

***Devens Enterprise Commission (DEC)  
Public Hearing and Regular Meeting  
Minutes May 9, 2024***

**Members Present:** Melissa Fetterhoff, Robert Gardner, Christopher Lilly, William Marshall, James Pinard, Martin Poutry, Paul Routhier, Debra Rivera, Deborah Seeley

**Staff:** Neil Angus, Beth Suedmeyer, Dawn Babcock

**Guests:** Meg Delorier (VP MassDevelopment), Robert Jenkins (MassDevelopment Real Estate), Carl Sciple (Harvard Resident), Jonas Agnus (TPE Solutions), Beth Stagnone (TPE Solutions), Brent Heinzer (BTH Architect), Kasey Ferreira (Howard Stein Hudson)

**Members Absent:** Duncan Chapman

**(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.

**(7:39 AM) Chairman Marshall noted, we will need to elect Ms. Rivera as a voting Regional Representative for this meeting. The motion was made by Mr. Gardner and seconded by Mr. Lilly. The nomination was approved unanimously by a roll call vote.**

**(7:40 AM) Mr. Marshall reviewed the agenda of this morning's meeting.**

**(7:42 AM) Review Minutes:**

- **April 30<sup>th</sup> 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. Gardner and seconded by Mr. Lilly and the motion to accept the minutes was approved by a roll call vote.** Both Ms. Fetterhoff and Ms. Rivera abstained as they were not present for the April 30<sup>th</sup> meeting.

**Public Hearings: Continued**

- **(7:43 AM) Level 2 Unified Permit application for Site Plan and Wetland Notice of Intent submitted by Jonas Angus - TPE Solutions for the construction of a +/-31,511 sf building with associated parking, grading, drainage, landscaping, lighting and utility improvements on a proposed +/- 6.65-acre parcel located at 33 Lake George Street (Parcel ID # 008.0-0021-0401.0), Devens, MA in the Innovation & Technology Business Zoning District.** Mr. Angus noted that he has been working with the Applicant on the revisions but have not received them as of this morning so he would recommend continuing this hearing until the May 28<sup>th</sup> 6:45 PM meeting. Mr. Angus noted that he has spoken with Jonas Angus and Ms. Stagnone of TPE Solutions, and they would like to continue this hearing until the 28<sup>th</sup> as well. Mr. Angus noted that the Architect has revised the renderings to bring the height of the building down to 45 feet as the building will be in the Viewshed District. Mr. Ferreira noted that the design will remain the same just the height will be adjusted. Mr. Ferreira also stated that he is making revisions and will be withdrawing some of the waiver requests, Mr. Marshall asked if there were any questions. Mr. Gardner asked if the height of the building will be within the Viewshed District limits? Mr. Angus confirmed that the new adjustments will bring the building to the 45-foot height limit. Mr. Marshall then asked for a motion to continue this hearing until the May 28<sup>th</sup> 6:45 PM Public Hearing. **The motion to continue this hearing was made by Ms. Seeley and seconded by Mr. Gardner. The motion to continue this hearing to the May 28<sup>th</sup> hearing was unanimously approved by a roll call vote.** Mr. Agnus did note that Ms. Fetterhoff and Ms. Rivera reviewed the

documents and recording of the April 30<sup>th</sup> meeting and signed Mullin Rule affidavits which will become part of the record of this hearing.

#### Public Hearings:

- **(7:50 AM) Event Permit and a One-Day Wine and/or Malt Beverage License request by MassDevelopment (Devens Recreation) for a Food Truck and Craft Festival to take place at Verbeck Field at 27 Antietam Street (Parcel ID #31-99-900) on Saturday, June 1, 2024, from 11AM to 6PM, with a rain date of Sunday, June 2, 2024.** Mr. Angus introduced Ms. Hillary Clark from Devens Recreation and noted that this is the third year they will be holding this event on Verbeck Field. The only major changes to the event are they have added an inflatable house for the kids and a rain date of June 2<sup>nd</sup> has been added to the schedule should it be needed. Mr. Angus went over the layout for the event and noted that there will be a 50X60 barricade around the area where liquor will be served and will have TIPS certified staff members working the area. Mr. Angus also noted that like in the past they will be allowing minors in the barricaded area with adults to prevent them being unattended at the event. Ms. Clark noted that she has spoken with Lieutenant Pruett who wasn't able to attend today's meeting, and he doesn't have any particular objections to the issuance of the one-day license, as long as relevant policies are followed. Mr. Marshall asked if there were any questions and Mr. Routhier asked if they had insurance? Mr. Angus noted that MassDevelopment has supplied the proof of insurance, and the Inflatable Company also has insurance. There were no other questions and Mr. Marshall then asked for a motion to close the hearing. **The motion to close the hearing was made by Mr. Gardner and seconded by Mr. Poutry. The motion to close the hearing was unanimously approved by a roll call vote.** Ms. Fetterhoff abstained from voting as the Nashoba Valley Chamber of Commerce is working With Devens Recreation to obtain vendors for the event. Mr. Marshall then asked for a motion to approve the one-day license for wine and/or malt beverages with conditions as presented in the staff report. **The motion was made by Mr. Gardner and seconded by Mr. Lilly. The motion to approve the one-day license was approved unanimously by a roll call vote.** Ms. Fetterhoff abstained again as she is assisting Devens Recreation with the event.

#### New Business:

- **(7:59 AM) Review DEC Meeting and Public Hearing Schedule for July – December 2024:** Mr. Angus asked the Commissioners to review the draft schedule for the remainder of the year and if there are any dates that don't work for you, please let us know. Mr. Marshall asked for a motion to approve the dates proposed. **The motion was made by Ms. Seeley and seconded by Mr. Gardner. The motion to approve the dates was unanimously approved by a roll call vote.**
- **(8:02 AM) Read File:** Ms. Suedmeyer noted with it being only a week since the last meeting there are only two articles from the Harvard Post that have been posted.
- Mr. Marshall asked if there were any other New Business topics. Mr. Angus noted that he has been working with the Nashua River Watershed Association on a Water Quality Grant and as of yesterday the application was submitted to the DEP.

#### Old Business:

- **(8:04 AM)** Mr. Marshall noted that he and Mr. Angus attended the Devens Jurisdiction Framework Committee meeting yesterday. Mr. Marshall noted that before Mr. Dan Rivera resigned from MassDevelopment he had offered to help with the Town Warrant for the Rezoning of Vicksburg Square. Mr. Marshall wonders if Dan O'Connell as the Interim CEO, will continue with Dan Rivera's offer. Mr. Angus noted that DJFC will be covering the Social Services next month. Mr. Marshall also noted that the Legislature had a hearing this week on the economic bill which contained the language proposing the elimination of both the commercial square footage and housing caps.

**(8:09 AM) Public Comment** Mr. Marshall asked if there were any questions from the public. None were asked.

**(8:09 AM)** Mr. Marshall then noted the upcoming meetings. **May 28<sup>th</sup> at 6:45 PM** Public Hearing - hybrid meeting, and the **June 6<sup>th</sup> 7:30 AM** zoom meeting. Mr. Angus added that there will also be an Executive Committee Meeting **May 21<sup>st</sup> at 7:30 AM** the invitation and agenda will be sent out soon. Ms. Seeley asked if this will be a zoom or in person meeting? Based on the comments it will be zoom.

**(8:10 AM)** Mr. Marshall asked for a motion to adjourn the meeting. **The motion was made by Ms. Seeley and seconded by Mr. Gardner. Adjournment was concluded unanimously by roll call.**

#### **List of Exhibits**

- Agenda
- Draft Minutes for the April 30<sup>th</sup> Meeting
- Public Hearing – Continued
  - 33 Jackson Road
  - Mullin Rule Affidavits for Commissioners Fetterhoff and Rivera
    - Non-Compete Response Letter from Shirley
- Public Hearing – New
  - 27 Antietam Road – Food Truck Festival
    - Public Notice
    - Staff Report
- New Business
  - DEC Meeting and Public Hearing Schedule for July – December 2024
  - Read File