Staff Report

Devens Enterprise Commission

Date: August 26, 2023

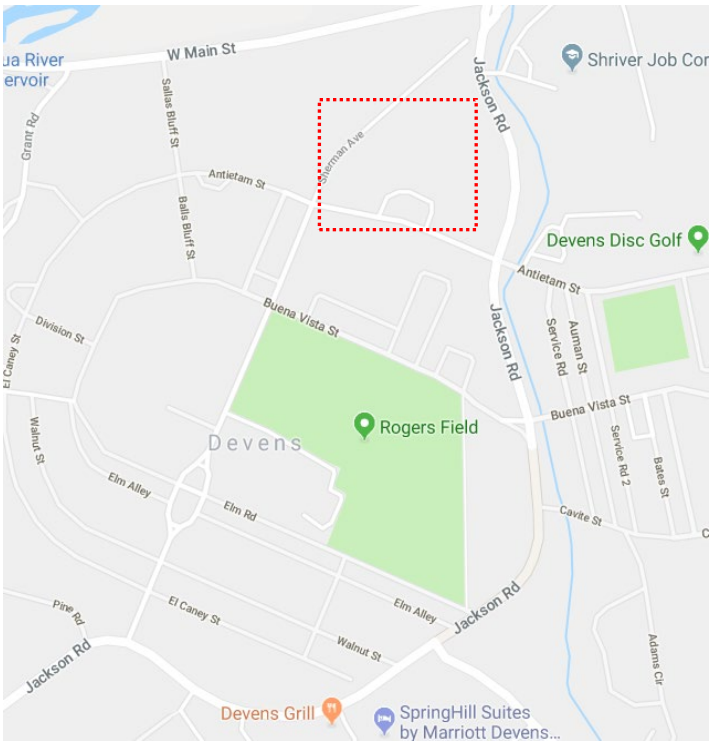
To: Devens Enterprise Commission

From: Neil Angus, Director and Beth Suedmeyer, Associate Planner

RE: Devens Dog and Music Festival – Verbeck Field (near 29 Antietam Street) Event Permit, Tent Permit, and One Day All-Alcoholic Beverages License.

Applicant: Clear Path for Veterans New England
Owner: MassDevelopment
Location: Devens Recreational Verbeck Field near 29 Antietam St.
Zoning: Open Space and Recreation and Zone II Water Res. Protection Overlay.

Event Overview:
The Devens Dog and Music Festival will take place on Saturday, August 17, 2024 (rain date August 18, 2024) from 12:00PM-4:00PM at the Verbeck Field near 29 Antietam St. Clear Path for Veterans New England, is hosting this event for its seventh year to raise funds to provide service dogs to veterans. The festival will feature 25+ craft vendors, including general crafts, pet vendors and professional and veterans' services as well as food vendors and a Titos over-21 tent area. In addition, there will be a Lure Course and other activities. Attendees will be allowed to bring their own dogs. There will be amplified music from 12:00PM-4:00PM in an area not directly adjacent to any residences, causing minimal concern for any nuisance conditions for existing residents and businesses.



Parking/Traffic Control/Safety:
Based on previous year's events, the organizers are preparing for 600+ attendees. Clear Path has coordinated parking with Devens Recreation and will have parking spaces available at the field location, several locations along Antietam, and in the overflow area behind Clear Path for Veterans. Combined, these parking areas contain sufficient parking spaces to accommodate the vendors, volunteers and participants for this event, including over 50 ADA accessible spaces, which will be closest to the event fields. Clear Path plans to have volunteers on hand to assist with parking and

registration. This will help ensure safe traffic and pedestrian flows, minimizing impacts to normal traffic patterns in and through Devens.
At registration/check-in, all dogs will be checked for up to date registration/rabies vaccination and must be on a leash no longer than 6' (No retractable leashes). The Devens Animal Control Officer will be present at the event in case there are any issues. A small temporary fenced in area/"doggy pound" will be set up and be used to contain any dogs that may become problematic.

The Applicant is carrying general liability insurance ($1,000,000 ea. occurrence) and an umbrella policy of $2,000,000 through the Nashoba Valley Rotary. A $1,000,000 per occurrence combined single limit automobile policy is in place as well. Clear Path will need to ensure that any event staff that will be digging any holes call DigSafe and receive the required UXO training from the Devens Fire Department prior to any digging. Administrative permits may be required for tents (depending on type and size).

Food and Waste Management/Control:
The event is expecting 5+/- food vendors/trucks and about 25 vendors. Any proposed food vendors will need to be licensed through the Nashoba Associated Boards of Health. The Applicant has coordinated with Devens Public Works for trash and recycling and will have volunteers assigned to manage trash and recycling. Dog waste bags will be handed out to all participants and the event will have designated "hydrant areas" for dogs to relieve themselves (to be coordinated with Devens

DPW/Recreation). Separate receptacles will be available for dog waste disposal. Clear Path has also coordinated with Devens Recreation to provide porta-potties for public use during the event.

One Day All-Alcoholic Beverages License Details:
This one-day license request is for a special license for serving all alcoholic beverages. One day licenses are typically restricted to beer and wine consumption only, however, the ABCC allows for special licenses for all-alcoholic beverages to be issued to non-profit organizations. As part of their application, Clear Path for Veterans New England provided proof from the IRS that they are classed as a 501(c)(3) non-profit public charity, so they are eligible to apply for a one-day all-alcoholic beverages license. Clear Path has secured event sponsorships with Tito's Vodka and Yuengling beer. The alcohol for the event will be purchased through ABCC authorized sources. The area where alcohol is to be served will be within a fully enclosed 60'x 30' tent area. The tent will have a security fence area surrounding (75person tent capacity). Entrance into the tent will be restricted to persons 21 years of age or older. ID's will be checked to enter the tent (wristbands will be issued to over 21. Bartenders will be TIPS certified and will ID individuals being served regardless of wristband status. Patrons will not be allowed to take alcohol outside the tent area. The applicant has spoken with the State Police and will secure a detail officer to be inside the tent at all times when alcohol is being served as required by the license. In addition, Clear Path will have donated private security personnel that will monitor inside and outside the tent area. The donated security personnel will coordinate with the police detail.

Recommended Action:
Legal notices were published, and all abutters were notified by certified mail. No comments were received. If the Commission is satisfied that all concerns have been addressed, Staff would recommend approval of the event permit and One Day Special License for all-alcoholic beverages and event permit subject to the following conditions:

1. The 1-Day All Alcoholic beverages License is valid on Saturday, August 17, 2024 (rain date August 18, 2024) from 12:00PM–4:00PM only.
2. The serving and consumption of alcohol is limited to the fenced in area at 29 Antietam Street, location Verbeck Field as shown on the event layout plan. A police officer shall be inside the fenced area at all times while alcohol is being served/consumed.
3. The Applicant is an individual, as the responsible manager for the organization and shall control the dispensing of alcohol to persons not under the age of twenty-one (21), and shall not serve alcohol to individuals who are or "appear to be" under the influence of alcohol.
4. The Licensee must purchase alcoholic beverages from an authorized source. Licensees CANNOT purchase from a package store and CANNOT accept donations from anyone.
5. All waste must be contained on-site and properly disposed of. Recycling is mandatory.

In order to ensure the event permit complies with 974 CMR 8.00 (Public Health and Safety) Regulations, Staff would recommend the following conditions be added to the event permit:

6. All food vendors shall be licensed through the Nashoba Associated Boards of Health.
7. The Applicant shall obtain tent permits for any tents larger than 10'x 12' being used for the event. The Applicant and any vendors shall comply with the DEC Emergency Generator Guidelines for any emergency generators that will be used: https://www.devensec.com/forms/Elec_Generator_Guidelines_Aug_2022.pdf .

8. The Applicant shall coordinate all traffic and safety with MassDevelopment, the State Police and the Devens Public Safety Officer.
9. Any excavation or ground disturbance (including the 60'x 30' tent stakes) must be approved by Devens Recreation. Personnel conducting this work must complete the required UXO training through the Devens Fire Department prior to any activity. Prior to any excavation, the Applicant shall also contact Dig Safe. All disturbed areas shall be re-stabilized to their original condition to prevent erosion and soil exposure.
10. The Applicant shall coordinate with the Devens Animal Control Officer for animal safety during this event.