

**Devens Enterprise Commission
DEC Public Hearing & Meeting
Minutes December 15, 2020**

Members: Duncan Chapman, Dix Davis, Jim DeZutter, Melissa Fetterhoff, Christopher Lilly, Robert Gardner, Robert Markley, William Marshall, Marty Poutry, Debra Rivera, Paul Routhier

Staff: Peter Lowitt, Neil Angus, Kate Clisham

Absent: Jim Pinard

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 6:47 PM and read the agenda. W. Marshall took roll call and went over the virtual meeting procedures. The following individuals were also in attendance: Doug Hartnett, Marc Carola, Robert Nagi, Teri Ford, Anthony Cortex, John Mark-Aurele, Bob Mumgaard, Brooke Whiting-Cash, Kristen Cullen, Kent, Roy Herzig, Zach Greene, Tyson Reynoso, Tyler Ellis, Matthew O'Brien, Matt Kealy, Cassandra McKenzie, Anne Columbia, Mike Lannan, Ed Starzec

M/S/V R. Gardner M. Poutry to appoint D. Rivera as a voting member; approved unanimously.

6:56 PM **Minutes:** **M/S/V** M. Fetterhoff, R. Gardner to approve November 17, 2020 minutes as written; approved unanimously.

Public Hearings:

6:57 PM **King Devens LLC Level 2 Unified 2 Unified Permit including Site Plan approval and a Wetland Request for Determination of Applicability (RDA) for the construction of a +/- 150,000 gross square foot R&D/manufacturing building and associated site improvements on 45 Jackson Road (Parcel ID #13-21-1000). This application also seeks conceptual approval for the overall campus master plan (general size, location and layout) for future development phases. Project located at 45 Jackson Road (Parcel ID #13-21-1000), 57 Jackson Road (Parcel ID#13-21-1100), 59 Jackson Road (Parcel ID#13-21-100), and 75 Jackson Road (Parcel ID#18-21-900) in the Innovation & Technology Business Zoning District. Plans and supporting information may be viewed at the Town Halls of Ayer, Harvard, Shirley or at the Devens Enterprise Commission office by appointment or on the Devens Enterprise Commission website at www.devensec.com/meetings.**

W. Marshall opened the hearing and read the public notice. P. Lowitt turned the floor over to Teri Ford and Tyson Reynoso here on behalf of King Street Properties (KSP). T. Ford indicated KSP has been working on the Devens project for about one year. She noted the COVID-19 pandemic has stressed the need for bio-manufacturing and indicated this is a timely move. T. Ford reported KSP is looking for conceptual approval of the master plan since the market is moving and they'll need the core and shell project prior to tenants. She indicated this is the first step and they will apply for building permits for each tenant's specifications. Dough Hartnett went over the presentation and reviewed the locus plan for 45, 57, 59 and 75 Jackson Rd. He indicated this is lot 1 at 45 Jackson Rd with the initial core and shell building on a 14-acre portion of the 24-acre parcel. He reviewed the master plan with 727,000 sf over 5 buildings. He reported the parking ratios will vary by tenant needs but they are planning 1.5 spaces/1,000 sf. D. Hartnett reported the plan to construct the roadway network and parking field as well as to create landforms for landscaping to create a more natural pedestrian pathway for building 1 as well as future buildings along Jackson Rd. He indicated the topography of the site drops back and interconnects with Lake George Street at the rear where there is a vegetated wetland at the boundary. He reported they are looking for a negative determination of applicability regarding the wetland where they plan to dead end Lake George Street at the boundary. He indicted the area would be designed with a turnaround. He reported the viewshed analysis from Fruitlands Museum and Prospect Hill as well as a detailed aggressive stormwater plan that has gone through peer review. He noted the viewshed analysis indicated the building should not be visible from Prospect Hill and they will use non-reflective materials on the roof and HVAC components to avoid any issues. He indicated they are preparing to address concerns from peer review and submit for further review. D. Hartnett reported the traffic study has also gone through peer review. He indicated they will perform a post occupancy traffic study to confirm the findings. He reported on the IPS conformance and noted these will need to be addressed on a tenant specific basis. P. Lowitt reported we are working through additional review. He noted MassDevelopment had questions about driveway locations that should take into account a potential future 4-lane boulevard expansion of Jackson Rd. He noted the traffic study is unclear if it includes traffic from QP3 and a future project coming to MacArthur Ave. Robert Nagi noted those were not considered but he doesn't expect the numbers to be significant. P. Lowitt reported the project requires a negative determination of applicability due to the work at the end of Lake George St. He indicated staff recommends granting with

conditions the project adhere to the limits of clearing and erosion control measures. P. Lowitt reported the waiver request for the irrigation plan has been withdrawn at this time as staff can make finding with future development. He noted the 30-day comment period expires on December 21, 2020. To date no comments have been received and staff recommends continuance to January 7, 2021 at 7:30 AM. Questions: R. Gardner asked about the reason to dead end Lake George St. D. Hartnett indicated Lake George St is essentially abandoned at that point and this property would like to retain the rights to use Lake George St as a controlled access point. P. Lowitt noted the land is owned by MassDevelopment and includes a stormwater pond. Public comment: John Marc-Aurele asked if the wetland RDA could be continued as well. He didn't see any indication of the road surface treatment and asked that DPW have a chance to review prior to issuance of the determination. P. Lowitt indicated we'll need a written request from the applicant to continue the RDA. D. Hartnett said he will forward a formal request to continue and coordinate with DPW to verify the surface treatment. **M/S/V** R. Gardner, R. Markley to continue the hearing and Wetland RDA to January 7, 2021 at 7:30 AM; approved unanimously by roll call vote.

7:39 PM King Street Properties Acquisitions, LLC Level 2 Unified Permit for the construction of a +/- 164,000 gross square foot manufacturing and office building (CFS-1) and associated site improvements. Property located at 111 Hospital Road, Devens, MA (Parcel ID#18-7-200) in the Innovation & Technology Business District. Plans and supporting information may be viewed at the Town Halls of Ayer, Harvard, Shirley or at the Devens Enterprise Commission office by appointment or on the Devens Enterprise Commission website at www.devensec.com/meetings.

W. Marshall opened the hearing and read the public hearing notice. N. Angus introduced Tyson Reynoso. T. Reynoso reported they have been very busy and he thanked staff for all of their assistance to this point. He indicated King Street Properties (KSP) is here on behalf of Commonwealth Fusion Systems (CFS) for the CFS-1 project at 111 Hospital Rd. He reported they split the permitting approvals since there are two different owners. He indicated KSP will own the CFS-1 building and CFS will own the CFS-2 building (part of the next public hearing). Bob Mumgaard reported CFS was founded and spun out of Massachusetts Institute of Technology (MIT) in 2018. He indicated they are working together to combine decades of research to create a carbon free energy source – fusion energy, which has advanced quickly over the last several years. He reported fusion energy is a very promising technology as a clean energy source to help combat climate change. He indicated fusion energy is basically the opposite of nuclear power, it doesn't emit any carbon, it's flexible and can be put anywhere. B. Mumgaard reported CFS currently employees 115 people over three sites all working on this project. Fusion energy, the process that powers the sun and the stars, has not yet been proven to work as a commercial energy source. B. Mumgaard indicated CFS went through a nationwide site selection and after considering dozens of sites they chose Devens to be the CFS headquarters. He reported the Devens campus will be the heart of the CFS company worldwide. He indicated the long-term plan, after proving their fusion energy device works is to eventually build components and manufacture parts for fusion energy facilities throughout the world. D. Hartnett went through the campus master plan showing the full 47-acre parcel at 111 Hospital Rd, noting the CFS-1 parcel is approximately 11-acres. He reviewed the project full buildout with 714,000 sf over the 5 building campus. He reported the CFS-1 construction to be completed roughly mid to late 2022 and the CFS-2 construction to be completed sometime in early 2025. D. Hartnett pointed out the central green campus quadrangle will be the focal point with unique outdoor amenities for staff meetings, corporate gatherings and passive recreation for employees. He reported the property will have two driveways, one currently existing, surface parking and parking garage. He noted buildings 1 through 5, including a motor generator, chilled water tower and cooling tower. He reported the landscape plan establishes the roadway network around the perimeter of the property, noting the tree line at the boundary will be retained as a natural screen/buffer. D. Hartnett reported the site will be fully fenced and the entrance will be gated with a security shed. He reported the magnets will be produced in the CFS-1 building and trucked over to the CFS-2 building for testing. He reported the traffic study analysis showed no significant impact for CFS-1 and noted they will perform additional traffic monitoring 6 months after occupancy. D. Hartnett indicated some of the Industrial Performance analysis is ongoing. He also noted this site has a number of overlapping policies for soil management and they are working with MassDevelopment currently. N. Angus reported this is a very large project and this application focuses on the CFS-1 portion for the conceptual master plan approval and any future growth will require Level 2 permitting. He indicated the traffic study still has a number of additional details to be worked out. He reported the project requires public safety procedures are in place to ensure the magnet manufacturing facility is clean and there is no potential risk to the public as the site will house some hazardous materials on-site. N. Angus reported we also want to ensure there are no negative impacts for nuisance conditions for IPS light and noise to the residential areas of Grant Rd, as well as NES, Seven Hills and the Shirley Village Growth neighbors. He noted there is a noise study underway for both CFS-1 and CFS-2 currently and the applicant will submit a revised lighting plan to address several lighting issues. He noted the Electromagnetic Interference (EMI) contributor is associated with the magnets and the expected EMI intensity is projected very low, we are awaiting additional details. N. Angus reported MassDevelopment has reviewed the plans and has asked the applicant to coordinate on driveway plans to ensure safety and the future intersection improvements planned in the near future. He

reported the applicant has done a good job in reducing the impervious surface to avoid stormwater runoff. He indicated there are some outstanding issues regarding the parking numbers to determine if the additional parking can be built as needed in future phases. He reported the landscaping plan also has several minor outstanding issues to be addressed. N. Angus indicated the waiver requests from the site enabling work (prior Level 2 approval) be included as part of the erosion and sedimentation control plan for this project. He reported the applicant submitted a waiver request for irrigation plan. Since the irrigation plan not necessary at this time, we asked the applicant to withdraw the request and we can address it with a Finding as part of the approval. N. Angus noted there is work to be done before our next hearing date and we request continuance of the public hearing to early January 2021. Public comment: none. **M/S/V** D. Davis, M. Fetterhoff to continue to the public hearing to January 7, 2021 at 7:30 AM; approved unanimously by roll call vote.

8:29 PM Commonwealth Fusion Systems Level 2 Unified Permit for the construction of a +/-147,000 sf fusion energy research and development facility (CFS-2) and associated site improvements. This application also seeks conceptual approval for the overall campus master plan (general size, location and layout) for future development phases. Property located at 111 Hospital Road, Devens, MA (Parcel ID#18-7-200) in the Innovation & Technology Business District. Plans and supporting information may be viewed at the Town Halls of Ayer, Harvard, Shirley or at the Devens Enterprise Commission office by appointment or on the Devens Enterprise Commission website at www.devensec.com/meetings.

W. Marshall opened the hearing and read the public notice. Kristen Cullen provided an overview of CFS noting they were founded in 2018 with the mission to create a fundamentally new source of carbon free energy in order to combat climate change. She reported they have raised \$215 million in private funding to date. She noted the benefits of fusion where it can be turned on/off, it emits zero carbon, its inherently safe and there is an inexhaustible fuel supply. She reported the Devens location was selected after a site search across the country. K. Cullen noted Devens is the perfect fit for CFS's corporate headquarters and manufacturing facility. She reported the site will include a research facility and future advanced manufacturing facility once the tokamak concept has been proven. D. Hartnett provided an overview of the project site noting the 47-acre parcel and campus master plan to include 714,000 sf over 5 buildings. He reported the CFS-2 building will house the research and development of the technology. D. Hartnett indicated the site will have access via two driveways, one existing and one to be constructed. He reported the site will be fully fenced for security purposes and will have a gated entrance and guard shack. He reviewed the central campus quadrangle of green space as the focal point which will be used for meetings, company gatherings and passive recreation. He indicated the roadway network will be installed around the perimeter of the site and they have some unique planting goals. D. Hartnett reported the phase 1 plan includes the CFS-1 and CFS-2 buildings. C. Quitzau reviewed the CFS-2 building noting it will house the tokamak which requires a lot of equipment to support its operations. He noted the main building will have a 36' roof height and the stack height will be at 72'. He went through the site plan and Slope Resource Areas, the power line easement, the limits of clearing and the east and west entrance drives off Hospital Rd. He reported project has one waiver request regarding bike racks at this location. He noted the CFS-2 employees will mainly be stationed in the CFS-1 building and therefore no bike rack will be necessary at CFS-2 since bike racks will be provided at CFS-1. He reported the site has a number of regulatory policies regarding the soil management plans and they have reduced the limits of clearing and plan to use the excess soils for construction laydown areas. He noted the stormwater system have been designed to meet DEC regulations as well as MA DEP regulations. Questions: J. DeZutter asked if the fusion energy will be generated in CFS-2? C. Quitzau indicated yes. J. DeZutter asked how much energy will be generated by the tokamak? B. Mumgaard indicated about 400 kilowatts of heat, similar to a diesel backup generator. B. Mumgaard noted it will take about twice that much off the power grid. J. DeZutter asked where the energy will go? B. Mumgaard indicated the heat it generates will be going to the cooling towers. J. DeZutter asked how big the tokamak will be? B. Mumgaard reported its not yet designed but roughly the size of a high school gymnasium. J. DeZutter asked about the necessary controls to maintain the process. B. Mumgaard indicated it defaults to off, that's the key to keep it going. N. Angus asked if the tokamak will run continuously during testing/operation? B. Mumgaard indicated it will only operate for about 10 seconds to record the data. It will test again in about an hour, after resetting the entire system. N. Angus asked how many times it would be running in an average day. B. Mumgaard reported at most about 20 times per day. N. Angus noted this will be very intermittent? B. Mumgaard noted yes, its intermittent. N. Angus noted its important to consider when looking at the IPS this is not continuous and its not a power plant. B. Mumgaard indicated it will generate data for science research. N. Angus reviewed the staff report and indicated this hearing will also need to be continued to early January 2021 as there are a few key items that remain outstanding. He noted the CFS-1 and CFS-2 projects although two separate owners will need to coordinate from a utilities standpoint, the easements and ensure coordination with MassDevelopment as well. He noted from an IPS standpoint both projects need to be viewed with the campus as a whole and safety being first and foremost but we also need to ensure there are no potential negative public safety impacts. N. Angus reported the applicant has reduced potential noise impacts with the building orientations. He noted the 50'-60' building height with lighting may have potential offsite glare and could have a negative impact on the sensitive receptors in the area. Staff has asked the applicant to consider that. He reported the applicants noise study will need to continue with peer review. N.

Angus reported the 30-day comment period has not expired and staff requests continuance of the public hearing. D. Chapman asked about the 50' height reduction requested by staff. Is the reduction for building height or for lighting because it seems impractical for an industrial building height? N. Angus clarified not the building height, for illumination concerns only. Public comment: none. **M/S/V** M. Fetterhoff, J. DeZutter to continue to the public hearing to January 7, 2021 at 7:30 AM; approved unanimously by roll call vote.

9:28 PM **New Business:** None

9:28 PM **Old Business:** None

9:28 PM **Public Comment:** None

W. Marshall reported the next meeting is scheduled for January 7, 2021 at 7:30 AM. W. Marshall wished everyone happy holidays, please stay safe and happy new year.

9:29 PM **M/S/V** R. Gardner, M. Poutry to adjourn, approved unanimously.

List of Exhibits –

- Agenda, Draft Minutes November 17, 2020
- Virtual Hearing Procedures
- King Devens, LLC (45 Jackson Rd) Application
- King Devens, LLC (45 Jackson Rd) Supporting Information
- King Devens, LLC (45 Jackson Rd) Plans
- King Devens, LLC (45 Jackson Rd) Stormwater
- King Devens, LLC (45 Jackson Rd) Traffic Impact & Access Study
- King Devens, LLC (45 Jackson Rd) Determination of Completeness
- King Devens, LLC (45 Jackson Rd) Public Hearing Notice
- King Devens, LLC (45 Jackson Rd) Review Comments to Applicant
- King Devens, LLC (45 Jackson Rd) Staff Report
- King Devens, LLC (45 Jackson Rd) Applicants Presentation
- King Street Properties Acquisitions LLC (111 Hospital Rd) Applications
- King Street Properties Acquisitions LLC (111 Hospital Rd) Supporting Information
- King Street Properties Acquisitions LLC (111 Hospital Rd) Plans
- King Street Properties Acquisitions LLC (111 Hospital Rd) Stormwater
- King Street Properties Acquisitions LLC (111 Hospital Rd) Traffic Impact & Access Study
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- King Street Properties Acquisitions LLC (111 Hospital Rd) Applicants Presentation
- Commonwealth Fusion Systems (111 Hospital Rd) Application
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