A Case Study of Fort Devens:
The Transition to Civilian Use

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Cambridge, MA
02140
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In 1996, Frank Vigier and other members of the Center for Urban Development Studies released a report, *Reuse Strategies for Military Base Conversions*. Financed by the Economic Development Administration of the Department of Defense, the report looked at the reuse of four military bases in the United States, including Fort Devens in Massachusetts. This case study, intended to be used for education and training purposes, draws heavily on this previous report and documents changes that have occurred in the last 12 years. Special thanks to Frank Vigier, John Driscoll, Edward Robbins, Jeanne Van Orman, Victor Karen, Jacqueline Tatom, J. Forbes McCarthy, Richard Henderson, Tom Kinch, Ed Starzec and Neil Angus.
I) Introduction

Military bases take up large land areas, employ civilian and non-civilian labor, attract government expenditures, and provide customers for local shops and businesses. While bases vary in size and location, rural, urban and some suburban, they have certain similarities that become apparent as they are closed or downsized. Where once they provided a regional or local economic job and consumer base, they leave large, often polluted sites, in less-than-prime locations. As urban waterfront developments have become more popular, some navy sites may, in fact, sit on quite desirable real estate. Nevertheless, when a base closes, affected communities are faced with three primary challenges: replacing lost jobs, cleaning up pollution and finding suitable reuses for the land. Responding to base closure is a disruptive, difficult process. Each base closure creates a unique set of circumstances and there is no single approach for the successful transition of large areas of land from military to civilian use. Nevertheless, the strengths and weaknesses of previous closures can provide clues to other communities about how to go about effectively reusing and revitalizing the potential assets of polluted lands left by the closure large, former job centers, whether bases, factories or port areas.

The transition of the Army base Fort Devens, a 9,310 acre (3,768 Has) base in rural Massachusetts, to the Devens Regional Enterprise Zone beginning with the base’s closure in 1996 has been hailed by some as a model for base redevelopment. In particular, the redevelopment shows:

- The critical nature of long-term financial and land use planning that addresses market and site realities and that incorporates multiple stakeholders early in the process.
- The need for multi-agency government participation at the local, regional and national level.
- The value of skilled, quasi-public redevelopment authorities in working with government agencies and the private sector.
• The importance of including and listening to locally affected communities.
• The leveraging of private investments with public ones.
• The attraction of private industry through local and State incentives.

As a fairly rural site, located in four different, highly autonomous New England towns, the Devens redevelopment had to create a unique institutional framework for governance and had to work hard to attract the private sector. Without sufficient State control, Massachusetts would have been unlikely to release the $200 million in public bonds or provide the package of incentives that were necessary to attract private companies. Without sufficient local control, the towns would have rejected the project and lost jobs would not have been replaced. What resulted was a compromise, a temporary institutional framework that was acceptable to the towns and the Commonwealth and that could provide governance and planning regulations for up to 40 years; and a land use plan that focused on uses that could generate jobs and tax revenues but that remained somewhat detached from the towns.

Fewer than 10 years after the base closure, however, the institutional setup has begun to fray at the edges. Interested parties are voting to determine whether to create a town of Devens or reincorporate Devens into the towns. Towns are split on the matter and in all likelihood another compromise will be reached that creates a new town, returns some land, and allows for changes to the redevelopment plan that are favored by the Commonwealth. While the frailty of the initial agreement may seem a failure, it also demonstrates the redevelopment’s success. It has reached a point where the State wishes to add more housing units, some towns wish to reclaim it, and most of Devens’ residents wish to have their own town. Another future compromise will complete Devens’ transition to civilian use and give it a greater sense of permanence. Perhaps one of the most valuable lessons to be gained from Devens is that transition takes not just ingenuity, financing and public/private partnerships but also time, compromise and institutional flexibility.
II) A Brief History

Fort Devens

Fort Devens was named after Massachusetts Civil War general Charles Devens. Established as Camp Devens in 1917, Fort Devens served as a U.S. Army base until its closure in 1996. Initially a temporary training ground for New England active duty army personnel in World War I, Fort Devens has served a variety of military functions over its 80 year life, such as an induction center, a summer training facility and a liquid-fuel rocket test site. In 1988 it was designated the future headquarters for the Army Information Systems Headquarters. In 1991, however, Devens’ closure was announced and, in 1996, the base was closed.

Fort Devens is 35 miles northwest of Boston on Route 2, west of the intersection with Interstate 495. It occupies lands from 4 townships in 2 counties, Ayer and Shirley in Middlesex, Lancaster and Harvard in Worcester. All four towns are self-governing communities where political decision making is determined by Town Meeting and by an elected Board of Selectmen. With the exception of Ayer, the towns are largely residential bedroom communities. Harvard, the wealthiest town in terms of home values and median income, boasts the highest scores on public high school examinations in the Commonwealth. Ayer, the poorest of the four towns, relied more heavily on the base for jobs and economic security.
In 1989, the Environmental Protection Agency named Fort Devens a national Superfund site. This designation indicates that a site is one of the nation’s most polluted. Prior to this designation, the Department of Defense identified 46 potential hazardous waste areas. Of note are a 15-acre (6 has) Explosive Ordnance Disposal range, a 50-acre (20 has) land fill and building 1650, which stored a variety of hazardous materials. Well tests revealed traces of arsenic, lead, mercury, iron and cadmium in the base’s drinking water. While active, the base had an approximate daytime population of 15,000 and employed 7,000 to 8,000 civilians directly and indirectly. The maps below from the Massachusetts EPA show the locations of contaminated sites at Fort Devens.

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*Source: 1990 and 2000 US Census*
Base Realignment and Closure Act (BRAC)

Fort Devens closure followed a process laid out by the Base Realignment and Closure Act. Congress enabled BRAC in 1988 to facilitate the closing and downsizing of U.S. military bases to achieve goals of reducing costs and improving military operations. The BRAC process was intended to provide a non-partisan, efficient and transparent way to make necessary base closures. Due to the economic impacts of base closures on host communities, closures can become highly politicized with States and local politicians’ lobbying hard to maintain bases. The Department of Defense’s Office of Economic Adjustment (OEA) is the military’s primary source for supporting communities that experience base expansions, closures or realignments. The OEA offers financial and technical support for land use planning and zoning, private sector outreach and civilian activities for active military installations.
The disposition of military lands occurs through a process established by the 1949 Federal Property Act with amendments in the 1990 BRAC Act. Upon base closure the Secretary of Defense has the authority and responsibility to dispose of property under certain guidelines. The military branch in charge of the existing base gets first choice about sites it wishes to keep followed by other military branches. After the Department of Defense, other Federal agencies are given priority. Once the Federal Government has selected its sites, state and local governments may make bids on the base site and may take the role of Redevelopment Authority. The McKinney Act of 1987 gives homeless shelter providers priority in acquiring sites at former bases and other surplus Federal lands. A 1994 amendment required that the providers go through the appropriate redevelopment authority.

Since 1988, over 350 bases have been closed in the four BRAC rounds that occurred in 1989, 1991, 1993 and 1995. The most recent round, enacted in 2005, will close 33 additional bases by 2011. Then Secretary of Defense Dick Cheney announced the closure of Fort Devens in April 1991. After some initial attempts to maintain the base through political and legal maneuvering, it became clear that closure was imminent. BRAC determined the process by which Fort Devens’ closure would be managed.

III) The Institutions

Between the 1991 announcement and the 1996 base closure, 4 major players negotiated the terms of the base disposition and reuse: the Department of Defense, other Federal agencies, the Commonwealth of Massachusetts, and the local towns. The Army decided to maintain the South Post as a facility for training Army Reserve and National Guard soldiers. As a result, Lancaster, which has no land in the Main or North Posts, largely left the debate about the base disposition and reuse. The Air Force briefly considered reusing part of the base for housing but later abandoned the idea. The Federal Bureau of Prisons, the US Fish and Wildlife Service, the EPA, and several homeless service providers became involved in the disposition but did
not play a very active roll in determining the future vision for Fort Devens. This vision was established through cooperation and compromise between the Commonwealth through the Land Bank and the towns through the Joint Board of Selectmen (JBOS) under the arbitration of the Department of Defense through its Office of Economic Adjustment.

**The Land Bank**

The Massachusetts Government Land Bank was created in 1975 to assist public agencies and private enterprises in the redevelopment and reuse of closed and closing military bases. A quasi-public state agency, the Land Bank was charged with purchasing former military land and leasing or selling it for the purpose of redevelopment to civilian uses. It has been actively involved in the disposition of all base closures in Massachusetts since its founding and its activities were financed by bonds backed by the full faith and credit of the Commonwealth. The Land Bank later expanded its mission to include other State and Federal surplus land. In 1996 it merged with the Massachusetts Industrial Finance Agency to become MassDevelopment.

In the summer of 1991, Governor William Weld designated the Land Bank as the lead agency for redeveloping Fort Devens with oversight by the Devens Redevelopment Board, a body created and appointed by the Governor. The board consisted of 7 private sector representatives, loyal to the Governor, and 4 representatives of the towns. Over time the Redevelopment Board ceased to play an active role in the redevelopment process and the Land Bank became the primary representative of the Commonwealth’s interests at Devens.

**The Towns and the Joint Board of Selectmen (JBOS)**

The towns of Ayer, Harvard, and Shirley have traditional New England small town governments. Important political decisions are made by majority vote at open Town Meetings while day-to-day administration and town management is carried out by locally elected Boards of Selectmen. In the spring of 1991, members of the towns’ Board of Selectmen began to meet informally to discuss the reuse of Fort Devens. Although the towns lacked a tradition
of cooperation, they were galvanized into action by a proposal to use Fort Devens for a new regional airport. Residents and local officials strongly opposed the airport facility, which would bring unwanted noise and traffic to the area, despite the potential for new jobs and infrastructure investments. Although the airport idea was scrapped in 1992, it provided the catalyst for local cooperation and initiated the creation of the JBOS, which by early fall released a collective mission statement. The JBOS wanted local control over planning decisions and reuse. In the planning stages, the JBOS was the voice of the local communities and worked to promote local control over the redevelopment process.

Although the JBOS had no legal authority, its support was critical to implementing any reuse plan. Under Massachusetts law, the approval of a reuse plan for Fort Devens required a two-thirds vote in favor from each of the towns. Thus the towns worked together but each town would vote individually to decide the fate of Fort Devens.

**Negotiations & the Fort Devens Enterprise Commission**

Before transferring lands to the Land Bank, the Army required that a resolution be reached on the future governance of Devens. In early 1993, Massachusetts legislators, the Land Bank, Governor Weld’s administration, the JBOS, and the North Central Massachusetts Chamber of Commerce began meeting to create a governing body for Deven’s redevelopment. The Land Bank came forward with a proposal to create the Devens Regional Enterprise Zone, which would be governed by the Devens Enterprise Commission (DEC). The Commission consisted of 11 members, with the Governor appointing the majority. The Commission would be responsible for developing the reuse plan and submitting it to the towns for approval and would control zoning, taxing and permitting. The JBOS did not approve of this setup and countered with a proposed 11 member commission that gave the towns the majority vote. It also proposed that the redevelopment plan pass a majority vote in town meetings rather than the traditional two-thirds vote needed for zoning changes.
In the end, a compromise was reached in the form of a 12 member commission with an equal number of members appointed by the towns and by the Commonwealth. The towns would have to agree to the Commission, a reuse plan and Zoning By Law for the Devens Enterprise District by majority vote in Town Meetings. In a 1994 vote, Harvard, Ayer and Shirley all agreed to the Commission by a large majority. While they ceded control over zoning, taxation and reuse control, they unburdened themselves of the financial risks associated with redeveloping the base and opened the door for state investments, infrastructure and job creation. The legislation which allows this set-up and defines land use and the process for zoning changes at Devens is referred to as Chapter 498.

The Commission was given control of Fort Devens governance for at most 40 years, at which time a more permanent arrangement would have to have been created, whether by a new town or the reintegration of Devens into the host towns. The Commonwealth paid $17.8 million to the Department of Defense for Fort Devens in 1996 and underwrote $200 million in bonds for infrastructure investments, advertising and planning. Despite future revenues, the project was anticipated to break even only after 30 years. The Commonwealth would have been unwilling to provide bond financing without sufficient fiscal and development control to minimize risk. Nevertheless, the towns maintained a certain control over redevelopment through their 6 members on the Commission. At present, residents of Fort Devens pay taxes to the Commonwealth, vote in one town and send their children to school in another. The Commonwealth pays for municipal services and pays neighboring towns for education costs.

**IV) Land Use Plan and Development Strategy**

The 40-year redevelopment plan called for the creation of at least 7 to 8 thousand jobs, 2,100 acres (850 Has) of open space and 8.5 million square feet of office. Housing units were limited to 282 due to local concerns about decreasing residential property values and increasing the costs of municipal services, public schools in particular. As of 2007, Fort Devens has over
4,200 jobs, 3.4 million square feet of office, 2,100 acres (850 Has) of open space, and 150 residential units. A recent agreement with drug maker Bristol-Myers Squibb Co. will site a $660 million plant at fort Devens that will open in 2009 and create approximately 550 jobs.

The success of Fort Devens’ redevelopment lies in the close coordination of different levels of government, early government investments and a host of incentives to encourage private development. Where the redevelopment has failed to succeed reflects the limitations of the institutional framework. Were it not for the compromises that led to this institutional framework, however, the redevelopment process may have lagged and ultimately failed.

In particular, the redevelopment has been successful at remediating an environmentally hazardous site, transforming a base from military to civilian uses, attracting private commercial enterprises, and creating jobs. The redevelopment has been unsuccessful at creating an adequate number of housing units to support the development or create a community at Devens.

**Site Description**

The base’s 9,310 acres (3,768 has) are divided into three areas, the 3,250-acre (1,315 has) Main Post, the 1,010-acre (409 has) North Post and the 5,050-acre (2,044 has) South Post. The North Post contained training fields, a waste water treatment facility and Moore Air Field; the South Post, training facilities and shooting grounds; the Main Post, the majority of built structures including residential, office, warehouse and industrial. The base site is rural and characterized by rolling terrain with wooded hills separated by the Nashua River and several smaller bodies of water. Elevations vary from 220’ to 360’ above sea level.
Early Public Reuse

Of the Fort’s 9,300 acres (3,764 has), approximately three quarters of the land was reused by the Federal Government and for open space. Approximately 5000 acres (2,023 has), the South Post and 350 acres (142 has) of the Main Post, went to the Army for a National Guard and Army Reserve training facility, while 2,100 acres (850 has) were dedicated to open space, including an 836 acre (338 has) expansion of the Oxbow National Wildlife Refuge. The US Bureau of Prisons proposed to reuse the existing Cutler Army Hospital for a prisons hospital on 222 acres (90 has) early in the process. The Land Bank also won a national Job Corps Center which would occupy 22 acres (9 has), create 120 jobs annually and attract $5 million per year in federal dollars on top of an initial $20 million investment. Several homeless providers took advantage of the McKinney Act to win sites for homeless shelters at Devens. While a prison hospital, job center for disadvantaged youth and homeless shelter are not always seen as locally-desired land uses, these institutions provided jobs and activity early on and set the stage for private investments. They also reduced the chances of a regional airport facility being located at Devens.
Public Uses at Devens, November, 2008.

Military Storage

Military Training Facilities

Active Military Cemetery

Mirror Lake, Public Open Space

Wildlife Preserve

Bureau of Prisons Hospital
Public Investment and Agency Cooperation

Public agencies played a key role in the early redevelopment of Fort Devens. They worked together to create the institutional framework for reuse, they provided the early land uses, they cleaned up the site and they created a set of incentives to encourage private development. Although agencies may have run into conflicts or disagreements, their joint commitment to the Devens’ successful reuse and to replacing lost jobs greatly contributed to the project’s achievements.

One of the first public investments in Fort Devens reuse came in the form of a planning grant from the DoD’s Office of Economic Adjustment. Both the Land Bank and JBOS applied for planning funds from the OEA, which in July, 1992 awarded $204,000 to the Land Bank with a pass through to the JBOS. This allowed the JBOS to open a reuse office for Devens and got planning started at an early stage. The Army’s project manager, Carter Hunt, also stipulated that no disposition of lands below the Federal level would occur until the Land Bank and JBOS agreed on a land use plan and institutional arrangement for governing the redevelopment. Thus in addition to providing needed cash, the DoD moved early to encourage cooperation rather than competition between the Land Bank and the JBOS. Senator Kennedy was credited with promoting the JBOS’ active inclusion in the redevelopment process. During a meeting in Washington D.C. with representatives of the Land Bank, the JBOS and the OEA, he specifically asked for input from the towns.

Under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), the US Army was responsible for remediation prior to transfer of the base. To this end the Army has spent approximately $144 million on site cleanup. This expenditure has made reuse of the site more financially feasible and has increased the likelihood of the financial viability of Devens’ reuse. The military also worked closely with the State Lank Bank in fulfilling environmental impact reporting under the State MEPA and federal NEPA requirements. Both the State Environmental Impact Report (EIR) and the Federal Environmental Impact Statement (EIS) had to be filed and accepted by the Federal and State
Environmental Protection Agencies respectively in order for the transfer to proceed. The Army granted the Land Bank “Cooperating Agency” status, which gave it the opportunity to influence the EIS and ultimately land use plan for Fort Devens.

**Financing**

In addition to the Army’s expenditures, the Commonwealth’s $200 million bond promoted the successful transfer of Devens from military to civilian use. This money has been used to purchase the site, build new roads, replace a water-treatment facility, tear down old buildings and woo private developers with advertising and inexpensive loans. These improvements along with the initial investments of Federal Agencies and the military created the environment in which private investment could be attracted. With a 30-year payback schedule, the towns could not have born the costs of requisite infrastructure improvements. The site’s expected returns over 20 years were expected to be around $95 million, not even half of the initial bonds. In 2008, approximately $50 million of bond money is still available to MassDevelopment to provide infrastructure and services for newly developed sites.

**Private Incentives**

In addition to leveraging natural site assets, which include larger contiguous plots of land, good highway access, full Pan Am freight rail service and existing infrastructure, the DEC created incentives to make Fort Devens more attractive for private investors. Most importantly, it provided 75- day 1-stop permitting review process for development projects. Throughout much of Massachusetts, development projects get bogged down in the red tape and insecurity of multiple permitting processes with no set timeline. Acquiring the appropriate permits can take years and be subject to fierce negotiations with public agencies and community groups. The uncertain timeframe can cost large project millions of dollars in lost time. It can also cause projects to miss market cycles or lose financing. Guaranteeing fast track permitting through one agency saves companies time and money and gives Devens an edge over other sites in New England. Approvals generally take 35 to 60 days with an average of 56 days. In addition to this incentive, companies that move in to Devens enjoy low real
estate taxes, discounted utilities through MassDevelopment acting as a municipal authority. Other assistance from MassDevelopment includes logistical support, a professional fire station, a State Police building, grounds maintenance, and utility providers, all on site.

Finally, as a quasi-public agency, MassDevelopment can offer incentives that a private developer could not. Evergreen Solar is a maker of photovoltaic panels, headquartered in Marlborough, MA. When the company wanted to expand capacity to fabricate panels, the Governor's Office arranged a deal with MassDevelopment to lease land to Evergreen at a heavily discounted rate while financing infrastructure through a grant program. In this case, 600 promised jobs and the desire to promote alternative energy production in the Commonwealth outweighed the financial considerations.

*Evergreen Solar plant under construction, November, 2008*
Private Reuse

Since the first private land use, a Gillette warehouse, up to the latest proposal by Evergreen Solar, over 85 companies have made Fort Devens their home. By 2006, Fort Devens had attracted $445 million in private investments to complement the nearly $350 million dollar investment by the State and Federal governments. Estimated wages in 2005 totaled almost $220 million and the project is ahead of schedule for turning a profit. For a list of current businesses located at Devens, see the appendix.

Early private land uses clustered in Devens Industrial Park in the northeast section of the main base and tended to be warehousing and distribution facilities. These uses took advantage of large, inexpensive lots with good truck access to Boston and other commercial and population centers. Just southwest of the industrial park is Devens’ institutional core, Devens Common, which includes MassDevelopment’s offices, the Devens Enterprise Commission, the fire station, a 120 room Marriot hotel, a restaurant and a small shopping center. The hotel has been so successful that they are planning to open a second one. Many of the clients come for business or sports tournaments on Devens’ ample playing fields during the weekend. Other uses include the Red Tail Golf Club, an 18-hole private course to the southeast of Devens Common.

High tech and biomedical uses, which came later than the warehouses and distribution centers, have tended to cluster in Jackson Technology Park located on the in the southwest
corner of the main base. In addition to Bristol-Myers Squibb, American Superconductor, Xinetics Inc. and others, Mount Wachusett Community College opened a Bio-Manufacturing Training Center at Devens in a rehabilitated military intelligence building. The new campus opened in the fall of 2008 and offers two year degree programs in biotechnology and bio-manufacturing. Another site, the Barnum Business Park, includes the Evergreen Solar plant, a Magna-Motion magnetic levitation R&D facility and several speculative office developments.

**Devens Industrial Park**

![Distribution Center](image1)

![Docking Facilities](image2)

**Jackson Technology Park**

![Xinetics Inc.](image3)

![Bristol-Myers Squibb Construction Site](image4)
American Superconductor

Mount Wachusett Bio-Manufacturing Training Center

Devens Common

MassDevelopment

Shopping Center

Devens Grill

Springhill Suites by Marriott
Despite the many jobs and services, there are only 102 occupied units at Devens. These units, 25 percent of which are affordable at 80 percent of area median income, are renovated officers’ housing located around the center of the main base by Devens Common and the playing fields. Under current regulations established during the initial Devens disposition, only 180 more units are allowable. These have yet to be built on account of a change in the style of housing that MassDevelopment plans to provide. Previously, large lot suburban single family homes were to be constructed, but the DEC is updating its zoning to allow for more compact development in line with the Commonwealth’s “Smart Growth” goals. This zoning change requires approval from the towns in jointly held Town Meetings, a process established under Chapter 498, the law regulating land use and land disposition at Devens.

**Housing at Devens**
Environmental Sustainability and the EcoStar Program

The initial Fort Devens reuse plan cites environmental sustainability as a core redevelopment principal. In addition to maintaining significant open space, cleaning up polluted sites and giving 836 acres (338 has) to the Oxbow National Wildlife Refuge, the reuse of Devens encourages best practices in environmental sustainability. Two of Bristol-Myers Squibb new buildings are seeking LEED certification and new regulations at Devens may require LEED Neighborhood Design certification for new housing developments.

In 2005, the Devens Enterprise Commission launched its EcoStar program to encourage sustainable business practices. Membership of EcoStar is voluntary and member businesses can earn the designation of EcoStar Achiever by meeting 15 out of 25 environmental standards. The New England Region Environmental Protection Agency (EPA) recognized the EcoStar Program in 2008 with an Environmental Merit Award for its program to facilitate the reuse of one company’s waste streams and outdated inventory by another. Over the six months, businesses saved an estimated $63,000 in operating and disposal costs. This year, Devens also hosted the Fifth Annual Industrial Symbiosis Research Symposium as a center of best practice for decreasing the environmental impacts of business operations by creating by-product synergies between different companies.

Leadership in Energy and Environmental Design (LEED) is the post prevalent standard for sustainable development in architecture and design in the United States.

V) Housing and 2B

The institutional framework for Devens’ governance was designed to last no longer than 40 years. By July 1, 2033, a permanent form of governance must be established. Fewer than 10 years after the base’s closure and initial transfer in 1996, the institutional framework was showing signs of coming apart. By 2002, the redevelopment of Devens was ahead of schedule and representatives of the three towns, MassDevelopment and the Devens Enterprise Commission, began to explore options to establish a new, permanent governance structure. Four disposition alternatives, Scenarios 1A, 1B, 2A and 2B, were considered. Scenarios 1A and 1B would divide Devens among the towns, while 2A and 2B would create a new town of Devens. While the advancement of disposition partly reflects the strengthening of the Boston area housing market since the 1990s and the commercial success of Devens, it also highlights
the institutional limitations and, more generally, weaknesses in municipal financing in Massachusetts.

Municipalities have strong financial incentives to attract commercial properties but to limit housing units in their towns. Commercial properties contribute to a municipality’s tax base but require little in the way of new service expenditures. New residences, on the other hand, require costly services such as fire, police and, most notably, public schooling. Furthermore, they increase the supply of houses and therefore lower the value of other existing houses. The Commonwealth, however, needs to create more housing to lower the costs of housing and encourage more people to live in Massachusetts. This conflict of interests between the towns and MassDevelopment has been apparent since the early planning for Fort Devens’ reuse.

The 1994 Reuse Plan states why only 282 of the previous 1,700 units were to be allowed: “regional needs, projected demand, projected land use of the Devens Regional Enterprise Zone, and potential negative fiscal impacts on the host communities and on the off-site housing market”.¹ As regional housing supply tightened, however, and prices in Massachusetts have come to be seen as a major economic weakness, the Commonwealth has been unable to increase housing at Devens, despite two studies indicating respectively that it could absorb 2,700 and 2,300 units over the next 20 years.

On October 26, 2006, a vote by various stakeholders of Devens was held on proposal 2B, which had gained favor over the other scenarios, since residents of Devens had expressed a strong desire to form their own town and the existing towns were wary about absorbing new housing units that MassDevelopment required under the disposition agreement. This proposal would have given back 1,425 acres (577 has) of Devens to Harvard, Ayer and Shirley, while creating a new town, Devens, the 352nd municipality in Massachusetts and the first in over 85 years. It also would have increased the housing cap to 1,300 units plus allowed for 300 units in Shirley and 200 in Ayer over a period of 20 years. In order to pass, the vote

required a yes from five out of the six stakeholder groups: residents of Devens, MassDevelopment, the Devens Enterprise commission and the three towns. The towns’ votes were determined by majority vote at special town meetings. Four of the six stakeholders voted in favor, two of the towns, Harvard and Ayer, did not. In a later town vote, held as a November 7th ballot vote, only Harvard voted against 2B, although by a smaller margin.

Different groups of citizens have different reasons to support or oppose 2B. In Harvard, residents rejected 2B but also rejected a referendum to take back all of Harvard’s Devens land. Some of the most common objections to 2B appear to be a lack of process, confusion on the parts of residents, and unclear benefits for the towns. One group, STOP FADS (Stop Taking Our Property/Freedom Advocates for Devens Stakeholders) wants all the land to go back to the original towns. One Harvard Planning Board Member and a member of Citizen’s for Harvard’s future cite potential fiscal burdens in a Boston Globe article as reasons to consider 2B.2 The ballot vote and the fact that 80% of those living in Devens voted in favor of 2B suggest that a similar arrangement will pass in the future. Without a resolution, MassDevelopment may seek legislative relief from the housing cap in order to construct more units in the future.

Results of October 24th Special Town Meetings

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Source: Citizens for Our Future (www.devensinfoalliance.org)

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Results of November 7th Ballot Question

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<td></td>
</tr>
<tr>
<td>Town of Harvard</td>
<td>1,217</td>
<td>1,514</td>
<td>113</td>
</tr>
<tr>
<td>Town of Shirley</td>
<td>1,299</td>
<td>840</td>
<td>161</td>
</tr>
</tbody>
</table>

Source: Citizens for Our Future (www.devensinfoalliance.org)

In light of the failure of 2B, the towns have convened the JBOS with additional representatives for the residents of Devens to discuss new proposals. They plan to agree to a proposal in 2009 and put it to popular super town hall meeting votes after taking the time to discuss the proposal with residents of the three towns and Devens. Although the commercial tax base of Devens is attractive, industry at Devens requires high-quality services that will be difficult for the towns to match, including a 22-person professional fire department, full-time planners, State Police, on-site utilities providers and professional landscaping. The towns, and indeed residents of Devens, are apprehensive about both the service costs and the ability of largely voluntary town governments to manage Devens.

In 2000, the only residents of Devens were living in homeless shelters or at the Job Corps Center. At this time, issues about where children would attend school, where people could vote and who had a right to what services were already in question. As the 282 allowable units at Devens have started to fill, these questions have continued to grow. The initial institutional framework may have been good enough for the towns and Commonwealth at the time but clearly does not suit the residents of Devens who must rely on different agencies and towns for different services. From both a local and regional planning perspective, more housing units are needed at Devens. This will prove difficult without the evolution of the temporary Devens Enterprise Commission into something more permanent.
Vicksburg Square Historic Reuse

At the center of Devens, between the playing fields and next to existing housing and the Devens common, lies Vicksburg Square, an abandoned army barracks and historic building. Although the building is currently zoned for light industrial and commercial uses, multiple developers have come to MassDevelopment with unsolicited proposals to reuse the structures as multi-family housing. A proposal to preserve the buildings as 300 to 500 housing units was accepted by the JBOS and will be brought to the towns for a vote under Chapter 498 regulations for a zoning change. If approved, these units will not count against any current or future housing caps. MassDevelopment plans to submit an open Request for Proposals to developers by the end of 2008.
VI Conclusion

In the five years between the base closure announcement in 1991 and the base closure in 1996, representatives from the Army, the Commonwealth, the towns and the Federal Government came together and formed a plan to reuse and redevelop Fort Devens. This plan was made possible by the collective desire to see Devens move smoothly from military to civilian use. Each agency played an important role in facilitating the process: the Army paid for clean up, kept much of the base for other operations, provided early planning funds and encouraged the Commonwealth and towns to work together; the EPA helped sort out land uses and led remediation efforts; the US Fish and Wildlife Department took land for a wildlife refuge; the Bureau of Prisons Hospital, the Job Corps Center and different homeless service provider provided early jobs and land uses; the Commonwealth provided bond financing and, through the Land Bank, led redevelopment efforts; the towns ceded certain rights and control over its land and provided active input for future land uses at Devens.

The final land use plan and institutional framework represent a compromise between the Commonwealth’s quasi–public Land Bank and the different towns, each with its own sometimes competing interests. The future of Devens will continue to depend on the cooperation of various public players and their ability to compromise. Private players, such as the businesses and residents of Devens, will now add another layer of complexity to the negotiations. Their interests may well determine whether a future compromise favors the goals of MassDevelopment or of the towns. As they become the dominant players and the Commonwealth’s bonds are paid off, the transition to civilian use will be complete. It will be informative to track how MassDevelopment’s role evolves in the future and whether a new town of Devens or the towns of Ayer, Harvard and Shirley continue to try to attract regional businesses with the incentives’ package prepared by MassDevelopment. As more people live and vote in Devens, more questions may be raised about the desirability 75-day permitting for new multi-million dollar industrial plants and other incentives that helped Devens attract businesses and development.
VII) Discussion Questions

1. What are the strengths and weaknesses of the institutional set up of the Devens Enterprise Commission? Could a better structure have been created?

2. Would either stronger state or stronger local control have resulted in a better project?

3. What should MassDevelopment’s role be in the future? Consider that it still needs to recoup the Commonwealth’s $200 million bond investment.

4. What was the Army’s role? Could it have done more to facilitate transition?

5. How do you think the Devens story will play out? How do you think it should play out?

6. What were the advantages of only having to redevelop about a quarter of the original base? What are the disadvantages?

7. Should something else have been put up at Fort Devens?

8. What was the role of the JBOS? What should be its role in the future?

9. How should it be involved in questions about 2B?

10. What elements of the “Devens Model” are transferable? In what situations?
Appendix:

Local Businesses