

**Devens Enterprise Commission
DEC Public Hearing & Meeting
Minutes September 5, 2019**

Members: William Castro, Duncan Chapman, Dix Davis, Jim DeZutter, Melissa Fetterhoff, Christopher Lilly, William Marshall, Paul Routhier

Staff: Peter Lowitt, Neil Angus, Kate Clisham

Absent: Robert Markley, Jim Pinard, Marty Poutry

W. Marshall called the meeting to order at 7:35 AM and read the agenda.

M/S/V J. DeZutter, D. Davis to approve August 8, 2019 minutes as written; approved unanimously.

7:37 AM Continued Public Hearing: 8 Jackson Road, LLC – Level 2 Unified Permit application submitted by 8 Jackson Road, LLC for the construction of a +/- 26,058 square foot building addition and associated site improvements. Property located at 7 Jackson Road (Bio-Techne) (Parcel ID # 8-21-200), Devens MA

W. Marshall read the Mullin Rule Affidavits into the record from Duncan Chapman and Melissa Fetterhoff, stating they have reviewed the information from the previous hearing and feel confident they can vote on the project (Bio-Techne). P. Lowitt reported the letter from Devens Engineering was submitted after the last meeting stating the continued discharge to the Devens Municipal Stormwater system from this project is allowed with conditions. W. Castro asked what would happen if it was discontinued. N. Angus noted the project would have to install temporary measures. N. Angus reported this is a new process and the letter will be the standard from Devens Engineering going forward for all Unified Permits. Public comment: none. **M/S/V** P. Routhier, D. Davis to close the public hearing; approved unanimously.

P. Lowitt indicated the company name has changed but they had planned for an expansion from the outset. The expansion will be a welcome addition to the community. P. Lowitt reviewed the draft Record of Decision going through the Findings and Conditions.

M/S/V J. DeZutter, D. Davis to approve the Unified Permit as outlined in the Record of Decision; approved unanimously by roll call vote.

7:46 AM Old Business:

DEC Personnel – Draft Family and Medical Leave Policy

P. Lowitt indicated Jim Lampke, DEC legal counsel, was not available this morning however he has done a bit of research. P. Lowitt reported it turns out businesses above 50 employees have to provide a cost share for the state's new FML law going into effect October 1. He reported MassDevelopment is planning to cover the employer and the employee share for the first year. P. Lowitt noted Jim Lampke indicated there is an exemption for municipalities. J. Lampke called the state and they agree DEC would fall under that category. He asked to get a ruling regarding the DEC in writing so we should have more clarity at our September 24th meeting. P. Routhier said that doesn't make any sense that municipalities are exempt. C. Lilly asked if we were excluded since we have less than 50 employees. P. Lowitt indicated no, not in this case and J. Lampke is looking into it.

W. Marshall noted our next meeting is scheduled for Tuesday September 24, 2019 at 6:45 PM.

W. Marshall reported when the Executive Committee met last week they discovered P. Lowitt has been here for 20 years and he realized it was not mentioned during the regular meeting. He took this time to congratulate P. Lowitt. W. Marshall indicated the Commission is grateful to be a partner with P. Lowitt for the important process of Devens. Congratulations from all.

7:51 AM Public Comment: Robert Gardner, Ayer resident, applauded P. Lowitt on his years of service to Devens and the DEC.

7:52 AM M/S/V J. DeZutter, D. Davis to adjourn, approved unanimously.

List of Exhibits –

- Agenda, Draft Minutes –8/8/19
- Letter from Devens Engineering 9/4/19 RE: Bio-Techne discharge to Devens Municipal Stormwater System
- Draft Record of Decision – 8 Jackson Road, LLC (BioTechne)