Memo

Devens Enterprise Commission

Date: November 14, 2024

To: Devens Enterprise Commission

From: Neil Angus, FAICP, Director

RE: King Street Properties – 57 and 75 Jackson Road Level 2 Unified Permit Parking Modification – Minor Adjustment

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At our October 29, 2024 meeting, the Commission conditionally approved an application by King Street Properties for the construction of an additional 19 parking spaces at 57 Jackson Road (and an additional **8 parking spaces at 75 Jackson Road** to accommodate the increased demand for parking spaces at the adjacent new Canteen building and Sterling Street Brewery operations at 65 Jackson Road. The Commission approved the Application with 5 conditions as recommended by Staff. Condition #4 included a requirement to have a Crowd Manager in accordance with 527 CMR (State Fire Code):

4) The Applicant shall be responsible for monitoring and enforcing the compact spaces and shall update the Property O&M Plan to address snow storage and include any notification, monitoring, and enforcement procedures to ensure proper emergency access is maintained at all times. The O&M Plan shall also be updated to include a temporary signage/management plan to direct amenity building overflow parking to the spaces behind the building at 75 Jackson Road when necessary. ***A Crowd Manager will be required for the brewery/amenity building when open in accordance with 527 CMR. This requirement should also be included in O&M Plan****. A copy of the updated O&M Plan shall be provided to the DEC addressing these items, prior to permanent use of these spaces.*

The Applicant has requested that the highlighted text be removed from the condition as this is a tenant obligation and not directly associated with the additional parking. Including this requirement in the Campus Operations and Maintenance Plan is not necessary. The Applicant has already notified the tenant of this requirement. Staff consulted with the Devens Fire Department and all were in agreement. The Crowd Manager requirement is enforced by the Devens Fire Department and not the DEC. As the local Board of Health and Licensing Agency, the DEC can address this requirement with the tenant at the time of licensing renewals. In addition, the Devens Fire Department has already developed a brochure on the Crowd manager requirement and is distributing this to all licensed facilities in Devens to make them aware of this relatively new requirement.

In accordance with 974 CMR 1.12(3), minor corrections to an approved plan can be made administratively by the Director. As this is a minor text change and the Devens Fire Department is addressing the intent of the text to be deleted, I have determined that it qualifies as an engineering adjustment. Unless there are any objections by Commissioners, staff will issue an amended Record of Decision with the highlighted text removed from Condition #4.

Develop and Maintain an Egress Plan

527 CMR 1.00: 10.8 and 20.1.5.10.4 and 780 CMR 1004.1 and 1004.3

A plan showing the occupant load, seating diagram, and location of exits and aisles leading to exits shall be approved by the building department and kept on the premises.

The occupant load shall be posted near the room's main exit.

Keep Means of Egress Clear and Properly Lighted

527 CMR 1.00: 14.4

The means of escape from a building must always be kept clear of obstructions, properly lighted, in good repair, and ready for use. This includes removal of snow and ice as necessary.

Overcrowding

M.G.L. c.148, s.34A, B and C

Severe penalties for exceeding occupancy limits and blocked egress were created in the aftermath of The Station nightclub fire.

Make Sure All Upholstered, Reupholstered and Molded Furniture is Code Compliant

527 CMR 1.00:12.6.3

All regulated seating shall comply with the applicable provisions of 527 CMR 1.00. Requirements for non-sprinklered buildings are different than for buildings equipped with automatic sprinklers. Furniture should be resistant to fire. It can produce volumes of toxic smoke.

Maintain the Fire Protection Systems

527 CMR 1.00: 1.1.4

All fire protection systems (such as fire alarm, smoke and heat detection, and sprinkler systems) shall remain operable and in good condition at all times. Systems shall be tested and inspected as required.

Install and Maintain Fire Extinguishers

527 CMR 1.00: 13.6

Fire extinguishers shall be conspicuously located, readily accessible and usable in case of fire. They shall be inspected, tested, and maintained in accordance with NFPA 10.

Prohibit Smoking

M.G.L. c.270, s.22 and 105 CMR 661.400

Smoking is prohibited in workplaces including theaters, restaurants and bars in order to protect employees from second-hand smoke.

Division of Fire Safety
978-567-3375 • www.mass.gov/dfs

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Fire Safety in Places of Assembly

DEPARTMENT OF FIRE SERVICES
Peter J. Ostroskey • State Fire Marshal

A **place of assembly** is a structure where people gather for civic, social, or religious functions. The Massachusetts State Building Code defines places of assembly in five categories including: theaters, dance halls, nightclubs, restaurants, exhibition halls, and places of worship.

This pamphlet provides a summary of the fire prevention regulations affecting places of assembly. References are included where more detailed information may be found.

Fire prevention laws are found in M.G.L. Chapter 148. Fire code regulations are found in 527 Code of Massachusetts Regulations (CMR) 1.00. The Department of Fire Services' website has links to these documents and many helpful Advisories. Visit www.mass.gov/dfs and search for *FSD Advisories*.

Contact your local fire department for more information.

Ensure Compliance and Safety of Open Flame Devices

527 CMR 1.00: 10.10 and 20.1.5.2

Open flame devices and special food service devices (such as candles, food warmers, and chafing dishes) require a permit from the fire department. Consult the local fire department prior to use.

Obtain a Permit for Special Effects

527 CMR 1.00: 65.4.2

Special effects and pyrotechnics (including flash powder and flash paper) require a permit from the local fire department and must be conducted by a licensed person. Their use is prohibited in nightclubs, bars, discos and dance halls.

Crowd Manager Requirements

527 CMR 1.00: 20.1.5.6

Crowd manager requirements apply to certain facilities when open to the public.

Experience has shown that patrons look to staff for guidance during an emergency.

The owner or operator of a nightclub, dance hall, discotheque or bar, with an occupancy load of 100 persons or more shall designate one crowd manager for every 250 occupants. To learn more about the requirements, or to take an online training program, visit www.mass.gov/dfs.

Keep Fire Lanes Free of Obstructions

527 CMR 1.00: 18.2.3.5 and 18.2.4

All designated fire lanes shall be clearly marked and kept free of obstructions.

Make Sure Decorations, Curtains, Draperies and Window Treatments are Code Compliant

527 CMR 1.00: 12.6.2

Documentation shall be provided showing that all regulated materials conform with the applicable provisions of NFPA 701 regarding fire resistance and should be kept on file and available on the premises. Documentation should be provided by any vendor or manufacturer supplying new materials.

Announce the Exits

527 CMR 1.00: 20.1.5.8.3

The owner or operator of any business or activity located in any A-1, A-2, or A-3 occupancy (public places generally), which features a performance before an audience shall, prior to the start of such performance, make an audible announcement that notifies occupants of the location of exits to be used in case of fire or other emergency.

In addition to the audible announcements, any written program, playbill or similar document distributed prior to each performance, must include a diagram of the location of all egress routes and areas of rescue assistance for use by people with disabilities.

Department of Fire Services
Commonwealth of Massachusetts

Crowd Manager Fire and Building Safety Checklist (FP-250) *(to be completed on each day of operation prior to opening the facility to patrons)*

Date: _____

Required for nightclub, dancehall, discotheque or bar as defined in 527 CMR 1.00: 20.1.5.6.4.

Inspection Item	***Yes***	***No***
Is there one crowd manager on duty for every 250 occupants as identified on the Certificate of Occupancy? ***Note – copies of crowd manager Certificate of Successful Completion should be kept on site.***		
Are employees trained to direct occupants to an exit in the event of an emergency and the other duties contained in the emergency plan?		
Are all egress paths maintained in a manner to provide a clear, unlocked, accessible path?		
Are all exit doors operable?		
Is all exit sign lighting operable?		
Is all emergency lighting operable?		
Are fire extinguishers in working order? Last inspection date: _____		
Are exterior stairways and means of egress free of snow and ice?		
The person responsible to make Exit announcement in accordance with 527 CMR 1.00 Section 20.1.5.8.3 is: _____		
The person responsible to ensure no one enters in excess of the posted occupant load limit, which includes all employees, guests and performers, is: _____		
Is the Certificate of Inspection posted? Maximum Capacity:_____ Expiration Date_____		
Has the sprinkler system been inspected within the last year? Most recent automatic sprinkler inspection/test date: _____		
Has the fire alarm system been inspected and tested within the last year? Most recent fire alarm system inspection/test date: _____		

Any item checked "No" above must be resolved prior to opening

For questions - contact your local fire department

Has the commercial cooking equipment exhaust system been cleaned in accordance with the required frequency? Date of last cleaning? _____		
Has the commercial cooking fire suppression system been inspected in the last six months? Date of last inspection:_____		

Any item checked "No" above must be resolved within 24 hours.

For questions – contact your local fire department

Signed by Crowd Manager: _____ ***Crowd Manager Certificate #:*** _____