

**Devens Enterprise Commission
DEC Public Hearing & Meeting
Minutes February 23, 2021**

Members: Duncan Chapman, Dix Davis, Jim DeZutter, Christopher Lilly, Robert Markley, William Marshall, Marty Poutry, Paul Routhier, Debra Rivera

Staff: Peter Lowitt, Neil Angus, Kate Clisham

Absent: Melissa Fetterhoff, Robert Gardner, Jim Pinard

This meeting was held virtual via Zoom Meeting in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A. s.20. W. Marshall called the meeting to order at 6:47 PM and requested a moment of silence in light of the events and those that were injured yesterday at the US Capitol building. W. Marshall read the agenda and took roll call and went over the virtual meeting procedures. The following individuals were also in attendance: Gene Sullivan, Mike Begnoches

M/S/V J. DeZutter, D. Davis to appoint D. Rivera as a voting member; approved unanimously.

6:52 PM **Minutes:** **M/S/V** P. Routhier, D. Davis January 26, 2021 minutes as written; approved unanimously.

Continued Public Hearing:

6:52 PM **MacArthur Ave., LLC Level 2 Unified Permit including site plan approval for the construction of a +/- 55,000 sf light manufacturing and office space, and associated parking, drainage, utilities and landscaping. Property located at 4 MacArthur Avenue, Devens, MA (Parcel ID#14-4-900), in the Innovation & Technology Business Zone and Viewshed Overlay District.**

P. Lowitt indicated the open items have been addressed by the applicant. He asked for clarification on the number of parking spaces proposed. He indicated the issue is the amount of impervious materials. After review the applicant proposed porous pavement for the parking area and installing a number of trees to reduce the amount of impervious surface area. P. Lowitt reported the applicant has also addressed the stormwater management requests from our peer review consultant and agreed to incorporate low impact development (LID) throughout the site. He reported the applicant must coordinate with MassDevelopment for this site on utility, sidewalk, drainage, landscaping and curb installation. The applicant had requested two waivers but withdrew one after revising their plans. P. Lowitt reported the applicant has requested a waiver to allow a 10' front setback rather than the required 25' setback on the Givry Street frontage portion. He indicated this will allow the applicant additional room to move away from the abutting Army parcel. P. Lowitt reported the lot is located on the corner of Givry and MacArthur and staff agrees with this waiver request. He recommended closing the public hearing. **M/S/V** D. Davis, M. Poutry to close the public hearing; approved unanimously by roll call vote. P. Lowitt recommended voting on the waiver before reviewing the draft Record of Decision. **M/S/V** D. Davis, M. Poutry to approve the 10' Givry Street front setback waiver request; approved unanimously by roll call vote. P. Lowitt reviewed the draft Record of Decision with Findings and Conditions. He noted the need for the roof top units to be directed away from the adjacent parcel with the Army dorms. J. DeZutter asked about the buildings intended use. P. Lowitt indicated it will be a light manufacturing building for tenant Nexius. Nexius assembles components for new 5G wireless facilities. **M/S/V** M. Poutry, D. Davis to approve the Unified Permit; approved unanimously by roll call vote.

7:06 PM New Business:

Ratification of Directors preliminary Determination of Use Zoning Compliance for a proposed life science facility, including office, research and development, and light manufacturing activities. Property located at 16 Bulge Road (Parcel ID #16-18-200)

P. Lowitt reviewed the request for Determination of Use Zoning Compliance from Matt Boone of Scannell Properties from Indianapolis representing a client, referred to as Project Eagle, who wishes to remain anonymous at this time. He indicated after review he determined the use complies with the zoning district and recommends the Commission ratify the Directors finding and vote to find the proposed use is an allowed use in the Innovation, Technology, Business (ITB) zoning district. W. Marshall asked if this was the parcel with former military housing across from Red Tail Golf Course. P. Lowitt indicated yes, the housing area has been torn down and the land remediated. He reported we can expect Project Eagle to file a Level 2 Unified Permit application in the near future. J. DeZutter asked about the use. P. Lowitt indicated the company works within the life science industry. N. Angus noted this is just the use determination and we'll get additional information when they submit an application. C. Lilly asked if there will be a name attached to the application. P. Lowitt indicated he expects a formal application. The use determination request shows the proposed uses are allowed within the

ITB zoning district. N. Angus displayed the table of permitted uses and noted the request indicates all uses proposed are permitted in the ITB. **M/S/V** M. Poutry, D. Davis to ratify the Directors Determination of Use as requested; approved unanimously by roll call vote.

7:16 PM Review and Approval of 2020 Draft Annual Report

N. Angus displayed the 2020 Draft Annual Report. D. Davis stated this is a very impressive report. N. Angus reported it is quite a lot but it shows the extent of how busy we were over the last year. He noted the most recent quarterly report is also incorporated here so we won't go over all of that same information. He reported all current projects are following the COVID-19 safety protocols. This past year we saw a decrease in overall permit applications and an increase in Level 2 Unified Permit applications. N. Angus noted the economic impact Devens has had in the region as shown by the recent Donahue Institute Report. He indicated we had several enforcement issues and of note were the truck route violation notices. He reported staff continues to work with MassDevelopment and State Police on enforcement of the designated truck route. N. Angus highlighted the work by the Nashua River Watershed Association, the DEEC and Great Exchange program, the complete streets program, the partnership with Ayer on the West Main Street corridor, as well as the climate action plan and sustainability efforts. He reported staff did work from home several days each week and one person staffed the office each week in an effort to avoid contact during the pandemic. He noted we were able to continue providing services with minimal disruption to the public and contractors which allowed much of the work in Devens to continue. It was a busy year and we had an increased effort in community outreach with weekly COVID-19 updates on the DEC website as well as social media updates. N. Angus reviewed the accomplished goals from the Five Year Review elements. P. Lowitt inquired of the Commission if the Annual Report has too much detail, too little detail or if they think its just enough. Should we link to previous Five Year Reports and shorten the Annual Report each year. J. DeZutter liked the idea of linking to previous Five Year Reports as well in an effort to save time and paper. N. Angus agreed it would shorten the Annual Report significantly. J. DeZutter indicated its very important to keep the reports as part of Devens history. W. Marshall thanked staff noting we have been very consistent in our reporting and he hopes the public has the opportunity to read them. He believes its important that we remain open and transparent in providing a record of what goes on at Devens. After discussion, the majority agreed to shorten the Annual Reports and link to previous Five Year Reports. You can view the 2020 Annual Report on the DEC website:

https://www.devensec.com/meetings/2020_DEC_Annual_Report_final.pdf

M/S/V C. Lilly, M. Poutry to approve the 2020 DEC Annual Report; approved unanimously by roll call vote.

7:54 PM Social Media Minute – Review of February DEC Social Media Activity

N Angus reported this new agenda item was suggested by one of our consultants. He indicated we'd like to get an idea of how many of us are on social media and ask if you follow the DEC and share posts. He noted with the pandemic the amount of posts has increased and we've gotten more followers, likes and reposts. Those followers have helped spread the word of the work we're doing here at Devens. He reviewed several recent posts on climate action, The Great Exchange and the Apple Country project noting how the number of people who reacted to each post. He reported a post about Colin Powell received the most buzz, reaching over 21,000 followers. N. Angus provided all present on Zoom with a short survey regarding individual social media usage/habits. He has been working to promote the page and asked everyone to follow and share posts when possible to increase our visibility.

8:02 PM **Old Business:** None

8:02 PM **Public Comment:** None

W. Marshall reported our next meeting will be held on March 4, 2021 at 7:30 AM.

8:03 PM **M/S/V** J. DeZutter, W. Marshall to adjourn, approved unanimously.

List of Exhibits –

- Agenda, Draft Minutes January 26, 2021
- Virtual Hearing Procedures
- MacArthur Ave., LLC Revised Plans
- MacArthur Ave., LLC Staff Report
- MacArthur Ave., LLC Letter Regarding Parking/Pavement
- MacArthur Ave., LLC Draft Record of Decision
- 16 Bulge Road – Determination of Use Zoning Compliance Use Letter
- 16 Bulge Road – Determination of Use Zoning Compliance Memo Confirming Use Letter
- Draft 2020 Annual Report