DEVENS ENTERPRISE COMMISSION
SERVING AS THE DEVENS BOARD OF HEALTH

In the matter of:	)	
	)	Minor Modification of
DEVENS RECYCLING CENTER, LLC	)	Site Assignment and
45 Independence Drive,	)	and Unified Permit
Devens, Massachusetts 01434	)	
	)	

CERTIFICATE OF SERVICE

I, James B. Lampke, Esq., hereby state on oath as follows:

1. I am the Legal Counsel for the Devens Enterprise Commission which under the law is acting as the Board of Health for Devens, MA in this matter.

2. I have no relationship with the Applicant.

3. I have no interest in the proposed site.

4. As Legal Counsel I am filing, electronically as allowed, with the Commission, Hearing Officer and Applicant the Pre-Filed Direct Testimony of Neil Angus, Director of the Devens Enterprise Commission.

5. To the extent required by law, I provide the following certification:

CERTIFICATION PURSUANT TO 310 CMR 16.07

Pursuant to 310 CMR 16.07, I, James B. Lampke, Esq., certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties both civil and criminal for submitting false information including possible fines and imprisonment".

Signed under the pains and penalties of perjury this 29th day of December, 2025.

Signature: *James B. Lampke*
Name: James B. Lampke, Esq., Legal Counsel

DEVENS ENTERPRISE COMMISSION
SERVING AS THE DEVENS BOARD OF HEALTH

In the matter of:	)	
	)	
DEVENS RECYCLING CENTER, LLC	)	Site Assignment for
45 Independence Drive,	)	Minor Modification
Devens, Massachusetts 01434	)	
	)	

PRE-FILED DIRECT TESTIMONY OF NEIL ANGUS

I, Neil Angus, being duly sworn, state the following according to my personal knowledge, good faith investigation and belief as being true and submit the same, along with my attached curriculum vitae, as my initial Pre-Filled Direct Testimony in the above matter.

1. I am a professional environmental planner that has been working on the redevelopment of the Devens Regional Enterprise Zone (Devens) for over 19 years.

2. I am currently the Director of The Devens Enterprise Commission (DEC), which is the Unified Permitting Agency for Devens, acting as the local planning board, board of health, conservation commission and historic commission. I oversee the staff of the commission and provide professional support to the DEC in all related regulatory matters. Acting as the Board of Health and Unified Permitting Agency for Devens, and in connection thereto, I have prepared the attached report.

3. I do not have any relationship to the Applicant nor legal interest in the site.

3. In addition to other services, I frequently review proposals, including applications, and advise the DEC about regulatory compliance and aspects of the filings.

4. I adopt and incorporate by reference my attached report and curriculum vitae on this matter as if I had testified as written.

CERTIFICATION PURSUANT TO 310 CMR 16.07

Pursuant to 310 CMR 16.07, I, Neil Angus, certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties both civil and criminal for submitting false information including possible fines and imprisonment".

Signed under the pains and penalties of perjury this 26 day of December, 2025.

Signature:_____
Name: Neil Angus

Devens Enterprise Commission (DEC) Pre-filed Testimony for
Devens Recycling Center, LLC Request for Level 2 – Unified Permit Modification
& Minor Modification to Site Assignment
45 Independence Drive, Devens, Massachusetts 01434

By: Neil Angus, FAICP, Director
Devens Enterprise Commission
12-26-25

DEC Staff have reviewed the Application and have relayed the following comments and concerns to the Applicant for their response:

1. **Noise impacts with doors open.** Applicants are requesting to open the doors and rail car door on the east side of the facility at 5AM-9PM (closest to where the DEC has received noise complaints from in the past). With doors open and equipment and vehicles running, there is increased chance for noise complaints as the sound will not be contained. The concern would be 5AM-7AM and 5PM to 9PM for increased receiving times. A sound study was completed and the DEC's peer review consultants Tech Environmental have reviewed and commented on the initial study and requested additional information to address this concern.
2. **Operations of Doors.** Door control is critical to containing facility activities and emissions. There are 6 main doors along the east side of the building and one railcar door. Most noise complaints have come from the northeast residential areas in Ayer (Pirone Park – across Grove Pond). These complaints have been at night (after hours) when either rail cars were moving in and out of the building or a door or doors were left open (during maintenance activities or when broken). Certain doors were required to be left closed during facility operations when not in use to help minimize noise, contain dust and emissions. Are there cameras on-site that the DEC and applicant could access to monitor door operations?
3. **Rail Car loading/movement from 9PM-12AM**. While the applicant would cease internal equipment operations when they needed to open the door to move rail cars into the building, the reality of this happening is unrealistic and would be very difficult to enforce. A sound study was completed and the DEC's peer review consultants Tech Environmental have reviewed and commented on the initial study and requested additional information to address this concern.
4. **Dust Control**. Misting systems are not always operational. Filters on building exhaust are critical to controlling particulate matter from escaping the facility. These, coupled with doors being left open can create nuisance conditions. The O&M Plan submitted includes a number of measures that are important to implement to reduce dust and fugitive emissions.
5. **Odor Control.** Extended hours means extended opportunities for odor issues. Applicant should commit to conducting odor monitoring for the first 6 months of operation to determine if additional control measures are required. The O&M Plan does not specifically address odor.
6. **Alternative Pest Control Methods.** The Applicant engages pest control services on a regular basis and they maintain adequate records of this. DEC Staff have raised concerns over the use of certain rodenticides that are lethal to raptors and other birds and animals that feed on rats and mice that ingest these anti-coagulant containing poisons. The Applicant should have the pest control vendor preform a site assessment and develop a non-poison IPM plan for vector control using alternative control methods other than anti-coagulant rodenticides both outside and inside the facility. Plan shall be reviewed and approved by DEC Staff and implemented by the Applicant prior to the change in operating hours.
7. **Use of Designated Truck Route.** The Applicant has been diligent in helping to raise awareness of the designated truck route and informing drivers. On-site signage near the scale house and periodic

notifications to drivers helps. This is an ongoing education and awareness campaign that needs to continue. Companies found violating the truck route should be warned and repeat offenders banned from the facility.

8. **Community Commitments**. Certain commitments were made to the community through a memorandum of understanding as part of the last Site Assignment modification process back in 2009. It is our understanding that the following commitments have not been fulfilled:
   - Installation of a berm along the entire length of the rail siding loading area.
   - Facility doors will remain closed when deliveries are not being accepted and only the minimum number of doors necessary will be open during deliveries
   - odor control system operation and service contract with the equipment supplier (Not in O&M Plan)
   - Confirmation that Facility will not accept MSW from restaurants or grocery stores, businesses that process or handle large quantities of food and whose wastes may contain large fractions of produce and other organic waste.(not in O&M Plan)
   - Confirmation that ventilation fans will supply sufficient airflow to ensure negative pressure and an inflow of outside air into the waste handling building at the rollup door openings. This inflow, in combination with misting nozzles over the door openings will ensure no release of particulate matter outside the facility doors (not in O&M Plan).
   - Augment misting system with specially designed solution that destroys odor causing bacteria on contact in the air and on surfaces (not in O&M Plan).
   - Odor crystals will be applied manually to loads that require additional odor treatment. Manual Shut down of the ventilation system in the event of an odorous incoming load (not in O&M Plan)
   - Facility would include a small educational center with an auditorium for school groups (and the general public) to learn about the importance of recycling. He envisioned a short documentary film and tours of the facility, followed by an opportunity to shop in a small gift store that contained 100% recycled gift items.
   - Any liquids observed will be contained by absorption onto other waste materials, use of sorbent media (i.e. Speedi-Dry) or by directing the liquids into the facility's trench drain by manual methods (brooms, squeegees) or using the facility's front end loader equipped with a rubber blade on the bucket.(not included in O&M Plan).
   - Facility will not accept ash, sewage or other non-solid waste material (not included in O&M Plan).
   - Expanded misting and odor control system to accommodate MSW. System will dispense odor control agents even when facility is closed.
   - Construction and oversight of a dog park for Devens Residents
9. **Devens Initiatives.** The Applicant also committed to a number of initiatives during the 2009 site assignment modification process. One of those was regular trash pick-up along the designated truck routes (Barnum, Patton, and Saratoga) which they have continued to do (thank you). Another was to install fencing along the easterly property boundary to help contain blowing trash. This was completed as well. Other commitments still outstanding include:
   - Free Recycling days (4x/year)
   - 2% discount to Devens residents
   - Periodic Accountability and Status meetings

Neil Angus, BA, BDep, FAICP CEP, MCIP, LEED AP, LFA
ENVIRONMENTAL PLANNER

CONTACT: **E-mail: nneilangus@hotmail.com; Phone: 617.620.6095;**
Linked in: bit.ly/NeilLinkedin

EXPERIENCE:

7/23 to Present: **Director/Land Use Administrator, Devens Enterprise Commission (DEC)**
Devens, Massachusetts
Duties: Overseeing the agency charged with permitting the sustainable redevelopment of the 4,400 acre former Fort Devens army base in Massachusetts. In this capacity, we operate as an eco-industrial park, connecting businesses as a system of industries to maximize efficiencies. My primary responsibilities include overseeing and management of all departmental operations and staff, budgeting, oversight of special projects, in addition to long-range planning and implementation of the unified permitting process – a unique one-stop permitting system. The DEC functions as a local planning board, zoning board of appeals, conservation commission and board of health, so my duties range from those of a typical town planner, to a conservation agent, zoning enforcement officer and health inspector.

10/06 to 7/23: **Environmental Planner, Devens Enterprise Commission (DEC)**
Devens, Massachusetts
Duties: Assisting the Director and the DEC, my primary responsibilities included current and long-range planning for sustainable redevelopment of this former Army Base. My work focused on plan review, code enforcement, report writing, presentations, and development of regulations, guidelines and incentives to promote sustainable redevelopment, including but not limited to low-impact development, green building, eco-industrial development (industrial symbiosis), public health and climate change. I also assisted with operation and development of the Devens Eco-Efficiency Center, a non-profit organization dedicated to assisting local area businesses and organizations in reducing their ecological footprint while improving their triple bottom-line. In the absence of the Director, I was responsible for all departmental operations.

11/02 to10/06 **Assistant Town Planner/Wetlands Agent**, Department of Planning and Development
Town of Enfield, Enfield, Connecticut
Duties: Reporting to the Director of Planning and the Town of Enfield Inland Wetlands and Watercourses Agency (IWWA), my primary responsibilities included reviewing all new proposed development projects and guiding the applicants through the regulatory process. Daily duties included working with the general public, developers, engineers, architects and builders to bring projects into compliance with local, state and federal environmental regulations. As the staff liaison to the IWWA, I attended regular public meetings and provided the public, as well as the agency, with technical information regarding the planning and review process as it related to Inland Wetlands and Watercourses Regulations. This included regular project reports, site inspection logs and meeting updates. In addition to the above, I was also involved with zoning/policy reviews and updates, including long-range planning projects for the Town. In the absence of the Director, I was responsible for departmental operations.

10/00 to 10/02 **Municipal Planner**, Department of Planning and Development
Municipal District of Rocky View, Calgary, Alberta
Duties: Reporting to the Planning Supervisor and Director, I was principally responsible for reviewing subdivision and redesignation proposals in relation to the Municipal Development Plan and Land Use By-Laws, including public consultation, research, and presentation to Council. Additional duties include Long Range environmental planning for regions within the MD and environmental review of various projects as well as close interaction with local community groups, watershed organizations and Provincial Government Agencies such as Alberta Environment. This position also involved numerous technical duties including videographing application sites, GIS review, digital mapping, and computer permit tracking.

04/98 to 09/00 **Planner I**, Department of Planning and Engineering
Town of Killingly, Connecticut
Duties: Reporting to the Director of Planning and Development, I was responsible for all facets of municipal and regional planning including plan review; design; presentation; grant writing; technical advice to commissions and town council; dealing with public, contractors, builders, engineers, surveyors and architects; site assessment, remediation and monitoring; permitting; compliance; wetlands and zoning enforcement; research; compiling natural resource inventories and open space indexes; drafting the first Town Plan of Conservation and Open Space. In addition to these duties, I was the lead Project Developer and Manager for a $1.8 million recreational trail expansion project. I was also a key member of the Development Team for a $500,000 town-wide aerial photogrammetry and GIS integration project. This position also involved close interaction on regional issues with local private/public community groups, surrounding municipal governments and the Connecticut Department of Environmental Protection.

EDUCATION:

01/94 to 12/96

Nova Scotia College of Art and Design, Halifax, Nova Scotia
BACHELOR OF DESIGN IN ENVIRONMENTAL PLANNING
Professional Degree awarded: *December 1996*
This program provided me with theory, history, ethics, design and professional hands-on training in environmental planning and allowed me to combine all of the skills acquired in coursework and apply them to real planning issues/situations facing various municipalities, cities and towns across North America. Course work involved various land use and community planning projects involving extensive planning, research, design, report writing, public presentation and community interaction. Project clients ranged from local community groups to commercial resort developers.

09/90 to 08/93

Saint Mary's University, Halifax, Nova Scotia
BACHELOR OF ARTS IN GEOGRAPHY/ENVIRONMENTAL STUDIES
Bachelor's Degree awarded: *October 1993*
Coursework in land use planning, geomorphology, geology, natural resources, human geography, environmental management, cartography, as well as remote sensing and field techniques, provided me with an extensive background knowledge of the natural and built environment.

COMPUTER SKILLS: Website Design/Mgm't; ArcView GIS (v.9); MS – Powerpoint, Word/Excel, Publisher; Mac OS X

PROFESSIONAL AFFILIATIONS:

Canadian Institute of Planners
Full Member (MCIP) –
2002 to present

American Institute of Certified Planners
Fellow (FAICP); Certified Env. Planner (CEP)
AICP - 2004 to 2022; FAICP 2022-present

US Green Building Council–MA Chapter
Board of Directors
2009 to 2017

American Planning Association (APA)
CT Chapter Member - *1999 to 2007*
MA Chapter Member – *2007 to present*

Nashua River Watershed Association
Wild and Scenic River Study Committee Member
2017-Present

APA National Planning Conference
"Planning, Health, and the Natural Environment"
Track Session Proposal Reviewer – *2019*

AICP Certification Application Process
Peer Reviewer for AICP Applications
2019

US Green Building Council
LEED® Accredited Professional (LEED AP)
Building Design & Const. (BD&C) - 2008 to present
Neighborhood Development (ND) - 2012 to present

International Living Future Institute
Living Future Accredited Professional
2022-present

US Green Building Council MA Chapter/BE+
Education Committee Member
2007 to Present

CT Department of Environmental Protection
Authorized Inland Wetlands & Watercourses Agent
1999 to present

Codman Square LEED for Neighborhood Development – Certification documentation team & LEED AP ND for Project - *2015-2018*

AICP Certification Exam Update
Question/Item Writer/Ethics Training
2018

Southern New England Planning Conference
APA Massachusetts Chapter Conference Organizing Committee - 2019

GUEST LECTURER:
Tufts University – Urban and Environmental Policy
Harvard University – Graduate School of Design
Massachusetts Institute of Technology – Civil and Environmental Engineering
University of Massachusetts – Sustainable Business Management

PUBLICATIONS:

Calgary, Alberta, Canada Wetland Conservation Plan
Contributor/Stakeholder Advisory Committee – *2004* *https://bit.ly/2hhh2c0*

***Planning for Rooftops: The Benefits of Green Roof Infrastructure* -** American Planning Association Planners Advisory Service Memo Publication - Contributor – *2008* *https://bit.ly/2GHfyWy*

***Green Infrastructure: Projects, Performance and Policies* -** Course Manual by the Green Infrastructure Foundation – Contributor/Peer Reviewer – *2009* *https://bit.ly/2ItKyMe*

Eco-Industrial Development Guidebook and Case Studies for North America" – American Planning Association - Guide and Case Study Contributor – *2009* *https://bit.ly/2XjoiIn*

Publications cont…

The Triple Bottom Line Tool – Devens as a Case Study - US Economic Development Administration – *Contributor - 2012 http://www.tbltool.org/files/CUPA_Casebook.pdf*

Losing Ground: Planning for Resilience. Patterns of dev. & their impact on the nature of MA - MassAudobon Publication, Fifth Edition – Peer reviewer of "*Community Planning for Climate Resilience*" Chapter - *June* 2014 *https://bit.ly/2S2C0Lx*

Beyond Buildings: LEED for Neighborhood Development in Massachusetts – US Green Building Council 2-part on-line webinar series **–** creator, producer, host and presenter – *October 2014 http://www.usgbc.org/node/5009396*

Devens Health Impact Assessment: A review of planning and development regulations, policies and neighborhood design principles in Devens and their potential influence on public health – Devens Enterprise Commission - Report co-author - *October 2014 https://bit.ly/2Bx2csf*

The Benefits of Eco-Industrial Parks: Insights from Devens, Massachusetts - Business, Environment, and Society: Themes and Cases –Chapter 3 Co-Author - Baywood Publishing Company*, 2014. https://bit.ly/2N6tw5f*

Understanding and addressing business needs and sustainability challenges: lessons from Devens eco-industrial park - Journal of Cleaner Production*,* Article Co-Author. *October 2014 https://bit.ly/2GE2SAe*

Benchmarking Eco-Industrial Park development: the case of Devens - *Benchmarking: An International Journal, Vol. 23 Iss: 5, pp. –*Article Co-Author – *2016 https://bit.ly/2E6CY4O*

The Eco-Industrial Development Guidebook and Case Studies for North America – APA Economic Development Division - Guidebook contributor – *2009 https://bit.ly/2XjoiIn*

Going Green Can Help Gateway City Homeowners – Commonwealth Magazine - Article Author, *Aug. 4, 2015 http://commonwealthmagazine.org/environment/going-green-can-help-gateway-city-homeowners/*

Health Impact Assessment – Groundwork Lawrence Green Streets Program – APA Sustainable Communities Division - Lead Report Author *(2016-2017) https://bit.ly/2to8KoO*

Nashua, Squannacook, and Nissitisit Rivers Stewardship Plan – Nashua River Wild and Scenic River Study Committee - Participating Entity and Plan contributor - *2018 https://bit.ly/2SRYiVT*

Street Trees & Community Well-Being - Green Roofs for Healthy Cities Living Architecture Academy Course creator/instructor (2023) *https://livingarchitectureacademy.com/p/street-trees-and-community-wellbeing*

Biometric responses to green and complete street elements in Devens, MA. Co-Author – Discover Cities (Oct. 2025) *https://link.springer.com/article/10.1007/s44327-025-00139-2*

AWARDS:

Inland Wetlands and Conservation Commission Agent of the Year Award - Connecticut Association of Conservation and Inland Wetlands Commissions– *2006 https://bit.ly/2Nl2ash – Page 9*

USGBC MA Chapter Innovation in Green Design Award – Devens Sustainable Housing Pilot Project - Project Team Member - *2013*

American Planning Association Sustainable Communities Division Project of the Year – Devens Sustainable Housing Pilot Project – Project Team Member – *2015 https://bit.ly/2SR8cHb*

Massachusetts Chapter of the American Planning Association Project of the Year – Comprehensive Housing Plan: Devens Sustainable Housing **-** Project Team Member **–** *2015 https://bit.ly/2Xlh7PV*

American Planning Association Division's Council; Division Achievement Award, Contribution to the Planning Profession - APA Sustainable Communities Division "Green Streets Lawrence: *A Health Impact Assessment of the Lawrence Green Streets Program*" (Report co-author and HIA team member) – *2018 https://bit.ly/2SmYl6I*