

**Devens Enterprise Commission
DEC Public Hearing & Meeting
Minutes March 24, 2020**

Members: William Castro, Duncan Chapman, Dix Davis, Melissa Fetterhoff, Robert Gardner, Christopher Lilly, William Marshall, Marty Poutry, Debra Rivera, Paul Routhier

Staff: Peter Lowitt, Neil Angus, Kate Clisham

Absent: Jim DeZutter, Robert Markley, Jim Pinard

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 6:45 PM and read the agenda. W. Marshall took roll call and went over the virtual meeting procedures. The following individuals were also in attendance: Deven Chauhan (BMS), Curt Quitzau (VHB), Pat Healy (VHB), Stace Dhal (VHB), Donna Bulger (CPVNE), Josh (student from Harvard)

6:52 PM Public Hearing: One-Day Wine and/or Malt Beverages License request from Clear Path for Veterans New England (CPVNE) for the Devens Dash 5k Race the Base Road Race event on Sunday May 3, 2020 from 8 AM to 12 PM (beer & wine 10:30a – 12p only) at 100 Sherman Ave. (Parcel ID #23-2-800)

W. Marshall opened the hearing and read the public notice. N. Angus noted the applicant has submitted a request to withdraw the application. W. Marshall read the email from Donna Bulger requesting a withdrawal of the application with the current ban on large gatherings due to COVID. She noted they hope to hold the event in the future.

M/S/V C. Lilly, R. Gardner to approve the withdrawal request; approved unanimously by roll call vote.

M/S/V M. Fetterhoff, R. Gardner to close the public hearing; approved unanimously by roll call vote.

6:55 PM Event Permit & One-Day All Alcoholic Beverage License request by Clear Path for Veterans New England for the Devens Dog Festival to take place on Museum Field at 27 Antietam Street on Sunday May 31, 2020 from 11 AM – 4 PM (alcohol 10:30a – 12p only) (Parcel ID#31-99-900)

Donna Bulger reported this is the 3rd annual event and each time they feel they learn and make the experience better. They will have the same layout but this year they will be adding live bands to the event. P. Lowitt indicated we are familiar with the event and worked with MassDevelopment on coordination. Staff recommends approval with conditions.

Questions – C. Lilly asked if we are still under order for no large gatherings will the applicant have to reapply and come back before the DEC for an alternative date? P. Lowitt indicated yes, we would have to re-advertise and send notice all abutters with the new date. R. Gardner asked if they provided their liability policy. P. Lowitt indicated MassDevelopment is in receipt. **M/S/V** P. Routhier, C. Lilly to close the public hearing; approved unanimously. **M/S/V** W. Castro, C. Lilly to approve the event and one-day license with conditions; approved by roll call vote.

7:05 PM Level 2 Unified Permit application submitted by Bristol-Myers Squibb for a proposed +/-240,000 gross square foot building (Cell Therapy Facility), a +/-44,800 gross square foot expansion to the existing central warehouse building, a +/-600-space above ground parking structure, and new cooling tower. Property located at 38 Jackson Road (Parcel ID # 9-4-200), Devens, MA in the Innovation & Technology Business District.

W. Marshall opened the hearing and read the public notice. C. Quitzau from VHB provided a PowerPoint Presentation. He reported the Cell Therapy Facility (CTF) will be a new 3-story building that will house about 800 employees, and a three-level, 600 space parking garage and. He noted the parking garage could potentially go up to five stories if necessary for future expansion. The CTF will provide innovative cancer treatment to roughly 5,600 patients per year. He reported the site was designed to accommodate this expansion and will utilize existing utility and drainage infrastructure. C. Quitzau indicated truck traffic will utilize the Queenstown gate. He reported minor comments were received and most were resolved working with staff. The viewshed analysis showed parts of the CTF will be visible from Prospect Hill and Fruitlands Museum as well which triggers the green roof requirements. He indicated BMS is fully committed to provide the green roof to the extent FDA practices allow. He reported the CTF will operate two shifts 6 AM – 6 PM and 6 PM – 6 AM. He noted the majority of vehicle trips will take place prior to the AM and PM peak hours and the new traffic numbers anticipate 344 AM and 360 PM vehicle trips. C. Quitzau went over the 3 waiver requests indicating all 3 had been granted during previous phases. N. Angus went through the staff report. Questions: W. Castro asked if the lighting would need to be on during the day. C. Quitzau indicated no, evening hours only. D. Davis asked about the viewshed and traffic increase. N. Angus indicated MassDevelopment reviewed the full traffic impact analysis and they have questions on the site line distances at Jackson/Queenstown intersection and the applicant is conducting further analysis. He noted there is

quite a bit of traffic currently utilizing this intersection and the Fire Chief indicated he's not aware of any major accidents at this intersection. N. Angus indicated the applicant did contact the Town of Harvard regarding the viewshed and they have yet to hear back. He reported staff has no issue with the three requested waivers but they did ask the applicant to look into reduced site lighting where feasible. M. Poutry asked if the applicant will need to come back if they expand the parking garage in the future. N. Angus indicated yes, any parking expansion will require a new permit.

M/S/V D. Davis, M. Poutry to continue the hearing to April 9, 2020 at 7:30 AM; approved unanimously.

8:00 PM **New Business:** P. Lowitt indicated DEC staff has been working with CPVNE, MassDevelopment and the Nashoba Associated Boards of Health regarding Covid19 and local event permits and recreational activities at Devens. He also noted the Devens Regional Household Hazardous Water Facility is planning to install new awnings and a temporary shed so they can continue operations in inclement weather. This would be approved administratively.

8:01 PM **Old Business:** None

8:02 PM **Public Comment:** None

8:03 PM **M/S/V** D. Davis, M. Fetterhoff to adjourn, approved unanimously.

W. Marshall noted we anticipate the April 9th meeting to be remote again.

List of Exhibits –

- Agenda
- Virtual Hearing Procedures
- Staff Report 3/20/2020 RE: CPVNE Dog Festival
- Staff Report 3/20/20 RE: BMS CTF Phase 3
- PowerPoint Presentation 3/24/2020 RE: BMS CTF Phase 3 by VHB