

**Devens Enterprise Commission (DEC)**  
**Public Hearing and Regular Meeting**  
**Minutes April 25, 2023**

**Members Present:** Duncan Chapman, Dix Davis, Melissa Fetterhoff, Robert Gardner (7:16), Christopher Lilly, William Marshall, Jim Pinard, Martin Poutry, Deb Rivera, Paul Routhier, Deb Seeley

**Staff:** Peter Lowitt, Neil Angus, Dawn Babcock

**Guests:** Cindy Carter (Resident), Patrick McCarty (McCarty Development), Alan Fluet (Mack Devens Development), Meg Delorier (EVP for MassDevelopment), Robert Jenkins (Sr. VP. Real Estate for MassDevelopment)

**Members Absent:** James DeZutter, Beth Suedmeyer,

**(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 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.

**(6:47 PM) Chairman Marshall noted, we will need to nominate Ms. Rivera as a Regional Representative for this meeting. He then asked for a Motion to Nominate Ms. Rivera which was made by Ms. Seeley and by Mr. Davis. The motion was approved unanimously by a roll call vote.**

**(6:54 PM) Mr. Marshall reviewed the Agenda of this evening's meeting.**

**(6:56 PM) Review Minutes:**

- **April 6<sup>th</sup> Minutes** were discussed. Mr. Marshall asked if anyone had any edits or concerns, none were noted. Mr. Marshall then asked for a motion to accept the minutes as written and the **motion was made by Mr. Davis and seconded by Mr. Routhier. The Motion to approve the April 6<sup>th</sup> minutes was Approved by a roll call vote.**

**(6:57 PM) Public Hearings:**

- Chairman Marshall opened the hearing and read the legal notice: Level 2 Unified Permit Application for site plan approval by Mack Devens Development 11, LLC. for the proposed development of a new 237,850 gross square foot industrial building and associated site improvements. Property located at 11 Grant Road (Parcel ID#0.19.0-0008-0400.0) in the Innovation & Technology Business Zoning District within the Devens Regional Enterprise Zone. Mr. Angus handed the hearing over to Mr. McCarty and Mr. Fluet. Mr. McCarty provided a little history and background on how they got here. SMC went from 3 buildings in Sterling (2) and Leominster (1), to one at 18 Independence Drive in Devens, which they had only needed a portion of the building to house everyone from the 3 buildings. They rented out a portion of the building to what is now known as Werfen, a medical manufacturing facility. Now 18 Independence is full and both companies, SMC and Werfen, are looking for additional space. Building this new building will allow both companies to grow. Mack Devens Development is looking to build this facility for Werfen, and it will be an FDA Storage Facility. With this noted the facility will not have a large number of visitors so the visitor parking area will be smaller than average, and the building will also have a limited number of windows. Also, with this being an FDA Facility it will have 24x7 armed security. As for the building itself there will be office space, storage space, which will have a walk-in cooler and freezer. There will be two entrances to the facility one for employees/visitors off of Givry St and the other entrance is for the truck traffic which will be off of Grant Rd. The truck entrance has been set up to encourage traffic to go back to Jackson Rd. rather than going down towards the residential area of Grant Rd.

There will be 13 loading docks, which McCarthy Co. does realize this is over kill for the number of deliveries each day but some of the bays will be used for trailers only so they can be plugged in until their cargo is ready to ship. As for the outside area, McCarty Co. is planning to use porous pavement in the parking areas and regular pavement in the loading docks and driveways. 11 Grant Road does have space for additional parking, but they will hold off on building that to maintain the tree line. The grading on the property in places is significant so they are proposing a retaining wall which will also minimize the removal of existing trees. McCarty Co. employees have all gone through UXO Training so they will be ready to go. Mack Devens Development and McCarty Co. met with Jim Verner of MassDevelopment Utilities to review and confirm the plan fits into their existing systems. McCarty Co. also met with the Fire Department to ensure the driveway radii will allow emergency apparatus access. They will need to reconnect with Fire once the new ladder truck specifications are received to ensure it fits as well. Mack Devens Development will be adding 2 hydrants in the front and 1 hydrant in the back of the building.

Mr. Marshall asked if there were any questions, and Mr. Lowitt asked why they would be having 13 loading bays while expecting only 12 trucks a day? Mr. McCarty noted that even with the low number of trucks daily a few of the bays will be used for trailers that require to be plugged in for until they are ready for departure. Mr. Angus then went over the Staff Report noting that MassDevelopment is currently looking at modifications to the intersection of Givry and Hospital Road which may require minimal changes to this plan. The employee count per shift will be around 75 and there should be around 12 trucks per day. Mr. Angus did note that we will need to get the updated traffic study as it will also affect the sound study based on the traffic. McCarty Co. is looking to install Electric Charging Units, and have reserved parking for carpool, and fuel-efficient vehicles, which helps us meet greenhouse gas emission goals. There is additional space for parking should it be needed in the future. But this will require separate approval. Mr. McCarty did note that he will connect with the Fire Chief again regarding the charging unit location. Mr. Angus stated with the elevation of the building and it being such a large building so close to the road DEC has requested, McCarty Co. connect with MassDevelopment to work on a screening/coverage plan. For the stormwater requirements there have been a number of low impact development techniques put in place to assist with handling it. However, there are some concerns should the retaining walls fail causing the release into the public right away. The outside lighting will be downward lit and within Devens regulations so there should not be an issue here. Mr. Angus also noted that McCarty Co. had submitted a few waiver requests:

- Parking – which has been withdrawn.
- Parking in front of the building – no issue at this time. The rear and loading dock areas will require vegetative screening.
- Scattered trees to be preserved – no issues at this time.

Mr. Angus suggested continuing this hearing until the May 4<sup>th</sup> 7:30 AM meeting to give the consultants the chance to complete their reviews. Mr. Marshall asked the commissioners if they had any questions, none were asked. Mr. Marshall also asked if there were any questions from the public and no questions were asked. Mr. Marshall then asked for a **motion to continue this hearing until the May 4, 7:30 AM meeting. The motion was made by Ms. Seeley and seconded by Mr. Davis. The Motion to continue the hearing to the May 4, 7:30 AM meeting was Approved by a roll call vote.**

#### **New Business:**

**(7:54 PM) Read File:** Mr. Angus noted the articles within this file as:

- Harvard Press Article regarding Carl Sciple's being approved by the town of Harvard to join the Commissioners and that we are now just waiting for his approval from the Governor's Office.
- Harvard Press Article about the Pocket Forest Foreging day which was held on April 7<sup>th</sup>.
- Pocket Forest Planting day which is scheduled for April 29<sup>th</sup>.
- Farmers Market – July through October
- SmartWays Event scheduled for May 12<sup>th</sup>.

**(7:59 PM) Old Business:** Mr. Marshall asked if there was any old business and Mr. Lowitt said not tonight.

**(7:59 PM) Public Comment:** Mr. Marshall asked if there are any questions from the public. There were no questions or comments.

**(8:00 PM)** Mr. Marshall then noted the upcoming meetings. May 4<sup>th</sup> 7:30 AM the Monthly Meeting and May 30<sup>th</sup> 6:45 PM Public Hearing.

**(8:02 PM)** Mr. Marshall asked for a **motion to adjourn the Public Hearing. The motion was made by Mr. Davis and seconded by Mr. Poutry. Adjournment was concluded unanimously by Roll Call.**

### List of Exhibits

#### **Agenda**

#### **Minutes**

- April 6<sup>th</sup>

#### **Public Hearing**

- **11 Grant Road**
  - **Original Submission**
    - **Noise Evaluation**
    - **Drainage Report**
    - **Application**
    - **Plans**
  - **Review Comments**
    - **Revised Drainage Report**
    - **Responses to Comments**
    - **Response to Plans**
    - **Traffic Peer Review Letter**
    - **Staff Report**

#### **New Business**

- Read File

#### **Old Business**

- None