Devens Enterprise Commission (DEC)
Public Hearing and Regular Meeting
Minutes December 5, 2024

Members Present: Duncan Chapman, Melissa Fetterhoff, Robert Gardner, William Marshall, James Pinard, Paul Routhier, Debra Rivera, Deborah Seeley

Staff: Neil Angus, Beth Suedmeyer, Dawn Babcock

Guests: Meg Delorier (VP MassDevelopment), Carl Sciple (Harvard Resident), Kristen LaBrie (Howard Stein Hudson) Kenneth Feyl (LYFarchitects), Keith Pruett (State Police), Tom Ragno (KSP Properties), Jesse Tarbell (Sterling Street Brewery), Luis Angel (Bandoleros), Kara Fossey (Fort Devens Museum), Dona Neely (The Great Exchange), Rich Howard (YMC), David King (Fort Devens Museum), Brian Cussen (LYFarchitects), Jon Karp (Charter Construction Management LLC)

Members Absent: Christopher Lilly, Martin Poutry

(7:30 AM) Chairman William Marshall called the meeting to order and did a roll call.

Mr. Marshall read that the Devens Enterprise Commission (DEC) Regular Meeting and Public Hearing is being held virtually in accordance with the Act (Senate Bill #2475) relative to extending certain COVID-19 measures adopted during the state of emergency. Interested individuals can listen in and participate by phone and/or on-line. Persons with disabilities or requiring interpretation wishing to listen or participate should contact 978.772.8831 x3334. In accordance with the State's Open Meeting Law, Mr. Angus informed all attendees that the Devens Enterprise Commission is recording this meeting.

(7:41 AM) Chairman Marshall noted, we will need to elect Ms. Rivera as a voting Regional Representative for this meeting. **The motion was made by Mr. Gardner and seconded by Mr. Pinard. The nomination was approved unanimously by a roll call vote.**

(7:42 AM) Mr. Marshall reviewed the agenda of this morning's meeting.

(7:44 AM) Review Minutes:

- **November 19th Minutes** Mr. Marshall asked if there were any edits or comments, none were mentioned. Mr. Marshall asked for a motion to accept the minutes as posted. **The motion was made by Ms. Seeley and seconded by Mr. Pinard and the motion to accept the minutes was approved by a roll call vote**. Both Mr. Chapman and Mr. Gardner abstained as they were not present for the November 19th meeting.

Public Hearings: Continued

- **(7:43 AM) Level 2 Unified Permit application for Site Plan and Wetland Notice of Intent submitted by Jonas Angus - TPE Solutions for the construction of a +/-31,511 sf building with associated parking, grading, drainage, landscaping, lighting and utility improvements on a proposed +/- 6.65-acre parcel located at 33 Lake George Street (Parcel ID # 008.0-0021-0401.0), Devens, MA in the Innovation & Technology Business Zoning District.** Mr. Angus noted that he had received the revised plans and then handed the floor over to Ms. LaBrie from Howard Stein Hudson and she noted the changes that have been made to their plans. Ms. LaBrie noted that they had reduced the driveway width, increased the screening on property, and installed a fence around the dumpsters. Ms. LaBrie also shared that they have supplied MassDevelopment with the Rooftop plan that they had requested. Mr. Marshall asked the commissioners if there were any questions, none were asked. Mr. Marshall then asked the public if there were any questions, none were asked. M. Marshall asked for a motion to close the hearing**, the motion was made by Mr. Gardner and seconded by Mr. Pinard. The motion to close the hearing was unanimously approved by a roll call vote.** Mr. Angus then went over the Draft Record of Decision, he noted that he updated the exhibits in the package, there were a couple of waivers, but they were approved administratively (plan form waivers) so there are no waivers for the commissioners to vote on. Mr. Angus then noted the findings in the draft ROD and noted that the addition and the proposed expansion of existing operations are an allowed use of this property and there is no additional parking required. In the off chance that

DRAFT

additional parking is required YMC does own the adjacent property and there are numerous parking spaces there. Mr. Angus then went over the conditions noting that 1 – 10 are the standard conditions and 11 – 22 conditions are minor modifications and requirements specific to this project. Mr. Marshall then asked the commissioners if they had any questions, and none were asked. Mr. Marshall then asked the public if there were any questions and none were asked. Mr. Marshall then asked for a motion to approve this Level 2 Unified Permit as presented in the Draft Record of Decision updated by Staff. **The motion to approve was made by Mr. Pinard and seconded by Mr. Routhier. The motion to approve the Level 2 Unified Permit was approved unanimously by a roll call vote.**

Public Hearings:

- **(8:03 AM) One-Day Wine and/or Malt Beverage License request by Fort Devens Museum for a special event to take place on the third floor of 94 Jackson Road (Parcel ID #019.0-0004-1500.0) on Saturday, December 14, 2024, from 2:00 PM to 7:00 PM.** Mr. Angus noted that the Museum is looking at making this event an annual event for the Army/Navy Football Game. Mr. Angus then turned the floor over to David King with the Fort Devens Museum. Mr. King noted that last year's event had 40 participants and this years will be limited to 100 participants. Tickets will be sold, and wristbands will be given out to those of drinking age. Mr. King did note that they have been working with Police and Fire to ensure the location will be secure for everyone to enjoy the event. Mr. King did note that they will be acquiring the wine and malt beverages from vendors that approved by the ABCC they will also be arranging the catering from an approved vendor. Mr. Angus then went over the Staff Report and noted that they will be using 4 vendors for the liquor, and they will be using Marty's Corner Café for the catering. Mr. Angus then went over the floor plan for the event and he noted that the license will note 7 recommend actions for the event. Mr. Marshall then asked the commissioners if there were any questions, none were asked. Mr. Marshall then asked if there were any questions from the Public. Mr. Sciple asked if there are 2 egress for the building should they be needed. Mr. King did note that there was one at either end of the hall, in addition to the elevator and those areas will be kept clear of obstructions during the event as required by the Devens Fire Chief. Mr. Marshall then asked for a motion to close the hearing. **The motion to close the hearing was made by Mr. Pinard and seconded by Mr. Gardner. The motion to close the hearing was unanimously approved by a roll call vote.** Mr. Marshall then asked for a motion to approve One-Day Wine and/or Malt Beverage License request by Fort Devens Museum. The moti**on was made by Ms. Seeley and seconded by Mr. Pinard. The motion was approved by a roll call vote. Mr. Gardner abstained from voting as he is a member of the museum.**

New Business:

- **(8:13 AM) Yearly Renewals of the Liquor and Common Victualler Licenses.**

  - **Liquor License Renewal - 2025**
    - Sterling Street Brewery (Canteen) – 65 Jackson Rd
    - Mexican Grill Inc. (Bandoleros) – 4 Ryans Way
    - Devens Common Conference Center – 31 Andrews Pkwy
    - Hilton Garden Inn – 59 Andrews Pkwy
    - Springhill Suites by Marriott – 27 Andrews Pkwy
    - Red Tail Golf Course – 15 Bulge Rd
    - MPG Corp. (Rapid Refill) – 4 Andrews Pkwy

  - **Common Victualler License Renewal - 2025**
    - Sterling Street Brewery (Canteen) – 65 Jackson Rd
    - Flik Café (Canteen) – 65 Jackson Rd
    - Flik Café (CFS) – 117 Hospital Road
    - Marty's Corner Café and Deli – 176 Jackson Rd
    - Sodexo Management Inc (Bristol Myers Squibb) – 38 Jackson Rd
    - Pizza Bella – 8 Andrews Pkwy
    - Courtny Donuts LLC (Dunkin Donuts) – 26 Andrews Pkwy
    - Devens Treatment and Recovery Center (Tara Vista Behavioral Health Center) – 85 Patton Rd
    - Mexican Grill Inc. (Bandoleros) – 4 Ryans Way
    - Devens Common Conference Center – 31 Andrews Pkwy
    - Hilton Garden Inn – 59 Andrews Pkwy
    - Springhill Suites by Marriott – 27 Andrews Pkwy
    - Red Tail Golf Course – 15 Bulge Rd
    - MPG Corp. (Rapid Refill) – 4 Andrews Pkwy

  Mr. Angus noted that there are 7 Liquor Licenses to renew, and he has not heard of any issues from Public Safety at any of these locations. He also noted that there are 14 Victualler Licenses to be renewed, and he has not heard of any issues from public safety at any of these locations either. Mr. Angus did note that the two hotels and the conference center are still waiting for the proof of transfer of ownership to be provided as well as the Board of Health Food Service Permit being issued from the Nashoba Associated Boards of Health. Mr. Angus asked for the commission to vote on the liquor licenses and common Victualler licenses separately. Mr. Marshall asked for a

DRAFT

motion to approve the 7 Liquor Licenses renewals. **The motion to approve the Liquor Licenses was made by Mr. Gardner and seconded by Mr. Chapman. The motion to approve the 7 liquor licenses was approved unanimously by a roll call vote.** Then Mr. Marshall asked for a motion to approve the 14 Victualler licenses. **The motion was made by Ms. Seeley and seconded by Mr. Pinard. The motion to approve the 14 Victualler licenses was approved unanimously by a roll call vote**. Mr. Angus noted that the licenses for the two hotels and conference center will be held until the sales of the three businesses are finalized.

- **(8:18 AM) Devens Eco-Efficiency Center – Quarterly Update** Mr. Angus introduced Dona Neely the director of the Devens Eco-Efficiency Center and then handed the floor over to her. Ms. Neely noted that they have had great quarter, and they now have 3.5 Staff Members and a number of Dedicated Volunteers. They have had a number of sponsors but are needing to increase the sponsorship. They have conducted a number of tours as well as presentations. Ms. Neely noted that they have been awarded a DEP Micro Grant for a new website on continued growth. Ms. Neely noted she is working on the plan for 2025. Mr. Marshall asked if there were any questions. Mr. Sciple asked where the excess revenue went? Ms. Neely noted that there is no excess revenue. Mr. Agnus noted that the Eco-Efficiency Center has received publicity from state and municipality agencies, and all meetings that have taken place here in Devens the attendees have been able to visit the Great Exchange too.
- **(8:39 AM) Devens Jurisdictional Framework Committee Matrix– Unified Permitting Process:** Mr. Marshall gave an overview of the matrix and how things are progressing. Mr. Angus noted that everyone has recognized the importance of the unified permitting process and the expedited permitting process. Mr. Angus then went over the document detailing these two processes. Mr. Angus asked if there were any comments or questions before he sent the document along? Mr. Marshall noted that the unified permitting process is a major offering and should continue no matter the outcome of Devens. Mr. Chapman noted that other areas have business parks that straddle town lines.
- **(8:51 AM) Read File:** Mr. Angus noted that there were three articles in the Read File this time: 1) Harvard Press had an article regarding the Economic Development Bill clearing the path for major housing expansion in Devens. 2) Boston had an article regarding the announcement by the Healey-Driscoll Administration: the hiring of a new President and CEO for MassDevelopment, Navjeet Bal. and Harvard Press had another 3) Devens growth: an opportunity and a challenge.
- **(8:54 AM) New Business:** Mr. Marshall then asked if there was any more new business and Mr. Angus noted he had a few items to share.
    - With the passage of the Economic Development Bill, the Secretaries of Economic Development and Housing and Livable Communities will need to convene a working group to review the possibility of housing in the ITC district. within 30 days. Ms. Delorier added that Under Secretary Strobel has begun working on this. Mr. Angus then noted that there has been movement on the appointment and re-appointment of our DEC commissioners, both new and town representatives. Mr. Angus noted commissioners should have received requests for information so they can perform the background checks needed.
    - Municipal Vulnerability Proposed Program (MVP v2.0) Ms. Suedmeyer noted that Devens has been successful in getting support from the program since 2018, where we received $50K for the seed project. Ms. Suedmeyer is now looking to get approval from the DEC and have the chairman sign off on a letter of support for the MVP 2.0 funding. Mr. Marshall asked for a motion to support the proposal. **The motion was made by Ms. Seeley and seconded by Mr. Pinard. The motion to support the submission of the MVP 2.0 grant application was approved unanimously by a roll call vote.**
    - Mr. Marshall added one last item. Mr. Angus has replaced Mr. Lowitt on the Fitchburg Line Working Group, and they are looking at reconvening this group in January. Mr. Angus has invited the Secretary of Transportation to join the meeting as well.

Old Business:

- **(9:06 AM)** Mr. Marshall asked if there was any Old Business to discuss. Mr. Angus noted that there wasn't any.

(9:06 AM) Public Comment Mr. Marshall asked if there were any questions from the public. None were asked.

DRAFT

(9:07 AM) Mr. Marshall then noted the upcoming meetings. **December 17th at 6:45 PM** Public Hearing - hybrid meeting, and the **January 9th 7:30 AM** zoom meeting.

(9:09 AM) Mr. Marshall asked for a motion to adjourn the meeting. **The motion was made by Ms. Seeley and seconded by Mr. Pinard. Adjournment was concluded unanimously by roll call.**

List of Exhibits

- Agenda
- Draft Minutes for the November 19th Meeting
- Public Hearing – Continued
    - 8 Charlestown Road
        - Updated Site Plans
        - SDR R2
        - Revised Application
        - Draft ROD
- Public Hearing – New
    - 94 Jackson Rd – 1-day Liquor
        - Application
        - Floor Plan
        - Staff Report
- New Business
    - Victualler and Liquor Renewals – Staff Report
    - DJFC Matrix – Unified Permitting
    - Read File

DRAFT