Devens Enterprise Commission (DEC)
In-Person/Remote Hybrid Public Hearing and Regular Meeting
Minutes October 29, 2024

Members Present (in person): Christopher Lilly, William Marshall, Marty Poutry, Debra Rivera, Paul Routhier, Carl Sciple, Deborah Seeley
Members (remote): Duncan Chapman, Robert Gardner
Members Absent: Melissa Fetterhoff, Jim Pinard
Staff (in person): Neil Angus, Beth Suedmeyer, Dawn Babcock
Guests (remote): Keith Pruett (Mass State Police), Meg Delorier (VP MassDevelopment), Hildie Karpawich (Highpoint Engineering), Julie Farrer (King Devens LLC)

(6:45 PM) 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 both remotely AND in-person in accordance with the supplemental budget bill signed into law by Governor Healey, further suspending certain open meeting law requirements to March 31, 2025. Interested individuals may attend in-person at this address or listen in and participate by phone and/or on-line by following the link and/or phone # at the top of the agenda. 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, the Chairman informed all attendees that this meeting is being recorded by the Devens Enterprise Commission. Persons with disabilities or requiring interpretation wishing to listen or participate should contact 978.772.8831 x3334.

(6:50 PM) Chairman Marshall noted, we will need to nominate Ms. Rivera as a voting Regional Representative for this meeting. **The motion was made by Mr. Lilly and seconded by Ms. Seeley. The nomination was approved unanimously by a roll call vote.**

(6:51 PM) Mr. Marshall reviewed the agenda of this evening's meeting.

(6:52 PM) Review Minutes:

- **October 3rd Draft Minutes** were discussed. Mr. Marshall asked if there were any comments about the minutes and none were made. Mr. Marshall then asked for a motion to accept the minutes as submitted. **The motion was made by Ms. Seeley and seconded by Mr. Lilly. The minutes were approved by a roll call vote.** Mr. Chapman and Mr. Routhier abstained from voting as they were not present at the October 3rd Meeting.

Public Hearing:

- **(6:53 PM) <u>Level 2 Unified Permit Site Plan Modification Application submitted by King Devens, LLC for additional surface parking. Property located at 57 and 75 Jackson Road (Parcel ID #013.0-0021-0100.0 and 018.0-0021-0900.0), Devens, MA, in the Innovation and Technology Business District</u>**. Mr. Angus reminded the commissioners that there has already been an administrative approval for temporary parking in these locations until the 57 and 75 Jackson buildings are built and now the Contractor is looking to convert these parking spaces from Temporary to permanent parking spots. Mr. Angus then handed the floor over to Ms. Hilde Karpawich from Highpoint Engineering. Ms. Karpawich shared the plans for the two future buildings at 57 and 75 Jackson Road and the plans for the parking that will be shared between the three buildings (57, 65, and 75 Jackson). The plans do have a slight change to the originally approved temporary parking. There are 19 Compact Parking Spaces. The plan is to make these spaces porous pavement once the building at 57 Jackson is completed. The parking will be first come first serve. There are two waivers that they are looking to get approved. The first being the number of compact parking spaces and the second waiver is in regard to the viewshed. Ms. Karpawich noted that the traffic engineer working this project has recommended a diagonal spaces which will prevent congestion. Mr. Nagi submitted his letter of recommendation for the diagonal parking. All the walkways in the plans will be ADA

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accessible. The campus also will have raised crosswalks which will aid in keeping the speeds down. There will be no changes to the drainage systems as they will still meet the state regulations. The zoning requirements are also still being met. They will have 14 ADA parking spaces among the three facilities ADA requirements only require 11 spaces. Mr. Marshall asked if there were any questions, none were asked so Mr. Angus then reviewed the Staff Report with the Commissioners, and he noted the two waivers 1) the viewshed visibility, 2) number of compact car spaces. As the spaces will not be visible from the viewshed and the number of compact car spaces complies if you consider all three buildings as a campus, staff had no concerns with the waiver requests. Mr. Angus also noted that Devens Enterprise Commission has also requested they beef up the understory plantings adjacent to the proposed 19 spaces. Mr. Marshall asked if there were any questions, and he then asked the public if there were any questions. None were asked by either Commissioners or Public. Ms. Suedmeyer asked the King Devens LLC Group if they are planning to make the changes now or when the buildings are erected? Ms. Farrer noted that they are planning to make the changes when the building is being built. **Mr. Marshall asked for a motion to close the hearing. The motion was made by Mr. Lilly and seconded by Mr. Routhier. The motion to close the hearing was approved unanimously by roll call vote.** Mr. Angus then went over the Draft Record of Decision and noted the parking spaces and waiver requests. **Mr. Marshall asked for a motion to approve the two waivers. Mr. Lilly made the motion and Mr. Poutry seconded the motion to approve the two waiver requests. The motion was approved unanimously by roll call vote.** Mr. Angus noted that the parking spaces will be porous pavement, he then went over the findings and 5 conditions and noted a few administrative minor edits to the draft ROD. Mr. Angus noted that they will need to submit modified Plans for endorsement, a set of As-Built Plans, Landscaping Plans, Operation Plan, and an updated Signage Plan. Mr. Angus noted the new Safety Regulations for Crowd Managers and the need to be certified through the state. Mr. Marshall asked if there were any questions. Mr. Routhier asked if the crowd manager regulation applies to Hotels and Restaurants? Mr. Angus confirmed that it does, but it depends on the type of events and activities they are hosting. Mr. Chapman asked who oversees this new regulation and Mr. Angus stated that Public Safety would be the department to enforce this regulation. Mr. Angus noted that he had taken the training, and the course was free, informative, and only 25 minutes long. **Mr. Marshall asked for a motion to approve the Unified Permit as amended. Mr. Lilly made the motion and Ms. Seeley seconded the motion. The motion to approve the Unified Permit as amended was unanimously approved by roll call vote.**

New Business:

- **(7:32 PM) Devens Jurisdiction Framework Committee Discussion – Public Works:** Mr. Marshall gave an overview of the matrix and how things are progressing. Mr. Angus stated that he sent out the list of status Quo he put together based on input from the Department of Public works to all of you and he will be presenting the list at the next meeting. Mr. Angus also noted that the state has granted the DJFC a $300K grant to aid with finalizing the framework committee's process. Mr. Marshall asked if the commissioners are in agreement to have Mr. Angus represent the Commission on the working group that is being formed to work on how this money should be used. **Mr. Marshall asked for a motion to ask Mr. Angus to represent DEC. The motion was made by Mr. Gardner and seconded by Mr. Poutry and the motion was unanimously approved by roll call vote.**
- **(7:39 PM) Read File:** Ms. Suedmeyer went over articles in the read file: Reducing the Carbon Footprint in Devens; MassDevelopment has named a new Intern CEO; Devens Water Supply Project Underway - Harvard; Devens will operate at a loss in Fiscal 2025; Mural Magic Art Project; Sale of the two hotels and conference center; Housing at Devens; Community Announcement on Facebook, Steward Health-Care Transitions.
- **7:44 PM)** Mr. Angus also noted that the Quarterly Project Update was presented by Ms. Suedmeyer at the MassDevelopment Board of Directors Meeting and has been posted to the DEC website. Paper copies were passed out to commissioners in attendance.

Old Business:

- **(7:45 PM) 39 Sheridan Road – Harvard Water Line Booster Pump Station – Authorization for administrative tight tank review with Nashoba Associated Boards of Health:** Mr. Angus noted that the Unified Permit has already been approved. But the state is requiring a bathroom installed in the Pump House. A variance was submitted by the Town of Harvard but was denied by the state, so they are now looking for approval to install a

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tight tank per title 5 requirements. Mr. Angus noted that approval of the tight tank could be handled administratively by DEC Staff in coordination with our health agents at Nashoba Associated Boards of Health and MA DEP if necessary. Mr. Chapman asked how many people will be in the building at a regular basis? Mr. Angus noted there will not be anyone regularly at the Pump House. **Mr. Marshall asked for approval for an administrative action on this request. Ms. Seeley made the motion and Mr. Routhier seconded the motion. The motion to authorize the administrative action was approved unanimously by roll call vote.**

Public Comment:

- **(7:50 PM)** Mr. Marshall asked if there were any questions from the Public in the room or on Zoom. None were asked.

- **(7:51 PM)** Mr. Marshall noted the next scheduled meetings are November 7th at 7:30 AM, (Zoom Meeting) and November 19th at 6:45 PM, (Hybrid Meeting).

(7:52 PM) Mr. Marshall asked for a motion to adjourn. The motion was made by Mr. Routhier and seconded by Mr. Gardner. The motion to adjourn was unanimously approved by a roll call vote.

List of Exhibits

- Agenda
- October 3rd Draft Minutes
- Public Hearing
  - 33, 57 & 75 Jackson Road Parking
    - Application
    - Site Plans
    - Staff Report
    - Draft ROD
- New Business
  - DJFC Matrix Memo – Public Works
  - Read File
- Old Business
  - 39 Sheridan Road Staff Report

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