 Ashburton Place, Room 2101  
Boston, MA 02108

**Subject: Devens Housing Production Working Group – Public Comment**

Dear Secretary Hao,

On behalf of the Harvard Select Board I present the following to be included as public comment to the plan/report of the Devens Housing Production Working Group that you chair.

The two matters of greatest concern are the methods used to enact any changes to town zoning bylaws and the omission of binding prescriptive development criteria, in particular for Vicksburg Square.

The draft plan seems to give equal weight to using either a super town meeting or special legislation to change town zoning bylaws. **We strongly object to equating these two methods.** Any legislative changes to the bylaws of the Devens Regional Enterprise Zone would violate both the detailed, specific language and the spirit of informed self-governance enacted by Massachusetts General Law, Part I, Title VII, Chapter 40A, Section 5. Further, Section 10 of Chapter 498 of the Acts of 1993, the enabling legislation for the Devens Regional Enterprise Zone, specifically states that changes to the Devens Reuse Plan and Bylaws must use the same process as when they were originally adopted, which is a super town meeting, with prior approval by MassDevelopment.

**We know of no case where the Legislature has overridden local zoning bylaws.** Such legislation would set a precedent for every city and town in the Commonwealth. The fact that the

Legislature has the authority to enact such measures does not imply that it is appropriate or justified to do so. Every zoning bylaw change enacted at Devens over the past 32 years has been accomplished by a super town meeting, and this method has been overwhelmingly successful.

The draft plan calls for up to 400 units of housing to be added to the Innovation and Technology Center (ITC) district, split between adaptive reuse of the Vicksburg Square quadrangle and the remainder of the ITC zone. To ensure that town meeting has sufficient information to make an informed decision about the proposed zoning changes, given the size and prominence of the Vicksburg Square quadrangle and the anticipated density of units created in them, **we strongly recommend that MassDevelopment submit a detailed and enforceable redevelopment plan for at least the Vicksburg Square quadrangle simultaneously with any proposed zoning changes.**

Regards,



Daniel F. Nason  
Town Administrator  
Town of Harvard Massachusetts

cc: Harvard Select Board  
Shaun Copeland, Chair, Ayer Select Board  
Debra Flagg, Chair, Shirley Select Board  
Senator James Eldridge  
Representative Danillo Sena