

**Devens Enterprise Commission  
DEC Public Hearing & Meeting  
Minutes February 25, 2020**

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

**Staff:** Peter Lowitt, Neil Angus, Kate Clisham

**Absent:** Melissa Fetterhoff, Robert Markley, Jim Pinard, Debra Rivera

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W. Marshall called the meeting to order at 6:45 PM and read the agenda.

6:46 PM **M/S/V** D. Davis, R. Gardner to approve January 28, 2020 and February 6, 2020 minutes as written; approved unanimously.

6:47 PM **Continued Public Hearing: Level 2 Unified Permit application submitted by Bristol-Myers Squibb (BMS) for an amendment to their existing site plan and Flammables and Combustibles License to accommodate the expansion of an existing emergency generator fuel storage area, including two (2) additional 15,000 gallon above-ground diesel storage tanks, an expanded spill containment area, and associated site improvements. Property located at 38 Jackson Road (Parcel ID#9-4-200), Devens, MA in the Innovation & Technology Business District.** P. Lowitt indicated we had noticing issues and this hearing was continued from February 6, 2020. He introduced Adam Gary from BMS to go over the proposed project. A. Gary reported they will need 30,000 gallons extra capacity diesel fuel for emergency backup power supply. He indicated there will be two 15,000 diesel storage tanks and the spill containment area will be expanded to accommodate the addition of both tanks. N. Angus reported as part of this expansion the applicant will be increasing the total quantity of Class 8 corrosive liquids to be stored on site by 25,000 gallons for a total of 75,000 gallons. N. Angus reported Devens Fire Chief has reviewed the proposal and has requested dual wall piping in the event of a leak. The engineer noted the piping is all within the containment area and has noted they will use single wall piping and the Chief has approved. N. Angus reported the 30-day comment period has expired with no comments received. Public comment: none. **M/S/V** J. DeZutter, D. Davis to close the public hearing; approved unanimously. P. Lowitt reported staff will revise the draft Record of Decision after the correspondence with the engineer and Fire Chief regarding the piping and will strike the sentence noting double wall piping in Condition #9. No waivers were requested and staff recommends approval. **M/S/V** R. Gardner, P. Routhier to approve the Emergency Generator Fuel Storage Expansion; approved unanimously by roll call vote.

7:02 PM **New Business:**

**Request for Determination of Zoning Compliance by Commonwealth Fusion Systems, Properties located at 111 Hospital Road (Parcel ID #18-7-200) and 11 Grant Road (Parcel ID #19-8-400)**

P. Lowitt introduced Kristen Cullen, Tyler Ellis from Commonwealth Fusion Systems and Kathleen Brill attorney from Foley Hoag to present. K. Cullen reported Commonwealth Fusion Systems was founded in 2018 spun out of the Massachusetts Institute of Technology with the goal of demonstrating fusion energy as a power source in order to combat climate change. Commonwealth Fusion Systems is in the early stages of growth and would like to site its headquarters in Devens at 111 Hospital and 11 Grant Road to expand its functions and workforce as well as future academic space to facilitate collaboration with colleges and universities around the world. Their project envisions a campus type facility with multiple buildings housing research and development, light industrial manufacturing along with office and academic space. There was much discussion on the components to create carbon free, safe, limitless fusion power. The project anticipates providing employment opportunities at a variety of levels including: 100 short term construction jobs, 100 jobs in research & development, 220-550 manufacturing jobs, 50 administrative/office jobs and 100 jobs at the academic research facility. W. Castro noted the Reuse Plan mandates development will do no harm to area neighbors and this project will have 100's of cars and trucks potentially affecting the area school ¼ mile from this site. K. Cullen noted they take community very seriously and they plan to encourage commuter rail and a shuttle service to the majority of their workforce. She indicated they plan to work with the DEC as well as the area towns. Public comment: none. **M/S/V** C. Lilly, P. Routhier to accept and approve the uses for Determination of Zoning Compliance; approved 7-1 W. Castro voting no.

7:43 PM **Little Leaf Farms 85 & 105 Walker Road – Wetland Request for Determination of Applicability for the installation of an 8" water main and 4" sewer main connecting Little Leaf Farms to the Devens wastewater treatment plant public water and sewer services. A portion of the project is within 100 feet of wetlands. Property**

**located at 85 Walker Road (Parcel ID #40-14-200) and 105 Walker Road (Parcel ID #39-14-500) within the Environmental Business Zone and Aquifer Water Resources Protection Overlay District.**

W. Castro recused himself and leaves the meeting as he is an abutter to the project. N. Angus reported this project is straightforward to connect to Devens public water and wastewater system. At the time the project was initially permitted with a well and septic system but they now have the capital to connect to the Devens system. Matt Arel from Better Built Homes, here on behalf of the applicant, went over the proposal to run the water and sewer lines over an existing tank path to the Devens WWTP. R. Gardner asked if this was a forced main with no other use. N. Angus indicated it is only for Little Leaf Farms and there is no other development allowed in that area (Environmental Business Zone). N. Angus reported the project will cut through a forested swath to the access road to the Devens WWTP owned by MassDevelopment with an access easement. The applicant is in the process of executing the easement agreement with MassDevelopment. N. Angus walked the site with MassDevelopment and the applicant to minimize the number of trees to be cleared and found the old tank road so there will be no mature trees cleared. The proposed easement and work to install the water and sewer lines is within 100 feet of wetlands as well as the Natural Heritage Endangered Species (NHESP) habitat for Blandings Turtle, Blue-Spotted Salamander and Houghton's Flatsedge. DEC and Little Leaf staff have worked with MA Division of Fisheries and Wildlife staff to identify the best path to avoid impacts to any of the above species. MA Division of Fisheries and Wildlife has approved the location subject to a number of conditions and any ground disturbance will need to occur outside of the turtles active season April 15 – October 15. N. Angus reported the wetlands are south of this area about 80'-90' feet away. DEC staff feels it will have minimal impact on the wetlands. N. Angus noted this project will eliminate the need for the on-site septic systems and have asked Little Leaf to revise their operations and maintenance plan to reflect the changes. C. Lilly asked if the influx of water into the treatment plant is a concern. N. Angus indicated there's no concern, MassDevelopment has plenty of capacity. R. Gardner asked about the pretreatment. N. Angus noted Little Leaf has onsite pretreatment with the filter system and settling tank, the majority of the flow will be wash water and grey water. N. Angus indicated staff recommends ratifying the Directors decision for the Negative Determination of Applicability. **M/S/V** R. Gardner, J. DeZutter to ratify the Directors decision; approved unanimously by roll call vote.

**8:00 PM FY19 Audit Results**

P. Lowitt the DEC received a clean bill of health. W. Marshall agreed it was a good audit. **M/S/V** J. DeZutter, W. Marshall to accept the audit results; approved unanimously.

**8:03 PM Old Business:**

P. Lowitt reported the DEC purchased 6 tickets to the Fort Devens Museum World War II 75<sup>th</sup> Anniversary Victory Dance to be held on Saturday March 7, 2020 from 6-10 PM at the War Memorial Building, 8 Church St, Shirley, MA. Please let staff know if you'd like to go.

**8:05 PM Public Comment:**

T. Hatch, Maple St, Shirley, MA asked about the DEC meeting postings. He found them on the DEC website and the Town of Harvard's website but could not locate them on the Town of Ayer or the Town of Shirley websites. K. Clisham reported the postings are sent via email to the Town Clerks in Towns of Ayer, Harvard, Lancaster and Shirley collectively for posting. N. Angus reported we will look into this. T. Hatch asked if there was a protocol, does it have to be posted by the towns?

8:08 PM **M/S/V** J. DeZutter, D. Davis to adjourn, approved unanimously.

**List of Exhibits –**

- Agenda, Draft Minutes 1/28/2020 & 2/6/2020
- Staff Report 2/5/2020 RE: BMS Emergency Generator Fuel Storage Expansion
- Draft Record of Decision 2/6/2020 RE: BMS Emergency Generator Fuel Storage Expansion
- Foley Hoag 1/23/2020 RE: Request for Determination of Zoning Compliance 111 Hospital & 11 Grant Road
- Staff Report 2/12/2020 RE: Little Leaf Farms Proposed Public Water & Sewer Connections
- PowerPoint Presentation 2/26/2020 by Commonwealth Fusion Systems