

**Devens Enterprise Commission
Public Hearing & Meeting Minutes
September 15, 2021**

The chair opened the meeting at 7:37 AM and noted that this Devens Enterprise Commission Regular Meeting and Public Hearing is being held virtually in accordance with the Act (Senate Bill #2475) relative to extending certain COVID-19 measures adopted during the state of emergency. Interested individuals can listen in and participate by phone and/or on-line by following the link and phone # above. Persons with disabilities or requiring interpretation wishing to listen or participate should contact 978.772.8831 x3334. In accordance with the State's Open Meeting Law, we wish to inform all attendees that this meeting is being recorded by the Devens Enterprise Commission.

1. Roll Call and Overview of Virtual Meeting Process and Procedures: The chair went through a roll call for attendance. **Present:** Jim DeZutter, Marty Poutry, Dix Davis, William Marshall, Chris Lilly, Deb Seeley and Duncan Chapman. Staff: Neil Angus and Peter Lowitt. The chair then reviewed the virtual meeting procedures.

On a motion of Chris Lilly, seconded by James DeZutter, the Commission voted unanimously by roll call to appoint D. Rivera as a regional voting member in lieu of Mr. Routhier.

2. Chairman's Overview of Agenda: The chair reviewed the agenda

3. Review Minutes: On a motion of Dix Davis, seconded by James DeZutter, the Commission unanimously by roll call voted to approve the minutes of 6-29-21; 7-15-21; 7-27-21; and 8-5-21.

4. Public Hearings: None

5. New Business:

- **Ratification of the DEC Director's decision to issue a Negative Wetland Determination of Applicability to King Devens LLC and MassDevelopment for the construction of an underground electrical main line from the existing Lake George Electric Substation (41 Lake George Street) to King Devens property located at 33 Jackson Road, involving work within 100 feet of wetlands. Properties located in the Innovation & Technology Business Zoning District.** Mr. Angus directed the Commissioners to the staff report, noting that the Applicant had worked closely with MD Utilities and MD Engineering on the connection. They are no longer using Jackson Road to connect to the electricity, instead they are using this shorter run to Lake George Street. Staff has no concerns for wetland impacts as the project is on the opposite side of Lake George Street and will result in a reduction of pavement. The negative determination comes with a condition to maintain erosion controls during the project.

On a motion by Dix Davis, seconded by Chris Lilly, the Commission, by unanimous roll call vote, endorsed the negative request for wetlands determination issued by the Director with conditions.

6. Old Business:

- **DEC Green Building Incentive Program Update - Consultant Selection.** Mr. Lowitt noted that five consultants had been contacted. Only two had responded to our RFP. A subcommittee

authorized by the Commission and comprised of Bob Gardner and Marty Poutry along with staff, interviewed the two consultants. The Committee recommend the Sustainable Performance Institute, Ms. Batshalom is the principal and will be our point of contact for the project.

On a motion by Dix Davis, seconded by Marty Poutry and a unanimous roll call vote, the Sustainable Performance Institute was selected to be the DEC's Green Building Incentive consultant.

Mr. Lowitt noted that Roseli Clark has been put under a one year contract to perform auditing services for the Commission and that Ayer has come on board to provide the accounting services previously provided by our friends in Shirley.

Mr. Chapman had a question about why Vicksburg Square rezoning was not going forward. Mr. Lowitt replied that it appeared to be caught up in the Devens Jurisdiction discussions.

7. Public Comment: none

8. Adjournment: On a motion of Dix Davis, seconded by James DeZutter the Commission voted, by roll call vote, to adjourn at 7:59AM. It was unanimous.

Meeting materials:

- Agenda
- Draft Minutes
 - June 29, 2021
 - July 15, 2021
 - July 27, 2021
 - August 5, 2021
- Electric Duct Bank Wetland Request for Determination of Applicability Application
- 41 Lake George to 33 Jackson Electric Duct Bank Level 1 Application & Cover letter/narrative
- Duct Bank Plan
- 41 Lake George to 33 Jackson Duct Bank Staff Report
- Virtual Meeting Procedures