

**Devens Enterprise Commission  
DEC Public Hearing & Meeting  
Minutes August 5, 2021**

**Members:** Dix Davis, Jim DeZutter, William Marshall, Marty Poutry, Duncan Chapman, Robert Gardner, Duncan Chapman, Paul Routhier, Deborah Seeley, Christopher Lilly, Melissa Fetterhoff

**Staff:** Peter Lowitt, Neil Angus

**Absent:** Jim Pinard, Debra Rivera

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This meeting was held virtual via Zoom Meeting in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A. s.20.

W. Marshall called the meeting to order at 7:30AM and read the agenda, took roll call and went over the virtual meeting procedures. Also in attendance were: Chris Anderson, Glen Houlihan, Greg Sexton, Larry Green, Danielle Mottram.

No minutes.

**Continued Public Hearing:**

**Level 2 Unified Permit Application submitted by Accumet Engineering, Inc. for a proposed +/- 40,000 s.f. office/industrial building and associated site improvements on a +/-3.11 acre parcel at 41 Lake George Street (Parcel ID #013.0-0021-0600.0) in the Innovation & Technology Business Zoning District**

N. Angus went over the revised plans submitted by the Applicant yesterday and turned it over to Chris Anderson who reviewed the changes to the plans since the last meeting. Changes include a minor shift in parking to provide more plantings in the parking lot; additional details for stormwater, pavement types and locations; and more detail on the retaining wall system.

N. Angus reviewed some of the landscape changes to reduce non-native species and the addition of more shade canopy trees around the parking lot with salt-tolerant shade trees that will help shade the parking lot and also screen the viewshed. Raingardens still need some work to ensure slope stabilization and proper planting. Subsurface infiltration system is encroaching a little into the 50 foot slope resource area setback and our peer review engineers have requested confirmation from the applicant that the infiltration will not compromise the stability of the slope. These elements have been included as draft conditions if the Commission wished to act on the application today. N. Angus also indicated the DEC Director has issued a tentative conditional negative determination of applicability regarding the need for a Wetland Notice of Intent and that the commission will need to ratify the Director's decision at a public meeting if they are in agreement.. J. DeZutter asked if the Applicant has agreed to all the discussed plan changes. N. Angus indicated that they were sent the draft record of decision which lists all the recommended conditions and plan changes. Greg Sexton indicated they are fine with all the requested changes and conditions. B. Gardner indicated that he was not present at the July 27<sup>th</sup> meeting but has reviewed the record of the last meeting and signed a Mullin Rule Affidavit. B. Gardner asked about existing locations and any use of hazardous materials. Greg Sexton indicated they use a small amount of hazardous materials and use Clean Harbors to remove it from the site – no releases outside the building. P. Lowitt indicated that Devens Utilities Department reviews any discharge from the building into the municipal sanitary sewer system. W. Marshall noted that both R. Gardner and M. Fetterhoff signed Mullin Rule affidavits and they have been entered into the record of the hearing.

Public Comment: None.

N. Angus indicated there were no waiver request and the 30-day town comment period has expired and there were no comments.

**M/S/V (roll call vote)** J. DeZutter/P. Routhier to close the public hearing; approved unanimously.

N. Angus indicated the first item to act on for this Application is the ratification of the Director's decision to issue a Negative Wetland Determination of Applicability for the Wetland impacts. Staff added a condition to the negative determination to comply with the draft record of decision conditions which include erosion and sediment controls that will protect the wetland areas throughout construction.

**M/S/V (roll call vote)** M. Fetterhoff/C. Lilly to ratify the Director's decision to issue a conditional negative Wetland Determination of Applicability; approved unanimously.

N. Angus reviewed the draft Record of Decision and noted the additional exhibits to be added. No waivers. N. Angus reviewed the proposed findings and 21 conditions of approval.

**M/S/V (roll call vote)** D. Davis/M. Fetterhoff to approve the draft Record of Decision for Accumet Engineering at 41 Lake George Street with the 21 conditions as discussed; approved unanimously.

#### **New Business:**

**Green and Complete Streets Policy:** P.Lowitt reviewed the proposed amendments to the Devens Complete Streets Policy in response to the recent Conservation Law Foundation's (CLF) settlement agreement between the DEC, CLF and MassDevelopment. The amendments add low-impact and green infrastructure elements into the policy – many items that are in our regulations already but more focused on placing these elements into the road rights of way.

**M/S/V (roll call vote)** D. Davis/B. Gardener to approve the changes to the Complete Streets Policy to include Green and Complete Streets Policy.

#### **Old Business:**

##### **Apple Country Natural Climate Solutions Project – Bolton, Devens, Harvard Regional Municipal Vulnerability Preparedness Grant Presentation:**

N. Angus presented an overview of this regional collaborative project that highlights the importance of using natural systems to help store carbon and mitigate the impacts of climate change (flooding, GHG emissions, prolonged heat waves, etc.). The recommendations of the report include conservation, restoration, and improved land management techniques in each of the communities that can be replicated in other towns and cities. The study includes mapping and assessment of ecological systems in the region and how we can preserve and re-connect these eco-systems since the more productive these systems are, the more carbon they store and the more co-benefits they provide (stormwater management, wildlife habitat, reduced heat island, productive soils, etc..). Wetland systems have very high carbon sequestration value so it is another great reason to protect these systems. Devens street tree inventory and planting is another important element that is helping provide cleaner air, stormwater management and wildlife habitat connectivity. Recommendations include projects to enhance the ecological productivity of natural systems through things like culvert replacement, agricultural field and recreational field management for soil quality, invasive species management, reduced impervious surfaces, integrating green infrastructure into and through developments instead of around. All these recommendations are directly in-line with the sustainable redevelopment goals of the Devens Reuse Plan. The full report is available on-line at: <https://climateresilient.wixsite.com/applecountry> . The site include virtual tours of natural systems in the 3 communities and resources that others can use to promote similar techniques in their own communities. D. Chapman mentioned the fact that Devens is recognized as an international Eco-Industrial Park and we should ensure we promote this work through the eco-industrial organizations that use Devens as a model and send this to eco-parks that we collaborate with. This was a great regional partnership. J. DeZutter asked about the impacts of population reduction worldwide and how we factor that into these studies. P. Lowitt noted that while populations may be reducing in developed countries, it is not in undeveloped and these areas are often ones that are most at risk from climate change. As our populations increase, they place more stresses on our ecosystems, so projects like this become even more important. D. Seeley asked about sharing this

information with other conservation commissions that weren't part of this study. N. Angus said that was a good idea and that we partner with the Nashua River Watershed Association and that is an avenue to promote this work as well.

**Public Comment:** none

W. Marshall noted the upcoming DEC meetings of August 31, 2021 and September 9, 2021.

**M/S/V M. Motion to Adjourn at 8:46 AM. B. Gardner/J. DeZutter (roll call vote)** approved unanimously.

Meeting materials:

- August 5 Agenda
- 41 Lake George Street Level 2 Unified Permit Draft Record of Decision
- Green Complete Streets Policy Discussion
- Apple Country Natural Climate Solutions Project Presentation
- Virtual Hearing Procedures for display
- Public hearing notices 7-27-2021