

Staff Report

Date: July 28, 2022
To: Devens Enterprise Commission
From: Neil Angus, Environmental Planner
RE: Fort Devens Day Event Permit and One-Day License to sell beer and wine.

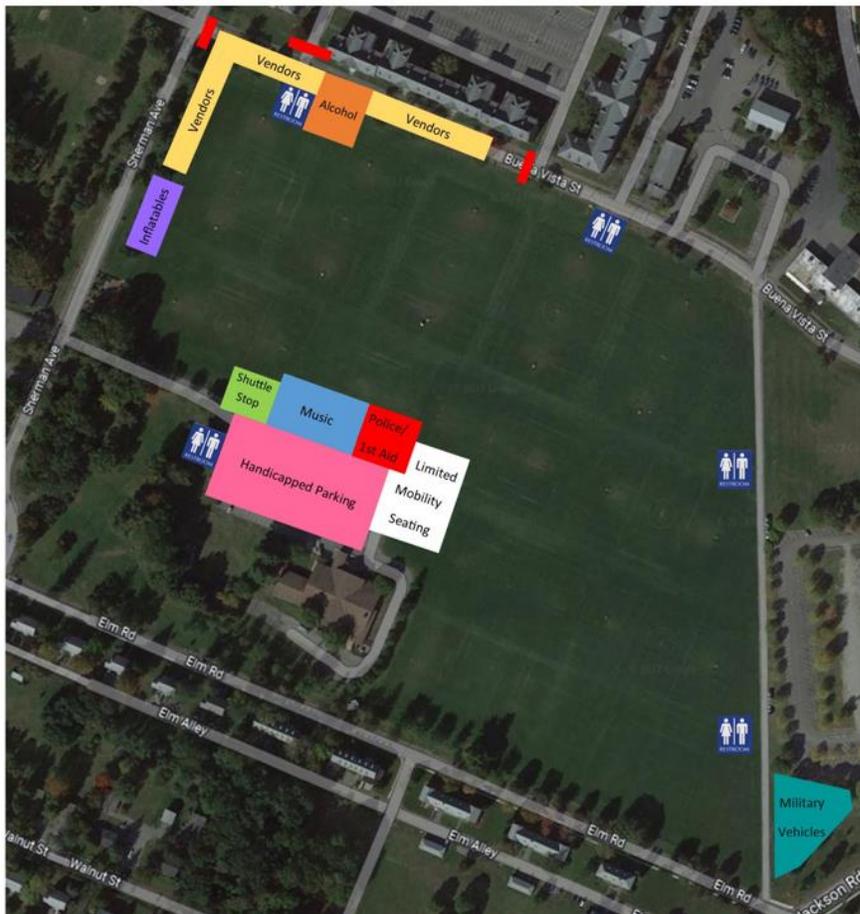
Applicant: MassDevelopment/Devens Recreation
Owner: MassDevelopment
Location: Rogers Field and Buena Vista Street Right-Of-Way
Zoning: Open Space and Recreation and Zone II Water Res. Protection Overlay.

Event Overview:

The US Army Garrison Devens (USAG) is partnering with MassDevelopment, and the Town of Ayer to support a full day of activities for the Inaugural Fort Devens Day Celebration and Fireworks. This event will include the return of the fireworks to Fort Devens to be viewed from Rogers Field on Devens starting at dusk on August 20, 2022 (rain date August 21). The event will start at 10am to 4pm at the USAG Base at 31 Quebec Street, Devens with special events and activities commemorating Fort Devens including the Army Golden Knights aerial display. The event will continue from 4pm to 10pm at Rogers Field on Devens with live entertainment, food, vendors. Expected attendance is 10,000-15,000 attendees.

One Day License Request:

MassDevelopment is hosting the 4-10pm portion of the Fort Devens Day event on Rogers Field, 100 Sherman Avenue, on August 20th (rain date 8/21) and seeking a one-day wine and/or malt beverage license to serve beer and wine in a fenced off area approximately 85' x85' as shown of the map adjacent. Beer and wine vendors are Bull Spit Brewing, Sterling Street Brewery, and Armory's Tomb (all on the ABBC's list of approved wholesalers). Galvanized steel, interlocking barricades will be used to fence the area off, ID's will be checked on the way in with bracelets being given to adults that are



over 21. ID's will be checked at the bars inside as well. All servers will be TIPS certified and the vendors staff will monitor crowd size and limit capacity inside the beer garden to no more than 600 people at any one time. A State Police detail trooper will be hired to be always inside the fenced area while alcohol is being served. There will be tables with seating, as well as trash and recycling barrels inside of this area.

MassDevelopment is requesting that the DEC allow minors within the fenced area if they are accompanied by an adult. Those over 21 will have bracelets, minors would not. The size and expected attendance of this event could result in lost children if parents leave their children outside of the area unsupervised while parents go inside to have a drink. The DEC has not allowed this in the past, but staff recognizes the potential issues and spoke with legal counsel who recommended if we allow this, to do so conditionally and as a on a trial basis at the request of MassDevelopment and that the DEC reserve the right to discontinue underage people in the licensed area in the future.



Event Activities:

The main fireworks display will be set off by the Army inside of the fence. The Town of Ayer is considering supplementing the fireworks show with 1-2" shells, set off on the southeastern section of Rogers Field. If this does take place, all parties will work with Atlas (the fireworks vendor), the Devens Fire Department, and the State Fire Marshal to make sure all safety procedures are followed. The DPW would also use snow fence to block off the necessary space to keep spectators out of this area.

The event will also have food vendors (licensed by the Nashoba Associated Boards of Health) and community vendors (like boy scouts, rotary clubs, veteran's organizations, etc.). The Army will also be running a touch-a-truck area. Attendees will be able to view stationary military vehicles and equipment to learn about their functions and when they were used. There will also be three inflatables (soccer darts, an obstacle course, and a bounce house) for children's entertainment. These will all be staffed by the inflatable companies. All generators and drop cords will follow Devens generator safety guidelines and be clearly visible and not near where attendees will be walking.

There will be two bands performing during the event. Etch and the Youngs will be performing from 4-7pm and A Little Bit Shaggy will be performing from 7-10pm from the Rogers Field review stand.

Clear Path for Veterans will be doing a raffle for a large blanket made by veterans. This will be held after the fireworks, and you must be present to win. The hopes are that this will help avoid a mass exit immediately after the fireworks end.

Parking:

Due to the anticipated crowd size, all Devens Recreation parking lots will be utilized, as well as some parking areas that Devens businesses have agreed to. The Community Center Parking Lot (100 Sherman Avenue) will be reserved for event staff and handicapped parking only. There will be directional signage and parking staff to assist with parking. State Police (along with a few members of

the Army Police, Ayer Police, Harvard Police, and Shirley Police) will be enforcing road closures throughout the event to maximize traffic pattern safety. Montachusett Area Regional Transit will be providing shuttle service from parking areas that are farther away from Rogers Field to a drop off location at Rogers Field. They expect to have at least 6 shuttles running throughout the event.

Facilities:

Devens Recreation will provide at least 32 portable toilets, located at the restroom icons on the attached map. Trash and recycling barrels will be spread throughout the event area. A DPW staff member will be responsible for removing bags as they get full and putting them in Recreation trash or recycling dumpsters.

Safety:

The Army Police will be providing a 1st aid tent, which will be staffed by their medic personnel. This will also feature McGruff the Crime Dog and will be used as a fun way to teach kids about safety. EMTs will be called in for any medical attention needed that is more in depth than band aids, ice, or water. Devens Fire will set up a water truck in the event there are hot temperatures forecasted.

No pets, outside alcohol, backpacks, large bags, or coolers. Rules will be on the marketing flyer and will be posted at the entrance to the event. State Police will be patrolling Rogers Field on foot and by golf cart to maintain order and enforce rules. Rogers Field will have two lanes painted on the grass dividing the field into 4 quadrants. Golf carts will be continually coming through to keep people from sitting in the lanes. These lanes will make it easier to empty trash/recycling barrels and will allow quicker access, should emergency personnel need to get to a specific part of the field.

MassDevelopment has been meeting regularly with the State Police, Fort Devens Police, USAG Devens, Town of Ayer Public Safety, and Devens Public Safety, and DEC Staff for the past several months to ensure a coordinated and safe event. MassDevelopment carries their own general liability insurance for events however the DEC should be named as an additional insured.

Recommended Action:

Devens Recreation and DPW have a great deal of experience running large events and all issues appear to be adequately addressed. Legal notice was 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 License to sell beer and wine, subject to the following conditions:

1. The One-Day License to sell beer and wine is valid on August 20, 2022 from 4:00 PM to 9:30PM (rain date August 21, 2022 from 4:00PM to 9:30PM).
2. The serving and consumption of alcohol is limited to the fenced in area at Rogers Field and Buena Vista Street as shown on the event layout plan. A police officer shall be always inside the fenced area 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. All servers will be TIPS certified and the vendors staff will monitor crowd size and limit capacity inside the beer garden to no more than 600 people at any one time.
4. ID's will be checked at the entrance to the fenced in area as well as the bars inside as well. Those patrons 21 and older will be provided bracelets. Minors will be allowed into the fenced area if they are accompanied by an adult. This is on a trial basis at the request of MassDevelopment and the DEC reserves the right to discontinue allowing underage people in the licensed area in the future.

5. The Licensee must purchase alcoholic beverages from an authorized source. Licensees CANNOT purchase from a package store and CANNOT accept donations from anyone.
6. All waste must be contained on-site and properly disposed of. Recycling is mandatory.
7. Prior to the event, the Applicant shall provide proof of general liability insurance for the event, naming the Devens Enterprise Commission as an additional insured.

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:

1. All vendors shall be licensed through the Nashoba Associated Boards of Health, as may be required.
2. The Applicant shall obtain tent permits for any tents larger than 10'x 12' being used for the event.
3. The Applicant shall coordinate all traffic and safety with the State Police, Fort Devens Police, Town of Ayer Police and Fire, and the Devens Public Safety Officer. Access for Devens residents and businesses shall be maintained and advance notice shall be provided to the Devens residents and businesses. Efforts shall be made to reduce potential nuisance conditions.
4. Any excavation or ground disturbance 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.