



**DEC VIRTUAL READ FILE  
11/29/22**

**Commercial Development Cap Update:**

As part of the recent economic development bill, the Legislature approved changing the development cap in the Devens Regional Enterprise Zone from 8.5 million square feet and adding up to 12 million net new square feet. While Ayer and Shirley supported the complete elimination of the cap, this language was different from what Harvard had requested – which was raising the cap from 8.5 million to 12 million square feet - however, this is what the legislature and the governor put forward and approved. DEC Staff continue to believe that the square footage cap is an arbitrary number (as agreed upon by MEPA and the 2008 Notice of Project Change that eliminated the cap) and that the environmental metrics in the Final Environmental Impact Report and the MEPA 2008 Notice of Project Change will continue to govern and ensure Devens continues to redevelop successfully in a sustainable manner for the benefit of the surrounding towns, the region, and the state. The following article was in the November 6, 2022 edition of the Boston Globe:

<https://www.bostonglobe.com/2022/11/06/business/lawmakers-lift-cap-new-building-devens/>

**Commonwealth of Massachusetts authorizes the DEC to issue an additional Beer and Wine License 9/26/22:**

AN ACT AUTHORIZING THE DEVENS ENTERPRISE COMMISSION TO GRANT A LICENSE FOR THE SALE OF WINES AND MALT BEVERAGES NOT TO BE DRUNK ON THE PREMISES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. (a) Notwithstanding clause (h) of paragraph (5) of section 11 of chapter 498 of the acts of 1993, chapter 75 of the acts of 2003, chapter 146 of the acts of 2009 or any other general or special law to the contrary, the Devens Enterprise Commission may grant an additional license for the sale of wines and malt beverages not to be drunk on the premises to an establishment within the Devens Regional Enterprise Zone. A license granted under this section shall not decrease the number of such licenses authorized to be granted by the towns of Ayer, Harvard and Shirley.

(b) The commission shall not approve the transfer of the license granted under this act to any location outside the Devens Regional Enterprise Zone but it may grant a license to a new applicant within the Devens Regional Enterprise Zone if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) The license granted pursuant to this act shall not be sold or transferred by the licensee. If a licensee terminates or fails to renew the license granted under this act or any such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the commission and the commission may then grant the license to a new applicant as specified in this act.

(d) The license granted under this act shall be issued within 1 year after the effective date of this act; provided, however, that a license originally granted within that time period may be granted to a new applicant under subsections (b) or (c) any time thereafter.

SECTION 2. This act shall take effect upon its passage.

Approved, September 26, 2022.

<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter222>

### **Ayer-Devens Pocket Forest MVP Action Grant:**

Devens has partnered with the Town of Ayer to integrate more green infrastructure into the built environment by planning, designing, planting and monitoring a series of pocket forests – small densely planted landscapes in urbanized areas that can help filter stormwater, improve air quality, reduce urban heat island impacts, provide wildlife habitat, as well as social and mental health benefits. Ayer and Devens received an action grant from the state Municipal Vulnerability Assessment Program. The following article was in the October 2, 2022 edition of the Sentinel and Enterprise/Nashoba Valley Voice:

<https://www.sentinelandenterprise.com/2022/10/02/miyawaki-forest-pilot-project-could-offer-pride-of-place-with-benefits-for-ayer-devens/amp/> .

Devens and Ayer hosted a public informational session on November 16<sup>th</sup> at Ayer Town hall and over 40 people attended to learn more about this project and offer input as to where in Devens and Ayer these pocket forests might be located. Ayer and Devens are taking this information and will be hosting walking tours on December 3<sup>rd</sup> (in Ayer) and 10<sup>th</sup> (in Devens) from 10AM to 3PM. Details will be posted on the project website as they become available: <https://climateresilient.wixsite.com/ayerdevens>

### **Devens Farmers Market 2022 Season Recap:**

Our re-launch of the Devens Farmers Market this summer and fall was a success. We hosted a total of eight (8) market events (one every other week) from late June through October. The new location at the corner of Elm and Jackson and the time (11:30-1:30) seemed to work well and attract a decent number of people. This year we featured live music by Bob Jordan and Joe Pete. We had pre-orders of 30 bags from Devens residents and businesses and we hope to be able to get more next year. These pre-orders are critical to ensuring we get the market to come back. We have been actively marketing this to all Devens businesses as a health and wellness benefit for their employees and a way to attract and retain workers.

An added benefit to the market was a donation of some of the left-over produce to Loaves and Fishes. Throughout the market season, the DEC donated over 250 pounds of fresh produce to Loaves and Fishes, benefiting those in need in the region, while supporting local farms and locally grown food. The following is a receipt and thank-you letter from Loaves and Fishes Food Pantry for the DEC's donation:

<https://cloud.massdevelopment.com/owncloud/index.php/s/ZFKO9ZwLXX3cElb>

### **Letter from Devens Resident - Speeding on Chance Street**

Resident recently sent a letter to DEC and DPW regarding concerns about cars speeding on the new portion of Chance Street (concerned about child safety). Requested speed signs be posted. State Police do periodically monitor this neighborhood and the street was designed narrower than other streets to help reduce speed. DPW has ordered speed signs and will be installing them shortly.

### **Designated/Preferred Truck Route Complaints:**

The DEC has received recent complaints regarding truck traffic on Shirley Road related to Little Leaf Farms and the Devens Wastewater Treatment Plant. Two residents on Walker Road have been complaining about the number of septic trucks entering and exiting the plant off of Walker Road. Three residents have been complaining about the number and timing of Little Leaf Trucks. DEC Staff continue to remind septic haulers of the designated/preferred septic truck route: [https://www.devensec.com/maps/Septage\\_Letter\\_signed\\_7-1-15.pdf](https://www.devensec.com/maps/Septage_Letter_signed_7-1-15.pdf) . We have forwarded these complaints to Devens Utilities as well and they have sent out a reminder notice to all driver to use the correct truck route or risk losing access to the facility. There has been a slight increase in septic trucks but approximately one third of the total volume is actually coming from Shirley facilities (Devens utilities contracts with the Town of Shirley to provide excess sewage disposal services).

Regarding Little Leaf Farms, staff has met with the owner, their logistics director and a resident to relay complaints about the timing and increased volume of trucks. LLF claims they had a small uptick in trucks due to a problem at their Pennsylvania facility. During the Unified Permitting process for the facility they anticipated a

total of 10 truck trips per day. DEC staff is obtaining traffic counts to get actual data on the number of trucks. The owner has committed to the neighbors to have none of their trucks leaving the site before 5AM and no outside vendors coming before 7AM, in an attempt to reduce complaints. They have also retrofitted their trucks with low-noise back-up beepers and are committed to installing more auxiliary power units for their fleet of trucks to plug into to avoid diesel engine idling. The owner has committed to more open lines of communication with the neighbors and offered to set up a meeting with them.

**Temporary Central Intake Center for Homeless Families:**

The state Department of Housing and Community Development (DHCD), in collaboration with the Massachusetts Emergency Management Agency (MEMA) recently announced that they plan to utilize the Bob Eisengrein Community Center in Devens as a temporary intake center as part of the Commonwealth's response to the substantial increased demand on the state's emergency assistance shelter system. The Commonwealth is a "right to shelter" state for families experiencing homelessness. All qualifying parents and children are entitled to shelter.

According to reports, this location would be used for processing up to 60 homeless families (125 individuals maximum) for 3-4 days maximum where they will receive case management services and various intake assessments before being transferred to an emergency assistance site or another more permanent housing solution. The intake center would be operated by the state for a period of up to 4-6 months.

The proposed use is exempt under the Devens by-laws (state government uses) and DEC staff continue to engage with MassDevelopment, MEMA, DHCD, and our local building and health agents to obtain more information and ensure the health, safety and security of Devens residents and businesses and individuals and families coming to and from this facility.

We expect MassDevelopment, MEMA and DHCD to convene a public informational session once more details are available. In the meantime, MassDevelopment has set up a website with additional information and details including some Frequently Asked Questions, which will be updated as this situation develops:

<https://www.devenscommunity.com/news/>

<https://www.mass.gov/news/baker-polito-administration-announces-new-intake-center-to-facilitate-emergency-shelter-needs>

<https://www.harvardpress.com/News/Breaking-News/state-will-open-central-intake-center-at-devens-to-help-homeless-and-migrant-families-find-emergency-housing>