

**Devens Enterprise Commission  
(DEC) Public Hearing and Regular Meeting  
Minutes December 9, 2021**

**Members Present:** Dix Davis, Jim DeZutter, Melissa Fetterhoff, Marty Poutry, Deborah Seeley, Jim Pinard, Deb Rivera, Chris Lilly, Bill Marshall, Duncan Chapman joined at 7:40AM

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

**Guests:** Josh McKim of Red Tail Golf Club

**Members Absent:** Robert Gardner, Paul Routhier

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

Mr. Marshall noted that this Devens Enterprise Commission 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 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, Mr. Marshall informed all attendees that this meeting is being recorded by the Devens Enterprise Commission.

**(7:37 AM)** Mr. Marshall conducted roll call. **Motion to appoint Deb Rivera as representative for the Region on today's call. Mr. Poutry made the motion and Ms. Fetterhoff seconded. The motion was Approved unanimously by a roll call vote.**

**(7:39 AM) Prior Meeting Minutes:** The Commission reviewed the minutes from April 27<sup>th</sup> and November 9<sup>th</sup> meetings. There were no edits, omissions or questions regarding either document. **The Motion to approve the meeting minutes as written was made by Mr. DeZutter and Seconded by Ms. Fetterhoff; Approved unanimously by a roll call vote.**

**(7:41 AM) New Business:**

**(7:42 AM) Renewal of Liquor and Victualler Licenses.** There are 5 Liquor and 11 Common Victualler Licenses to be renewed for 2022. The 6 Common Victualler Licenses are Marty's Corner Café; Rapid Refill; Sodexo Management Inc. (@ BMS); Pizza Bella; Dunkin Donuts; and Tara Visa Behavioral Health Center. Then the 5 that include Liquor Licenses are Mexican Grill Inc. (Bandoleros); Devens Common Center; Hilton Garden Inn; Springhill Suites by Marriott; and Red Tail Golf Club. Mr. Lowitt noted that all establishments have completed the renewal applications as well as had their inspections by the Board of Health and Fire Department. Mr. Lowitt also noted that he contacted the Police and they have had no issues this past year.

The chairman opened the meeting for any questions on this topic. Mr. Marshall asked if there are any new businesses on the horizon that might be looking for liquor or Common Victualler licenses and Mr. Lowitt noted that right now there is the possibility of one on the property with Marty's Café but that is still in the works.

Mr. Marshall also asked with all the development underway could that bring in more requests for Licenses. Both Mr. Lowitt and Mr. Angus noted that with all the companies developing there is a strong possibility for additional Common Victualler Licenses in the near future.

Ms. Seeley asked about the Studios and don't they require a Common Victualler License. Mr. Lowitt noted that their meals are catered and the companies hired to do the catering are inspected by the Nashoba Associated Boards of Health on behalf of the DEC.

Mr. Marshall inquired about the number of Liquor Licenses Devens currently has and what would be needed if we should require additional licenses. Mr. Lowitt noted that there are five (5) total and any additional licenses would require an act of the State legislature.

**The Motion to approve the five (5) Liquor and eleven (11) Common Victualler Licenses was made by Mr. Davis and Seconded by Ms. Seeley; Approved unanimously by a roll call vote.**

**(7:49 PM) Virtual Read File** – Mr. Angus covered this additional item which will be on the agenda going forward. While the meetings continue to be virtual, there is a lot that goes on between meetings that the Commissioners should be aware of. This virtual read file is in place of the traditional paper read file that is handed out at in-person meetings. Items to note included:

- New England Studio has a lot of filming going on in the State (41 Films) with 12 of them here in Devens and surrounding towns.
- King Street Properties Development is underway and they have a great piece of Drone Footage on line showing the property under development
- Watson-Marlow announced they will be the tenant for 16 Bulge (Project Eagle)
- Accumet Engineering as begun construction on 41 Lake George
- NRWSSC has announced a Small Grant Program for Environmental projects.
- Devens Restoration Advisory Board (RAB) Fact Sheet
- Nashoba Valley Chamber of Commerce Letter or support of the Development of Vicksburg Square

Mr. Angus invited members of the committee to bring any additional noteworthy items forward. There were none.

**(7:57 AM) Letter of Support to the Board of Building Regulations and Standards (BBRS) supporting code variance request for Johnson Matthey** - Mr. Lowitt covered this topic. Johnson Matthey is looking to increase their number of Control Rooms. Mr. Lowitt has prepared a draft letter on behalf of the DEC and is recommending supporting the request as long as Johnson Matthey makes the recommended modification suggested by their own Fire Protection Engineer which will be noted in the letter. Mr. Angus added that this has also been reviewed by the Fire Chief and Building Commissioner and they also recommend not opposing the variance request as long as the Fire Protection Engineer's recommendations are a condition of the variance.

Mr. Marshall asked if the BBRS can approve but not require the modifications that are being noted? Mr. Lowitt responded that they normally don't do that.

**The Motion was made to send the draft letter on to the BBRS by Ms. Seeley and seconded by Mr. Davis and the motion was Approved unanimously by a roll call vote.**

**(8:04 AM) Old Business**

**Public Hearing Dates for the next 6 months** and right now the only issue is on March 29<sup>th</sup> and after checking with all the commissioners the chairman has decided to leave the meeting on the 29<sup>th</sup> and have Mr. DeZutter (Vice Chair) run the meeting.

**(8:06 AM) Nashoba River Wild and Scenic Stewardship Committee Update** Mr. Angus noted that the NRWSSC has been doing a lot of great things, to name a few:

- Granting a number of small grants to towns and organizations in the watershed to help with projects that will contribute to better water quality and environmental health in the watershed. There is additional funding this year and we have posted the grant information on our website.
- The Council has submitted an application to the federal Forest Legacy Program (FLP) and identified almost 2,500 acres (total land value estimated at \$14.4 million) in the region for permanent protection.

- The Council hosted a number of environmental educational events including Conservation Network Breakfasts on topics such as habitat protection and fluvial geomorphology.

Mr. Angus also noted that the Committee meets the 3<sup>rd</sup> Thursday via Zoom if anyone is interested or if anyone wants both Mr. Lowitt and Mr. Angus are happy to bring their questions forward.

**(8:10 AM) Social Media Minute** - Mr. Lowitt noted that DEC has been posting news clips and information regarding Devens and the Devens Forward Climate Action and Resiliency Plan on Facebook, Twitter etc. and he noted the more we can share or like the posts the better for Devens.

Mr. Chapman noted that we are seeing great success in 2020 and 2021 and is wondering is there a possibility of development of the Airfield? Mr. Lowitt noted that the Airfield development is still a good 5 to 10 years out due to the need to remediate the brownfield issues associated with the former parachute cleaning operation on the site by the Army. The clean-up requires the Storm Water be maintained as is for the duration of the clean-up as well as the endangered species in that area of Devens.

Mr. DeZutter noted that he is not a Social Media Type but was wondering if anyone had seen the article in the Wall Street Journal about Commonwealth Fusion. He found the article to be very interesting. Mr. Angus asked he send the article along and he will post it.

**(8:20 AM) Public Comment** - Mr. Marshall asked if there were any questions or comments from the public. There were no comments or questions at this time.

**(8:23 AM) Motion to Adjourn was made unanimously by a roll call vote.**

**List of Exhibits:**

- Agenda
- April 27, 2021 Draft meeting minutes
- November 4, 2021 Draft meeting minutes
- 2022 Common Victualler and Liquor License Renewal Staff Report
- Virtual Read File Listing
- Johnson Matthey Control Area State Variance letter from Design Group
- DEC Draft letter of support for John Matthey's building code variance request
- Variance letter of support from DEC Building Commissioner
- Nashoba Valley Chamber of Commerce Letter of Support for Redevelopment of Vicksburg Square
- DEC Draft Meeting Schedule Jan – June 2022