

**Devens Enterprise Commission
DEC Public Hearing & Meeting
Minutes July 27, 2021**

Members: Dix Davis, Jim DeZutter, William Marshall, Marty Poutry, Debra Rivera, , Duncan Chapman (6:50PM), Paul Routhier, Deborah Seeley, Christopher Lilly

Staff: Peter Lowitt, Neil Angus, Kate Clisham

Absent: Jim Pinard, Melissa Fetterhoff, Robert Gardner

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 6:45PM and read the agenda, took roll call and went over the virtual meeting procedures. Also in attendance were: Chris Anderson, Donna Bulger, Dianna, Glen Houlihan, Greg Sexton, Mike Hodgeman, Lt. Reid Bagley, Zach Skarzynski

M/S/V (roll call vote) P. Routhier, D. Davis to appoint D. Rivera as a voting member; approved unanimously.

No minutes.

Public Hearings:

Level 2 Unified Permit Application submitted by Accumet Engineering, Inc. for a proposed +/- 40,000 s.f. office/industrial building and associated site improvements on a +/-3.11 acre parcel at 41 Lake George Street (Parcel ID #013.0-0021-0600.0) in the Innovation & Technology Business Zoning District

P. Lowitt introduced the Applicant's Engineer (Chris Anderson of Hannigan Engineering) who turned it over to Greg Sexton – CEO of Accumet Engineering who introduced the company. Accumet is an existing business in Hudson and they take 4.5" squares of engineered ceramics and prep them for use in the microchip/electronics world. They also have a facility in Westford that focuses on components for both electronics and medical devices. They have 50 employees. They are looking to combine both sites under one roof and this new building will give them room to grow and expand.

Chris Anderson shared his screen and reviewed the proposed site plan. Site was previously developed and paved and is currently used for storing soil. Site also has an electric utility easement for access to the Devens Lake George Substation southwest of the site. There will be two access points to the site. Chris also reviewed the stormwater management design to treat and manage stormwater on-site, and utilities, traffic management and landscaping. DEC peer review comments are expected to come in shortly.

N. Angus reviewed the Staff Report and went over the site location in proximity to slope resource areas. Neil reviewed the remaining project issues associated with outdoor storage of chemicals and ensuring coordination with the Devens Public Safety. Quantity of propane may trigger the need for a license for flammables and combustibles and they may need ground-mounted pumps to reduce noise from gas off-loading. Neil reviewed the Wetland request for Determination of Applicability and the fact that they pulled disturbance back from the slope so the DEC Director determined that a full Notice Of Intent would not be necessary for this project. This project is within the viewshed overlay district and lighting levels were reduced to comply with any offsite issues. Neil asked the Applicant about any stacks or visible emissions from the manufacturing process. Greg Sexton said there are no stacks and they will be doing some internal air filtering. They use oxygen and nitrogen for hot and cold cutting and helium for laser cutting. P. Routhier asked about the cutting process and Greg Sexton indicated they use argon for some cutting to keep the air out. N Angus indicated that the DEC peer review engineers and landscape architects are still reviewing the latest revised plans and expect to have comments back before the next meeting. N. Angus reviewed the requirement for the building separation from parking/drive isles (10' separation required).

The plans have the 10' for all but one small portion of the northern drive. Staff would recommend the Commission make a finding that the plan as proposed meets the purpose and intent (with additional landscaping as recommended by the DEC's peer review landscape architects).

N. Angus indicated the 30 day comment period had closed and there were no comments received, however he would recommend the Commission continue to the hearing to the next meeting in order to allow for the completion of the peer review and any additional plan revisions.

M/S/V (roll call vote) M. Poutry/J. DeZutter to continue the public hearing to the August 5, 2021 morning meeting at 7:30AM; approved unanimously.

Public Hearing:

Event Permit and One-Day All Alcoholic Beverage License request by Clear Path for Veterans New England for the Devens Dog & Music Festival to take place on Museum Field at 27 Antietam Street (Parcel ID #31-99-900) on Sunday August 22, 2021 from 10 AM – 4 PM.

P. Lowitt introduced Donna Bulger from Clear Path for Veterans who went over the proposed event (3rd year). They expect 250-300 people and they have a number of volunteers ready to help. Anyone bringing dogs will need to provide proof of vaccination. Alcohol will be served in a 40'x 40' fenced off area and they have coordinated with the State Police to hire a detail that will be on-site during the event when alcohol is being served. They have coordinated with the Devens Public Works (DPW) for trash, recycling and restrooms. Donna went over the event layout and that the Devens Animal Control Officer will be on-site to help deal with any problem dogs. P. Lowitt noted that there will be live music and food vendors away from residential areas and it is a daytime event so there is no concern for negative impacts to nearby residents. Columbia Tavern is providing the alcohol and servers will be TIPS certified. Peter reviewed the proposed conditions for the one-day permit:

1. The 1-Day All Alcoholic beverages License is valid on Sunday August 22, 2021 from 10:00AM–4:00PM only.
2. The serving and consumption of alcohol is limited to the fenced in area at 27 Antietam Street 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:

1. All food vendors shall be licensed through the Nashoba Associated Boards of Health.
2. The Applicant shall obtain tent permits for any tents larger than 10'x 12' being used for the event. Electrical Permits for emergency generators are also required.
3. The Applicant shall coordinate all traffic and safety with MassDevelopment, the State Police and the Devens Public Safety Officer.
4. Any excavation or ground disturbance (including the 40'x 40' 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.
5. The Applicant shall coordinate with the Devens Animal Control Officer for animal safety during this event.

Public Comment: None

W. Marshall asked if there were any complaints from past events. P. Lowitt indicated there were none. State Police Lt. Reid Bagley indicated that the police detail inside the fenced area where alcohol is served should be enough and he has no concerns with the event.

M/S/V (roll call vote) M. Poutry/D. Seeley to close the public hearing; approved unanimously.

M/S/V (roll call vote) C.Lilly/D. Seeley to approve to 1-day license with conditions as listed in the staff report; approved unanimously.

New Business:

Development Review Services contract extension – Nitsch Engineering, Inc.

P. Lowitt noted that Staff is interested in mutually extending the existing Peer Review Services contract for another 3 years instead of going out to advertise for proposals. There is a clause in the existing contract which allows the DEC to extend the contract if both parties are in agreement. W. Marshall indicated that Nitsch has been with us for a while and they helped write the regulations so they are very familiar with Devens and we have had no issues and are happy with their work.

M/S/V (roll call vote) J. DeZutter/D. Seeley to approve extend the existing peer review services contract for another 3 years; approved unanimously.

Old Business:

Devens Enterprise Commission Draft Five Year Report – Review revised goals

P. Lowitt reviewed the consolidated draft goals from 27 to 6 and reviewed the overarching goals and some of the strategies that would be pursued to help achieve these goals:

1. Collaborating with Towns, educational institutions and other organizations in the region and beyond on areas of mutual interest that advance the goals of the Devens Reuse Plan and the Devens Forward Climate Action and Resilience Plan through:
2. Continuing to prioritize and support the sustainable redevelopment of Devens through:
3. Expanding on our past successes to support diverse and equitable transportation opportunities for the Devens region, its employees and residents.
4. Upgrade the operations of the Commission by:
 - Updating the DEC website.
 - Continuing to manage Conservation Restrictions held by the Commission and to integrate public health considerations into all of our decisions.
 - File management.
 - Hiring additional staff to better manage existing and future workloads.
5. Remaining focused on the end point of Chapter 498 and the process to reach it. Continue dialog with Devens residents, businesses, surrounding communities and MassDevelopment.
6. Maintaining Fiscal independence.

D. Davis asked about the end date of 498. P. Lowitt indicated it is 2033. N. Angus indicated that we did add in circular economy and economic development to address D. Chapman's comments from the last meeting. W. Marshall indicated that job #1 is making sure we abide by the bylaws and reuse plan and these goals do just that.

W. Marshall officially welcomed the new DEC commissioner and representative from the Town of Shirley Deborah Seeley. W. Marshall also gave the commission's condolences to the passing of Chris Lilly's father.

Public Comment: none

W. Marshall noted the upcoming DEC meetings of August 5 and 31, 2021

M/S/V M. Motion to Adjourn at 7:43PM. D. Davis/J. DeZutter (roll call vote) approved unanimously.

Meeting materials:

- July 27 Agenda
- Accumet Engineering, LLC (41 Lake George Street) Site Development Plans
- Accumet Engineering, LLC (41 Lake George Street) Public Hearing Notice
- Accumet Engineering, LLC (41 Lake George Street) Revised Site Development Plans
- Accumet Engineering, LLC (41 Lake George Street) Staff Report
- Clear Path for Veterans Devens Dog & Music Festival — 1-Day License Request August 22, 2021 Staff Report
- Updated Draft Goals for the 2021-2025 Five Year Report
- Virtual Hearing Procedures for display
- Public hearing notices 7-27-2021