

Devens Enterprise Commission (DEC)
Remote Hybrid Public Hearing and Regular Meeting
Minutes September 11, 2025

Members: Melissa Fetterhoff, Christopher Lilly, William Marshall, Jim Pinard, Marty Poutry, Paul Routhier, Carl Sciple, Deborah Seeley
Members Absent: Duncan Chapman, Robert Garnder, Debra Rivera
Staff: Neil Angus, Beth Suedmeyer, Dawn Babcock
Guests: Meg Delorier (EVP Devens MassDevelopment), Patrick McCarty (McCarty Construction), Alan Fluet (MacDevens SMC Limited)

(7:30 AM) Chairman William Marshall called the meeting to order

Mr. Marshall read that the Devens Enterprise Commission (DEC) Meeting is being held virtually pursuant to the March 28, 2025, Act signed by the Governor extending the ability of state and local public meetings to be held in a hybrid or remote format through June 30, 2027. 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 will be recorded by the Devens Enterprise Commission.

(7:33 AM) Chairman Marshall asked for a moment of silence in memory of 9/11/01.

(7:35 AM) Mr. Marshall reviewed the agenda of this morning's meeting.

Review Minutes:

- **(7:37 AM) August 26th Draft Minutes:** Mr. Marshall asked if there were any comments about the minutes. None were mentioned so Mr. Marshall then asked for a motion to accept the minutes as noted. **The motion was made by Mr. Routhier and seconded by Mr. Lilly. The minutes were approved by a roll call vote. Ms. Fetterhoff and Mr. Pinard abstained from the vote as they didn't attend the August 26th meeting.**

Public Hearing Continued:

- **(7:38 AM)** Level 2 Unified Permit Site Plan Application submitted by SMC Ltd. for a proposed +/-60,200, square foot building addition and associated site improvements. **Property located at 18 Independence Drive** (Parcel ID #026.0-0013-0600.0), Devens, MA, in the Rail, Industrial, and Trade-Related Uses District: Mr. Angus noted that the DEC has been working with the applicant since the last meeting and as recent as thirty minutes ago. They have addressed and resolved a number of the conditions already and have made headway the remaining issues. The main outstanding issues is the sound study and Mr. McCarty of McCarty Construction has noted that they have been working with their sound consultants and believe they have configured the best course of action to take; purchasing the best units for the space as well as ensuring the building temperatures are monitored to ensure the machines are running are only when required. Mr. McCarty did note that winter is coming in quickly so he would like to get started on this project as soon as possible. Mr. Angus then noted that he has drafted a Record Of Decision (ROD), which has three waivers that need to be voted on, he also noted that Ms. Fetterhoff and Mr. Pinard have signed the Mullin Rule and these have been included as exhibits in the ROD. Mr. Marshall asked the commissioners and then the public if there were any questions and none were asked by either. Mr. Marshall then asked for a motion to close the hearing. **The motion to close the hearing was made by Mr. Routhier and seconded by Ms. Seeley. The motion to close the hearing was unanimously approved by a roll call vote.**

Mr. Angus then noted the three waivers to be considered; 1) Parking, with this being on a corner lot, it is difficult to have all the cars behind the building. They are working on ensuring proper screening is established. The other two waivers are regarding Stormwater but Mr. Angus has reviewed these with our Peer Review

Engineers and sees no issue with any of these waivers. Mr. Marshall asked if there are any questions none were raised. So, Mr. Marshall then asked for a motion to approve the waivers as noted. **The motion was made by Mr. Lilly and seconded by Mr. Routhier. The motion to approve the waivers was approved unanimously by a roll call vote.**

Mr. Angus then noted that he has updated the draft ROD with the signed Mullin Rule Documents, and the emails received since originally written. Mr. Angus then went over the proposed ROD findings, noting that they are planning to reduce the loading docks from 13 to 6, reducing the hours of operation from 6 – 6 to 8 – 5. Their parking ratio is under the maximum allowed and they have plans to include Bike Rack, Ride-Share Parking, and the stormwater filtration system being under the parking. He then went over the suggested conditions noting that the first ten conditions are the standard conditions and the remaining are Signage – Truck Route & Truck Idling; Night Lighting; Landscaping; and Sound Study. Mr. Angus noted that the abutters had been notified and the 30-day response time has lapsed. Mr. Marshall asked if there were any questions and none were asked so he then asked for a motion to approve the Unified Permit as presented. **The motion to approve this Unified Permit was made by Mr. Pinard and seconded by Mr. Poutry. The motion to approve the Unified Permit was approved unanimously by a roll call vote.**

New Business:

- **(8:00 AM)** Review and ratification of Director's decision to issue a Negative Determination of Applicability for a controlled invasive species treatment program for Japanese Knotweed along a portion of the Nashua River. Property located off of MacPherson Road within the North Post area of the Devens Regional Enterprise Zone: Mr. Angus noted that the legal notice requirements were not reached for today's meeting. So, he recommended this be tabled until the September 17th 7:30 AM special meeting.
- **(8:02 AM) Read File:** Mr. Angus noted that there are five articles in the read file; Letter sent to Republic Services, New Principal at Parker Charter, MIT Fusion Spinoff, Round Table Invite, Commissioner Award for Golf League.

Old Business:

- **(8:05 AM)** Mr. Marshall noted that the Devens Jurisdiction Framework Committee has returned to their meeting schedule and he and Mr. Angus attended the meeting yesterday. Mr. Marshall noted that MassDevelopment is still absent from the meeting but they are still committed to return but not until 2030. Mr. Angus noted that they voted on a new Chair. So, replacing Victor Normand will be Jannice Livingston, of the Ayer Selectboard.

(8:07 AM) Public Comment:

- Mr. Marshall asked if there were any questions/comments from the Public, none were asked. Mr. Marshall recognized Ms. Delorier for all her service here in Devens.

(8:08 AM) Mr. Marshall noted the next scheduled meetings are a special meeting on September 17th at 7:30 AM (Zoom Meeting), September 30th at 6:45 PM, (Hybrid Meeting), and October 9th at 7:30 AM, (Zoom Meeting)

(8:09 AM) Mr. Marshall asked for a motion to adjourn. The motion was made by Mr. Pinard and seconded by Ms. Seeley. The motion to adjourn was unanimously approved by a roll call vote.

List of Exhibits

- Agenda
- August 26th Minutes
- 18 Independence Drive Draft Record of Decision
- Read File