

**Devens Enterprise Commission (DEC)
Public Hearing and Regular Meeting
Minutes March 7, 2024**

Members Present: Duncan Chapman, Melissa Fetterhoff, Christopher Lilly, William Marshall, James Pinard, Paul Routhier, Debra Rivera, Deborah Seeley

Staff: Neil Angus, Beth Suedmeyer, Dawn Babcock

Guests: Guy Lampe (Flik Hospitality), Jesse Tarbell (Mass Brewery), Brian Mason (Mass Brewery), Julie Farrer (King Street Properties), John Marc-Aurette (MassDevelopment Engineering), Ralph Fehlberg (Devens Resident), Lt Keith Pruett (State Police), Meg Delorier (VP MassDevelopment), Carl Sciple (Harvard Resident)

Members Absent: Robert Gardner, Martin Poutry

(7:30 AM) Chairman William Marshall called the meeting to order and did a roll call.

Mr. Marshall read that the Devens Enterprise Commission (DEC) 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. 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, Mr. Angus informed all attendees that the Devens Enterprise Commission is recording this meeting.

(7:35 AM) Chairman Marshall noted, we will need to nominate Ms. Rivera as a voting Regional Representative for this meeting. The motion was made by Ms. Seeley and seconded by Mr. Lilly. The nomination was approved unanimously by a roll call vote.

(7:36 AM) Mr. Marshall reviewed the agenda of this morning's meeting.

(7:38 AM) Review Minutes:

- **February 27th Minutes** Mr. Marshall asked if there were any edits or comments, none were mentioned. Mr. Marshall asked for a motion to accept the minutes as posted. **The motion was made by Mr. Pinard and seconded by Mr. Lilly and the motion to accept the minutes was approved by a roll call vote.** Both Ms. Rivera and Mr. Routhier and Mr. Chapman abstained as they were not present for the February 27th meeting.

Public Hearings:

- **(7:39 AM)** Application from **Mass Brewing LLC dba Sterling Street Brewery** for a **Common Victualler License application** to authorize facilities for cooking, preparing, and serving food to the public pursuant to M.G.L chapter 140. Property located at **57 Jackson Road, in Devens, MA (Parcel ID# 013.0-0021-0.100.0) (building #65 Jackson Road)** within the Innovation & Technology Business Zone. Mr. Angus noted that the two Public Hearings are actually for the same location, however, the two companies will be operating at different times but sharing the same kitchen facilities. Mr. Angus introduced Ms. Julie Farrer as the representative from King Street Properties who then introduced Mr. Jesse Tarbell and Mr. Brian Mason of the Mass Brewery LLC which is working under the name of Sterling Street Brewery. Mr. Tarbell noted that they are planning to offer easy appetizers during their hours of operation. Mr. Marshall asked the commissioners if there were any questions, but none were asked. Mr. Angus then shared the floor plan of the shared space showing the shared locations as well as the space that Sterling Street Brewery will operate from. Sterling Street Brewery has submitted the necessary documents to the Nashoba Board of Health and is waiting for the final approval from them in the way of a Food Service Permit. Sterling Street Brewery will be operating late afternoon, evenings, and weekends. Mr. Angus would recommend approving this License with the condition that the Nashoba Board of Health issues their Food Service Permit. Mr. Marshall asked the Commissioners and the Public if there were

any questions, but none were asked. Mr. Angus then noted the hours that the Sterling Street Brewery will be operating. Tuesday – Thursday 4:00 – 9:00; Friday 4:00 – 10:00 PM; Saturday 12:00 – 10:00 PM; and Sunday 12:00 – 8:00 PM. Mr. Angus noted that their start time will give the two companies a good two hours to do the essential cleaning/prep between operations. Mr. Marshall asked for a motion to close the hearing. **The motion was made by Mr. Routhier and seconded by Mr. Pinard; the motion to close the hearing was approved unanimously by a roll call vote.** Mr. Angus noted that he would recommend an approval of the Common Victualler license once the food service permit has been issued from the Nashoba Board of Health. Mr. Marshall asked for a motion to approve the Common Victualler license. **The motion was made by Mr. Routhier and seconded by Ms. Seeley; the motion to approve the victualler license was approved unanimously by a roll call vote.**

- **(7:53 AM)** Application from **Flik International** for a **Common Victualler License application** to authorize facilities for cooking, preparing, and serving food to the public pursuant to M.G.L chapter 140. Property located at **57 Jackson Road, in Devens, MA (Parcel ID# 013.0-0021-0.100.0) (building #65 Jackson Road)** within the Innovation & Technology Business Zone. Mr. Angus gave the floor to Ms. Farrer from King Street Properties who introduced Mr. Guy Lampe from Flik International. Mr. Lampe noted that the hours of operation will be Monday – Friday 7:00 – 2:00 PM. He also noted that the menu will be a fixed menu. Mr. Marshall asked if there were any questions from the Commissioners. Ms. Seeley asked what name will the businesses operate under? Mr. Lampe noted that they are two separate entities and will be under their own company names. Mr. Angus shared that Flik International has also submitted all the paperwork with Nashoba Board of Health and are waiting on their Food Service Permit being issued. Mr. Marshall asked Mr. Lampe how many businesses he was operating at this time? Mr. Lampe noted that Flik International has operations in over 300 locations in New England, and at Commonwealth Fusion here in Devens currently. Mr. Marshall then asked if there were any questions from the Public and none were asked. Mr. Marshall asked for a motion to close the hearing. **The motion was made by Ms. Seeley and seconded by Mr. Chapman; the motion to close the hearing was approved unanimously by a roll call vote.** Mr. Angus then went through the Staff Report and noted that the time between both businesses of operation will give both companies time to secure their items, clean and prep. Mr. Angus would again recommend an approval of the Common Victualler license once the food service permit has been issued from the Nashoba Board of Health. Mr. Marshall asked for a motion to approve the Common Victualler license. **The motion was made by Mr. Routhier and seconded by Mr. Chapman; the motion to approve the Common Victualler license was approved unanimously by a roll call vote.**

New Business:

- **(8:02 AM)** Ratification of Director’s decision to issue a **Negative Wetland Determination of Applicability to MassDevelopment** for proposed traffic signal improvements at the **intersection of Barnum and Patton Roads** within 100 feet of wetlands. Property located in the roadway’s Right-Of-Way in the vicinity of 222 Patton Road (Parcel ID # /016.0-0099-0105.0), Devens, MA in the Open Space and Recreation District, Zone 2 Water Resources Overlay District, and Aquifer Water Resources Protection District. Ms. Suedmeyer introduced John Marc-Aurele (Director of Engineering with MassDevelopment) who gave the summary of the project. Mr. Marc-Aurele noted that they are planning to upgrade the traffic / pedestrian lights and program at the Barnum/Patton Road Intersection to bring them up to the current code. This approval is being requested just in case they run into a broken conduit once they start running the cable and have to excavate near wetlands. They will not be removing any mature vegetation or impacting any wetland areas. All work is in the existing lawn area. Ms. Suedmeyer shared the Staff Report which listed the four conditions should the work be needed. Mr. Marshall asked if there were any questions and Mr. Lilly asked if there are cameras there now? There are no cameras now, the current system is a set time between the lights changing. The proposed cameras will regulate the sequence variance based on the traffic flow. Mr. Pinard asked if this update would resolve the extended delay in the timing of the light changes? Mr. Marc-Aurele confirmed that changing to the camera will help with this because it will be based on traffic and not timing. Mr. Marshall asked if there were any more questions from the commissioners or the public and none were asked. Mr. Marshall then asked for a

motion to approve the Ratification of the Director's negative wetland determination. **The motion was made by Mr. Lilly and seconded by Mr. Chapman; the motion to approve the ratification was approved unanimously by a roll call vote.**

- **(8:09 AM) Social Media Minute:** Mr. Angus shared the recent posts that have been made on Facebook, LinkedIn as well as Blogs they have posted.
- **(8:14 AM) Read File:** Ms. Suedmeyer noted that there are 2 recent articles in the Harvard Press. Governor Healy is supporting the recently released Economic Development Bond Bill that, which contains the removal of the housing cap at Devens. Mr. Routhier asked if there is town support for this bill. Mr. Chapman noted that they were surprised but calm about the news. Mr. Marshall noted that the working group for the bill is based on the three towns, MassDevelopment, Devens Committee but not Devens Enterprise Commission. Mr. Marshall feels that the legislature may have done this on purpose with the DEC being the permitting committee. Mr. Angus agreed with Mr. Marshall's conclusion and added that they are happy to add comments if asked at any time and this was also discussed at the Devens Committee Meeting on March 6th. Mr. Angus noted that he and Ms. Delorier are scheduled to speak about housing at the Devens Connect meeting in April. Mr. Marshall noted that the article in the Harvard Press did note that both Senators Eldridge and Cronin were taken back by the language, but someone put it in. The 2nd article is that the DEC approved the Pump House for the Town of Harvard.
- Mr. Marshall asked if there were any other New Business topics. None were mentioned

Old Business:

- **(8:20 AM)** Mr. Marshall asked if there was any old business to cover, none was noted.

(8:22 AM) Public Comment Mr. Marshall asked if there were any questions from the public. None were asked.

(8:23 AM) Mr. Marshall then noted the upcoming meetings. **March 26th at 6:45 PM** Public Hearing - hybrid meeting, and the **April 4th 7:30 AM** zoom meeting.

(8:24 AM) Mr. Marshall asked for a motion to adjourn the meeting. **The motion was made by Ms. Seeley and seconded by Mr. Chapman. Adjournment was concluded unanimously by roll call.**

List of Exhibits

- Agenda
- Draft Minutes for the February 27th Meeting
- Public Hearing – 65 Jackson Road
 - Mass Brewery – Victualler License Application
 - Staff Report – Mass Brewery
 - Flik Catering – Victualler License Application
 - Staff Report – Flik Catering
 - Floor Plan R2
 - Overall floor plan
- New Business
 - Barnum/Patton Road Intersection
 - RDA Staff Report
 - Read File