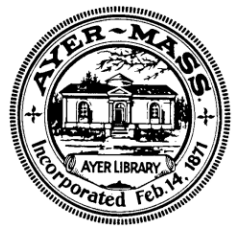


Office of the Select Board
Office of the Town Manager



Town of Ayer| Ayer Town Hall| 1 Main Street| Ayer, MA 01432|978-772-8220| www.ayer.ma.us

May 7, 2025

Interim Secretary Ashley Stolba
Department of Economic Development
1 Ashburton Place – Room 2101
Boston, MA 02108

Subject: Devens Housing Production Working Group – Public Comment

Dear Secretary Stolba:

The Ayer Select Board voted at its meeting on May 6, 2025 the following be included as Public Comment to the Plan/Report of the Devens Housing Production Working Group that you chair.

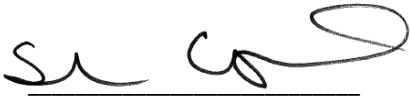
The two matters of greatest concern to us are the method used to enact any changes to town zoning bylaws, and the omission of binding prescriptive development criteria for Vicksburg Square.

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. Given the size and location 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 any proposed zoning changes.**

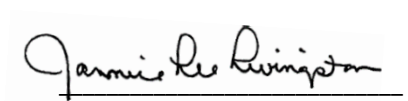
Sincerely,



Shaun C. Copeland, Chair



Christopher E. Tavares, Vice Chair



Jannice L. Livingston, Clerk

The Ayer Select Board

Cc: SusanMary Redinger, Chair, Havard Select Board
Debra Flagg, Chair, Shirley Select Board
State Senator James Eldridge
State Senator John Cronin
State Representative Danillo Sena