

**Devens Enterprise Commission (DEC)  
Public Hearing and Regular Meeting  
Minutes April 4, 2024**

**Members Present:** Melissa Fetterhoff, Robert Gardner, Christopher Lilly, William Marshall, Martin Poutry, Paul Routhier, Debra Rivera, Duncan Chapman joined at 8:00

**Staff:** Neil Angus, Beth Suedmeyer, Dawn Babcock

**Guests:** Lt Keith Pruett (Mass State Police), Meg Delorier (VP MassDevelopment), Robert Jenkins (MassDevelopment Real Estate), Carl Sciple (Harvard Resident)

**Members Absent:** James Pinard, Deborah Seeley

**(7:41 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.

**(7:44 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. Lilly and seconded by Mr. Gardner. The nomination was approved unanimously by a roll call vote.**

**(7:45 AM) Mr. Marshall reviewed the agenda of this morning's meeting.**

**(7:46 AM) Review Minutes:**

- **March 7<sup>th</sup> 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 Mr. Routhier and seconded by Mr. Lilly and the motion to accept the minutes was approved by a roll call vote.** Both Mr. Gardner and Mr. Poutry abstained as they were not present for the March 7<sup>th</sup> meeting.

**Public Hearings:**

- **None were on the agenda today**

**New Business:**

- **(7:47 AM) FY 2025 Budget Discussion – Revenue Projections (with Robert Jenkins, MassDevelopment Real Estate):** Mr. Angus noted that he has invited MassDevelopment to join us for this discussion as has been done in the past. Mr. Robert Jenkins is here for MassDevelopment Real Estate. Mr. Angus went over the potential development he sees coming down the pike by district and noted the projected cost estimates and Mr. Jenkins shared his knowledge on these as well. Mr. Angus believes there is the potential for just over a million in revenue should all these projections come to fruition. Mr. Angus did share the Actuals for this year compared to the forecasted amount and there was only a four-hundred-dollar difference between the Forecast and Actual Revenue Income. Mr. Marshall asked if there were any questions, and none were asked. Mr. Marshall asked if the Expense Budget will be brought to a future meeting? Mr. Angus did note that the Expense Budget will be brought to a future meeting.
- **(8:28 AM) Extended Producer Responsibility Legislation support – Mass Toss:** Mr. Angus noted that the state has a number of legislative actions proposed to be brought in front of house and senate for extended producer responsibility programs which are spearheaded by Mass Recycle. The legislation is looking at ways have the

manufacturers be responsible for reducing the waste such as excess packaging, so it doesn't fall on the consumer to have to pay for disposal of waste packaging and we keep more materials out of the waste stream. The Bill (#883) that is being brought to the house is to create a committee to look into the possibilities to reduce waste. Mr. Angus has drafted a letter to show support for this bill as it is right in line with our sustainable mission. Mr. Angus asked Ms. Delorier if MassDevelopment has had the opportunity to look at his drafted letter and if so, would they be interested in sending a joint letter showing support of this bill? Ms. Delorier said they haven't had a chance to review the letter so they will need more time to review. Mr. Marshall asked if this bill would affect the current businesses here in Devens? Mr. Angus noted that this bill is to form a committee to look into possible changes not to put a change in place right now.

- **(8:43 AM) Devens Jurisdictional Framework Committee Decision Matrix Review:** Mr. Angus noted that the DJFC has created a matrix outlining the potential future disposition scenarios and the issues related to each scenario. The goal of this matrix is to help inventory the variety of issues that need to be considered as part of any disposition scenario and how each of the stakeholders might handle that scenario and specific issue. The first issue that will be discussed is Administration. The DEC is responsible for responding to the "Status Quo" scenario. For administration, it is fairly straightforward. The DEC and MassDevelopment would continue their current roles and responsibilities. Mr. Angus summarized the current roles and responsibilities of the DEC and MassDevelopment. Mr. Marshall added that he feels this will be a great way to get each committee to note their concerns as well as see what the other stakeholder's concerns are. Mr. Angus then noted that the DJFC has emailed to Dan Rivera and the Board of Directors of Mass Development to get their support regarding the Rezoning of Vicksburg Square. Mr. Rivera did respond to the DJFC that he is in favor of the process. Mr. Marshall did note that there is verbiage in the Governor's economic development bill in hopes of making progress on the housing issues. With Mr. Rivera responding positively he did note that there are a few wording issues that MassDevelopment is willing to help with moving forward. Mr. Marshall feels that this is a positive for Vicksburg Square and Housing in Devens and the Commonwealth.
- **(8:56 AM) Building Energy Boston - Northeast Sustainable Energy Association Conference Overview – Commissioner Poutry:** Mr. Poutry noted that he attended the conference in Boston representing the Devens Enterprise Commission. This event had between 50 and 60 different sessions and Mr. Poutry attended three sessions which fit the DEC platform, Climate Change, Stretch Codes and Specialized Codes. Mr. Angus added that the DEC Peer Review Consultant (Nitsch) was presenting at the conference too.
- **(9:05 AM) Read File:** Before going over the Read File Ms. Suedmeyer went over the events that are coming up, Earth Day (4/22); Pocket Forests 2 sites Ayer-Sherly Middle School and Verbeck Field; Pilot Pocket Forest Birthday Celebration (4/27); Making it Public Art Project, they have had 14 proposals submitted and the selection committee will be meeting tonight to review the proposals. Then Mr. Angus went over the articles in the read file: There were two articles highlighting Electric Hydrogen. There were a couple of Complaints noted: 112 Barnum Road, Vulcan Forms has had noise complaints as it seems they are not using their ground pump systems. Little Leaf has had trash complaints seems the wind has spread some plastic from their facility. The last article is for the Harvard Pump House, 39 Sheridan Road the building code requires a bathroom in the pumphouse which Harvard did apply for a variance to the requirement, but the State Regulatory Board rejected the request, despite the DEC's letter of no objection. Mr. Marshall asked why did they deny it. Mr. Angus said that they said with a sink it should also have a toilet. The building inspector is concerned with the size of the total building and if there is a toilet installed, will it also need to be ADA compliant, which would be a real issue.
- Mr. Marshall asked if there were any other New Business topics. None were mentioned

#### **Old Business:**

- **(9:19 AM)** Mr. Marshall asked if there was any old business to cover, none was noted.

**(9:19 AM) Public Comment** Mr. Marshall asked if there were any questions from the public. None were asked.

**(9:20 AM)** Mr. Marshall then noted the upcoming meetings. **April 30<sup>th</sup> at 6:45 PM** Public Hearing - hybrid meeting, and the **May 9<sup>th</sup> 7:30 AM** zoom meeting.

**(9:21 AM)** Mr. Marshall asked for a motion to adjourn the meeting. **The motion was made by Mr. Poutry and seconded by Mr. Lilly. Adjournment was concluded unanimously by roll call.**

### **List of Exhibits**

- Agenda
- Draft Minutes for the March 7<sup>th</sup> Meeting
- New Business
  - Devens EPR Resolution Draft
  - EPR Resolution Memo
  - DJFC Committee Decision Matrix Review
  - Read File
    - Response to Mr. Normand
    - Plumbing Variance Booster Pump Station