

**Devens Enterprise Commission  
DEC Public Hearing & Meeting  
Minutes August 25, 2020**

**Members:** Dix Davis, Jim DeZutter, Robert Gardner, Christopher Lilly, R. Markley, William Marshall, Marty Poutry, Debra Rivera, Paul Routhier

**Staff:** Peter Lowitt, Neil Angus, Kate Clisham

**Absent:** Duncan Chapman, Melissa Fetterhoff, Jim Pinard

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This meeting was held virtual via Zoom Meeting in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A. s.20. W. Marshall called the meeting to order at 6:46 PM and read the agenda. W. Marshall took roll call and went over the virtual meeting procedures. The following individuals were also in attendance: Jessica Strunkin, MassDevelopment EVP Devens.

**M/S/V** M. Poutry, R. Gardner to appoint D. Rivera as a voting member; approved unanimously.

**6:53 PM New Business:**

**Annual Performance Review**

W. Marshall reported the Executive Committee met earlier to review P. Lowitt's performance. Once again P. Lowitt has done an excellent job as the Land Use Administrator and he's performed his role exceedingly well, especially during this pandemic where he had to coordinate staff transitions and ensure staff had the ability to work from home as well as cover the office on a rotating basis. W. Marshall reported P. Lowitt has recognized his staff through his review process and has given staff the appropriate compensation. The Executive Committee recommends P. Lowitt to receive a 3.52% salary increase bringing his annual salary from \$142,000 to \$147,000. As a result of the pandemic and all of the extra activity that's required of P. Lowitt we also recommend he receive a \$5,000 bonus for his exemplary work. R. Gardner supports the recommendation and thanks P. Lowitt and staff for their working during these difficult times.

**M/S/V** R. Gardner, M. Poutry to approve P. Lowitt's salary increase to \$147,000 annually with an additional \$5,000 bonus; approved unanimously by roll call vote. W. Marshall will coordinate with N. Angus to sign the authorization to increase P. Lowitt's salary and award the bonus.

**6:57 PM Farewell to Commissioner William Castro**

W. Marshall reported W. Castro has submitted his resignation effective August 10, 2020. W. Castro has served as a Commissioner representing the Town of Shirley for 17 years. W. Castro has served the community very well and he has been an excellent Commissioner over the years. N. Angus displayed the Certificate of Appreciation for W. Castro. W. Marshall read the certificate and wished W. Castro well. W. Marshall indicated he hopes the Town of Shirley can expedite the appointment of a replacement. N. Angus reported he spoke to W. Castro yesterday and he sends his regrets he could not attend tonight. W. Castro sent along his remarks noting it was an honor to serve and he thanked everyone for their time and well wishes.

**7:00 PM New Business:** None

**7:01 PM Old Business:**

**Discussion – Devens Jurisdictional Framework Committee meeting updates**

P. Lowitt reported the Devens Jurisdictional Framework Committee met recently and decided to create three subcommittees. The first subcommittee will focus on consensus, W. Marshall has volunteered to work on that subcommittee. The second subcommittee will focus on financing, P. Lowitt has volunteered to work on that subcommittee. The third will focus on vision, J. DeZutter has volunteered to work on that subcommittee. P. Lowitt thought we should get some input from the Commission on their thoughts on the DEC's vision. He reported in the past we noted several points – we'd like to retain the Unified Permitting system for Devens and we'd like to retain the goal of sustainable development for Devens redevelopment. J. DeZutter indicated the fact that we have by-laws, a reuse plan as well as a set of rules and regulations that have served us well and has contributed extensively to the success we've experienced at Devens. He doesn't think that any of the other communities have such a process and commitment to further the development of Devens as opposed to their own community. J. DeZutter believes it's important to begin strongly, suggesting that we retain the Devens Enterprise Commission unified permit concept going forward. W. Marshall indicated he agrees with both J. DeZutter and P. Lowitt's comments regarding the process. He noted we have to realize whatever jurisdiction takes over will be responsible for their own processes and rules etc. so he's not sure we can dictate this continuation

unless a regional enterprise zone is the final jurisdiction after the entire process is concluded. He noted if the communities take over then town meeting will then dictate the process. M. Poutry agreed and indicated he believes a lot of Devens success stems from the local, regional, national and international acclaims we've had and that's a big selling point for whatever jurisdiction takes over Devens. W. Marshall indicated we can use that as our argument that this model has been working successfully and hopefully that will prevail. R. Gardner asked how many years left before disposition/jurisdiction. W. Marshall noted 2033, just 13 years. R. Gardner noted Devens success and believes it may present difficulties in management if jurisdiction reverts to the three towns as there won't be a unified position such as we've had and have currently. He thinks that perhaps it may be that Devens will become a town or remain as an enterprise zone. W. Marshall noted any of those are options for disposition/jurisdiction and each of those will be reviewed to determine the outcome. He noted J. DeZutter, P. Lowitt and himself are members of the Devens Jurisdictional Framework Committee (DJFC) to review and recommend to create a plan for jurisdiction since we're working on the framework to make that recommendation and submit it to the legislature. It's then up to the legislature approve or not or make changes to the recommendation the DJFC submits. J. Strunkin, MassDevelopment Devens EVP and also the DJFC chairwoman, agreed with W. Marshall's explanation. She added that she has an inclination some of these committee members may continue on into the next phase and looking at the recommendations. That's not definitive but that has been part of the discussion. While we are trying to lay the groundwork for the process now we are also tasked with review of the recommendations. W. Marshall noted there is still time to go and we are working toward reaching a consensus on the process to present a recommendation. W. Marshall reported the DJFC has moved to virtual meetings due to the COVID-19 pandemic and we will continue to keep you updated as we move forward in the process.

#### **7:08 PM Update – Army Lovell Street Issues**

P. Lowitt reported the Army has an agreement with MassPort to upgrade the Army's facility at Devens in exchange for a land swap whereby MassPort obtains a portion of Army owned land at Logan Airport. The work at Devens has brought some permitting issues to light. Since MassPort is the permit applicant they now have to comply with Devens rules and regulations, including stormwater. MassPort didn't understand that was the case so we are now working with them to ensure they are following requirements. W. Marshall asked where this property is located. P. Lowitt indicated just off Hospital Road going toward Shirley take the first left just after crossing the bridge. W. Marshall asked about the land swap. P. Lowitt noted MassPort will be constructing a building for the Army here in Devens in return for some land the Army owns at Logan Airport. Since MassPort is doing the work and not the Department of Defense presumed the work is not exempt from permitting. N. Angus displayed the map showing the Lovell Street area and noted it's an isolated area away from the rest of Devens. R. Gardner asked if MassPort was going to have a landing strip on Lovell Street. N. Angus indicated no, they will be constructing a vehicle maintenance facility along with additional parking. W. Marshall asked if that is an expansion of the Army at Devens. P. Lowitt noted it could be viewed as such.

#### **7:12 PM Update – Devens Farmers Market**

N. Angus reported the market has been operating on Wednesdays on Devens Common since mid-July. He indicated we've worked hard to promote the market with MassDevelopment to the residents, businesses and the surrounding communities. Despite COVID-19 there has been a decent turnout considering the area is not as busy as it was this time last year. As of last week we have decided to put a hold on the market. N. Angus reported Dicks Market Garden will look to return in late September, October and early November for the fall market season but not as frequently. He noted we had a lot of positive feedback about the accessibility to healthy foods, supporting local farms and the produce donations from Dicks Market Garden to Loaves & Fishes and most recently to Clear Path for Veterans. N. Angus reported it's been a great benefit to the community. W. Marshall indicated he hopes it will be successful going forward. N. Angus reported Dicks Market Garden is committed to Devens and there are a number of other vendors interested in joining.

#### **7:19 PM Project Updates**

N. Angus displayed a map noting the locations of several projects that plan to submit Level 2 applications. P. Lowitt reported we wanted to let you know we should see the public hearings by the end of the year. Very exciting.

**7:23 PM Public Comment:** J. Strunkin reported MassDevelopment is preparing to release the Devens economic report compiled by the UMass Donahue Institute within the week. The last report was completed in 2016 and this most recent report covers 2019. She noted Devens employment numbers rose from about 5,000 to roughly 6,000 and the overall report is positive regarding Devens economic impact to the region as well as the entire Commonwealth. W. Marshall thanked J. Strunkin for the update and we look forward to continuing to work with you.

N. Angus asked about a number that joined. M. Poutry noted its R. Markley.

**7:27 PM M/S/V** C. Lilly, R. Gardner to adjourn, approved unanimously.

**List of Exhibits –**

- Agenda
- Virtual Hearing Procedures
- W. Castro Certificate of Appreciation
- Nashua River Watershed Association RE: Thank you

DRAFT