Devens Enterprise Commission (DEC)
Remote Regular Meeting
Minutes May 20 , 2026

Members: Duncan Chapman (joined at 7:54 AM), Melissa Fetterhoff, Christopher Lilly, William Marshall, Jim Pinard, Marty Poutry, Paul Routhier, Carl Sciple
Members Absent: Debra Rivera, Deborah Seeley
Staff: Neil Angus, Beth Suedmeyer, Dawn Babcock
Guests: John Conway (ValcunForms), Larry Maglin (ValcunForms), Jonas Angus (TPE Solutions), Marc Borenstein (Legal TPE Solutions), Hillary Clark (MassDevelopment Parks and Recreation), Bri Gillespi (Arup – KSP), Brian Grisaru (39 Jackson Rd KSP), Johnathan Eiserbur (KSP), Ben Brooks (ValcunForms),

(7:32 AM) Chairman William Marshall called the meeting to order

Mr. Marshall read that the Devens Enterprise Commission (DEC) Meeting is being held virtually pursuant to the March 28,2025, Act signed by the Governor extending the ability of state and local public meetings to be held in a hybrid or remote format through June 30, 2027. Interested individuals can listen in and participate by phone and/or on-line by following the link and phone # above. 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, we wish to inform all attendees that this meeting will be recorded by the Devens Enterprise Commission.

(7:34 AM) Chairman Marshall did the roll call for the meeting

(7:37 AM) Mr. Marshall reviewed the agenda of this evening's meeting.

Review Minutes:

- **(7:40 AM) March 31st Draft Minutes**: Mr. Marshall asked if there were any questions about the March 31st minutes but none were asked. Mr. Marshall then asked for a motion to approve the March 31st minutes submitted**. The motion to approve the March 31st minutes was made by Mr. Sciple and seconded by Mr. Pinard. The motion to accept the minutes as submitted was unanimously approved by a roll call vote. Mr. Routhier abstained as he was not present at the March 31st Meeting.**

(7:41 AM) Welcome Sandi Silk, Executive Vice President of Real Estate, MassDevelopment: Neil noted that with our meeting being moved out a week Ms. Silk was unable to join us as she had another commitment that couldn't be adjusted. She would like to join us at a future meeting.

Public Hearing

- **(7:42 AM) Level 2 Unified Permit application submitted by <u>VulcanForms Inc., on behalf of King 39 Jackson, LLC</u> (property owner) for a <u>License to store flammables, combustibles, and explosives</u> in accordance with 974 CMR 4.09(6). Property located at 39 Jackson Road (Parcel ID # 013.0-0021-1002.0) in the Innovation & Technology Business District.** Mr. Angus noted that VulcanForms is located at 112 Barnum Road and is looking to expand into 39 Jackson Road and they are now looking for a Flammables, Combustibles, and Explosives license for the new location. Mr. Larry Maglin from VulcanForms shared a slide deck noting that VulcanForms will be increasing their headcount between 90 – 140 between both locations. The work being done at the new location is for a specific customer which will be using the same titanium powder as 112 Barnum Road. Fire has inspected and passed their plan. Mr. Maglin noted that there will be vaults to house the powder before going to the cabs near the printer where it will be used. Mr. Sciple asked if there is the possibility of explosion and Mr. Maglin noted that there is no fear of explosion but static fires are a concern that VulcanForms have taken steps to ensure the static electricity is at a minimal if any. Mr. Angus then went through the Staff Report and noted that he has reviewed this application in depth with the Fire Department and they see no issues. Mr. Angus has asked for a safety plan to be adjusted from the 112 Barnum plan for the 39 Jackson Road location. Mr. Marshall then asked if there were any question from the Commissioners, none were asked, he then asked the public if they had any questions and none were asked. Mr. Marshall then asked for a motion to close this hearing. **The motion to close the hearing was made with Mr. Lilly and seconded by Mr. Chapman. The motion to close the hearing was unanimously approved by a roll call vote.** Mr. Angus then went over the Draft Record of Decision and noted the findings for this request are the standard findings and noted that the storage of the powder will be 100% in the building. Mr. Angus also went over the 5 conditions. Mr. Marshall asked the Commissioners and then the Public for any questions no one were asked by either. Mr. Marshall then asked for a motion to approve the License with conditions. **The motion was made by Mr. Pinard and seconded by Mr. Chapman, the motion to approve the license with conditions was unanimously approved by a roll call vote.**

- **(7:59 AM) MPG Corporation request for alteration of premises to change floor plan and shift location of beer and wine display/storage for an existing off-premises Package Store Wines and Malt Beverages License. Property located at 4 Andrews Parkway, Devens, MA (Parcel ID#020.0-0003-0300.F) in the Business Community Services District.** Mr. Angus informed the commissioners that he reached out to the ABCC before the originally scheduled meeting on May 14th and found out that because the license originally issued by ABCC was for the entire building and not a specific area of the building there is no need to request a new license from them. So, Mr. Angus has asked the applicant for a withdrawal letter. Mr. Marshall asked the commissioners if they have any questions none were asked. Mr. Marshall then asked for a motion to accept the withdrawal letter from MPG Corporation LLC. **The motion to accept the letter was made by Mr. Routhier and seconded by Mr. Sciple. The motion to accept the withdrawal letter was unanimously approved by a roll call vote.**

- **(8:02 AM) MassDevelopment (Devens Recreation) request for Event Permit and a One-Day Wine and/or Malt Beverage License for the Devens Food Truck and Craft Festival to take place at 27 Antietam Street, Devens, MA (Parcel ID #031.0-0099-0900.0) on Saturday, June 6, 2026, from 11AM to 5PM (rain date Sunday, June 7, 2026), in the Open Space and Recreation District.** Mr. Angus introduced Ms. Hillary Clark from MassDev Parks and Recreation. Ms. Clark noted that this is the 5th annual event which will take place June 6th from 11:00 – 5:00 PM she also noted that they have a number of vendors already signed up and they have a couple of bands planning to play during the event. They will have a state approved inflatable at the event. Ms. Clark noted that she has connected with the Fire and Police and will have them on site during the event, and DPW will handle the trash for the event. There will be no pets allowed at the event as well as no offsite alcohol allowed. Mr. Marshall asked if there were any questions from the Commissioners and the Public, none were asked. Mr. Marshall then asked for a motion to close the Public Hearing. The motion to close the hearing. **The motion to close the Public Hearing was made by Mr. Pinard and seconded by Mr. Routhier. The motion to close the Public Hearing was unanimously approved by a roll call vote.** Mr. Angus noted that there have been no comments received from the public. He then went over the Staff Report and noted there are 7 standard conditions noted for the One-Day Wine and/or Malt Beverage license and 6 standard conditions for the event license. Mr. Marshall asked for questions from the Commissioners and the Public but none were asked. Mr. Marshall then asked for a motion to approve the Public Hearing. **The motion to approve the One-Day Wine and/or Malt Beverage license was made by Mr. Lilly and seconded by Mr. Pinard. The motion was unanimously approved by a roll call vote.**

New Business:

- **(8:13 AM) TPE Solution 33 Lake George Street Unified Permit Extension Request:** The Commission discussed a permit extension request for TPE Solutions' 35,000 square foot building project at 33 Lake George. Mr. Angus explained that the project originally required plans to be submitted for endorsement by November 29, 2024, but

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received a two-year automatic extension under the 2024 Permit Extension Act due to supply chain disruptions and COVID pandemic recovery. This permit was scheduled to have the final plans endorsed by November 29, 2026, with the work starting by November 30, 2026. The Commission agreed to make a general finding recognizing the automatic extensions for all permits issued between January 1, 2023, and January 1, 2025. Mr. Marshall asked if there were any questions regarding the 2024 Permit Extension Act, and none were asked. Mr. Angus asked the Commission to make the general finding which will not only apply to this request but also any other requests for permits issued within that timeframe: *"The DEC recognizes the rights accorded by the 2024 Permit Extension Act and affirms that no formal modification of permits issued by the DEC is required for an applicant whose permit falls within the scope of the 2024 Permit Extension Act to claim the tolling rights provided under state law. All rights and remedies of the DEC are reserved and not waived."* Mr. Marshall then asked for a motion to approve the Finding Mr. Angus noted. **The motion was made by Mr. Chapman and seconded by Mr. Pinard. The motion to approve the finding was approved unanimously by a roll call vote.** Mr. Pinard did ask why the applicant hasn't broken ground since the original approval back in 2024? Mr. Angus noted that the owner/applicant will cover this. He then turned the floor over to Mr. Jonas Angus, the owner of TPE Solutions Inc. and Mr. Marc Borenstein (Legal TPE Solutions), ended up taking the floor. TPE Solutions does require additions time to commence construction at the development site and complete the construction. TPE Solutions is in the process of adding a new subsidiary to its portfolio. Originally, they intended to relocate to 33 Lake George Street by 2026 but when they started to evaluate their construction time line it was deemed infeasible by their construction team so they pivoted as they needed to be out of their Shirley location and have since acquired another location in a surrounding community but are still planning to move forward with their plans to relocate to 33 Lake George Street. As recommended by the DEC staff, TPE Solutions will submit their updated plans for endorsement by November 29, 2026, and are requesting extensions of the work commencement date to November 30, 2027, and having all work completed by May 31, 2029. Mr. Marshall asked if there were any questions, none were asked. He then handed the floor over to Mr. Angus, who noted that they wanted to ensure that TPE Solutions is indeed still planning to move forward with their plans here in Devens. They did state that they are still planning to move forward with their plans at 33 Lake George so Mr. Angus has asked them to submit their plans for endorsement by November 29, 2026. Mr. Angus noted that he has had conversations with their project engineer from Howard, Stien & Hudson they are already working on getting their plans finalized and ready for endorsement. Mr. Angus feels that this shows their commitment to move forward with their plans for 33 Lake George and feels that their request for the one-year extension should be approved for the commencement of activities to November 30, 2027, with a completion date moved to May 31, 2029. Mr. Marshall asked if there were any questions or comments, and none were brought forward. Mr. Marshall then asked for a motion to approve the extension of permit D24-006. **The motion to approve the extension was may by Mr. Pinard and seconded by Mr. Lilly. The motion to approve the extension was approved unanimously by a roll call vote**

- **(8:28 AM) July - December 2026 Draft Meeting Schedule review and Approval:** Mr. Angus reviewed the next 6 months schedule for the meetings, Mr. Angus noted with the Holidays he is looking to pull the November Public Hearing in to the 17th as well as the December Public Hearing in to the 22nd. Mr. Angus asked the commissioners to let him know if there should be an issue with any of the dates. None were given.

- **(8:33 AM) FY 2026 Budget Adjustment Request– Increased Healthcare premiums:** Mr. Angus presented a budget adjustment request to address increased healthcare premiums, proposing to reallocate $15,000 from various programs including the climate action plan, special projects, and green building incentive program. **The commission unanimously approved the budget adjustments with a motion made by Mr. Poutry and second by Mr. Pinard.**

- **(8:36 AM) Read File & Social Media Minute:** Mr. Angus asked the commissioners to take a minute to look at the read file if they haven't already as Devens was in the news a lot since the last meeting. Mr. Angus also shared the articles that have been posted on Facebook, LinkedIn, Marty's Café, Sterling Street Brewery and the Pow Wow, community outreach as well as Photos from Earth Day.

Old Business:

- **(8:47 AM) Devens Jurisdictional Framework Committee – Matrix Areas of Agreement – Education, Police and Fire: There was no discussion**

Public Comment:

- **(8:59 AM)** Mr. Marshall asked if there were any questions from the Public and none were noted.

(9:00 AM) Mr. Marshall noted the next scheduled meetings are **May 26th at 6:45 PM (Hybrid Meeting),** and **June 4th at 7:30 AM, (Zoom Meeting).**

Mr. Angus noted that the meeting on the 26th will be dedicated to the 5-year plan and he would like to have a team dinner before the meeting starts. Ms. Babcock reminded Mr. Angus that Tuesday night isn't good as the Golf League has started. So, he asked the commissioners about the 27th and 28th. The dinner meeting will be the 27th from 5:30 – 8:00

Mr. Angus then noted that the staff has signed up to volunteer at Loaves and Fishes on the 28th from 8:00 – 1:00 and he asked if any of the commissioners are interested, they are welcome to join us.

(9:08 AM) Mr. Marshall asked for a motion to adjourn. The motion was made by Mr. Pinard and seconded by Mr. Lilly. The motion to adjourn was unanimously approved by a roll call vote.

<u>**List of Exhibits**</u>

- Agenda
- March 31st Draft Meeting Minutes
- Public Hearing – 39 Jackson road
  - Application
  - Public Notice
  - Determination of Completeness
  - Draft ROD
  - Staff Report
- Public Notice – MPG Corporation 4 Andrews Parkway
  - Application
  - Public Notice
  - Floor Plan
  - Draft ROD
  - Staff Report
- Public Notice – Food Truck & Craft Festival
  - Application
  - Public Notice
  - Narrative & Plan
  - Staff Report
- New Business
  - TPE Solutions Extension – 33 Lake George

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        - Letter to Mr. Angus request for Extension of Unified Permit
        - Staff Report
    - Budget Adjustment
        - Budget Adjustment Memo
    - July – December Draft Meeting
    - Read File
- Old Business
    - Devens Jurisdictional Framework Committee – Matrix Areas of Agreement: Education, Police, and Fire

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