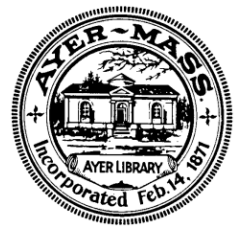


**Office of the Select Board
Office of the Town Manager**



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

June 16, 2026

State Senator James B. Eldridge
24 Beacon Street – Room 511-C
Boston Ma 02133

State Representative Danillo A. Sena
24 Beacon Street – Room 39
Boston MA 02133

Re: Concerns Regarding Governor Maura Healy’s Proposed Changes to Chapter 498 of the Acts of 1993

Dear Senator Eldridge and Representative Sena,

On behalf of the Town of Ayer, we are writing to express our serious concerns regarding Governor Maura Healey’s proposed changes to Chapter 498 of the Acts of 1993 governing Devens, as proposed in the Mass Wins Act, H.5386, currently pending before the Joint Committee on Economic Development and Emerging Technologies. Of specific concern is the proposal to eliminate the requirement for a so-called “Super Town Meeting” in the Towns of Ayer, Harvard and Shirley to approve changes to Devens’ Reuse Plan and By-Laws, and to instead hold only one single area meeting with a quorum of 50 voters total regardless of which Town they may or may not be from.

The current process to change Devens’ zoning has been inclusive and democratic since 1993. It is important to note that there was no formal communication or consultation from the Governor or MassDevelopment to the Towns regarding this proposed legislation and the reasons for the changes. Today, §10 of Chapter 498 requires changes to the Reuse Plan and By-Laws to be approved at “a town meeting to be held at the same date and time in each of the Towns....” To the contrary, the Mass Wins Act proposes to insert a new §10A into Chapter 498, which would govern changes to Devens’ Reuse Plan and By-Laws from 2027 onward. Pursuant to §10A, instead of Town Meetings being held simultaneously in Harvard, Ayer, and Shirley (known as a “Super Town Meeting”), MassDevelopment would be empowered to call a “single meeting...[to be] held at a location within Devens designated by MassDevelopment, or...at another location reasonably accessible to the residents of the Towns.”

The effect of this change is to limit participation and minimize the voices of the residents of Harvard, Ayer, and Shirley. First, the Mass Wins Act proposes to halve the current quorum requirement by establishing a mere 50-person quorum from all three towns combined. Today, §85-4 of Ayer’s General Bylaws and §2-1 of Harvard’s Town Charter both establish 50 person quorums for the Ayer and Harvard Town Meetings (there is no quorum requirement for the Shirley Town Meeting). If §10A comes into effect, however, that overall quorum requirement would be cut by 50%. Second, residents will have to travel miles further to get to the single meeting than they do now. By holding only a single meeting, the meeting must only occur in one of the three towns, reducing access for residents of the other two towns regardless of the specific location MassDevelopment picks for the meeting to be held. Additionally, Town Meetings by law are also a form of an election and where Devens is not a municipality, a Town Meeting covering Ayer (or Harvard or Shirley) matters cannot be convened outside of the jurisdiction of the respective Town(s).


Chapter 498 must be consistent with the existing law. Section 1 of Chapter 498 finds that a purpose of the law is to respect “that the towns of Ayer, Harvard and Shirley have a vital interest in the successful reuse of Fort Devens.” In

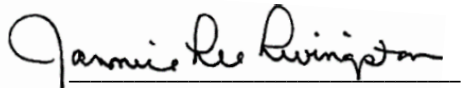
our opinion, removing the town governments of Ayer, Harvard, and Shirley from the process of amending the Reuse Plan and By-Laws is inconsistent with the purpose of Chapter 498. Passage of §10A will mean that Town Meetings will no longer be called by the Select Boards of the towns. Each town will not, through its Town Meeting traditions and democratically elected Moderators, be able to exercise its local democracy to approve amendments governing land within its territorial boundaries. Instead, the towns will be removed from the process entirely and replaced by a meeting called and controlled by MassDevelopment, a quasi-state private agency. In fact, pursuant to §10A, changes to zoning governing land and buildings in Ayer could pass without a single Ayer resident having voted on them.

Chapter 498 was established to ensure that the surrounding host communities maintained a meaningful voice in major decisions affecting Devens development and governance. The current structure reflects a careful regional balance and recognizes that changes to the Devens Reuse Plan and By-Laws can have long-term impacts on infrastructure, housing, traffic, schools, environmental resources, and municipal services throughout the region. Chapter 498 already provides MassDevelopment with a veto, as only MassDevelopment can propose changes which cannot be amended on the Town Meeting floor. Further constricting the democratic process by reducing approval to a single meeting with a very small quorum risks weakening local democratic participation and diminishing the authority of the three host towns. We consider this a dangerous precedent for the legislature to establish that could potentially jeopardize the rights of towns across the Commonwealth to make decisions that have, to-date, been made at the local level.

On behalf of the Town of Ayer and in the name of preserving fair, representative, and democratic government, we respectfully ask that you oppose any provision that weakens the role of the surrounding communities in Devens governance. Thank you for your attention to this matter and for your continued service to our community. We appreciate your consideration of the concerns shared by residents and this Select Board who value regional cooperation.

Sincerely,


Christopher E. Tavares, Chair


Jannice L. Livingston, Vice Chair


Shaun C. Copeland, Clerk

The Ayer Select Board

Cc: Harvard Select Board
Shirley Select Board
MassDevelopment