

Staff Report

Date: November 4, 2020

To: Devens Enterprise Commission

From: Peter Lowitt, FAICP, Director; Neil Angus AICP CEP, Environmental Planner

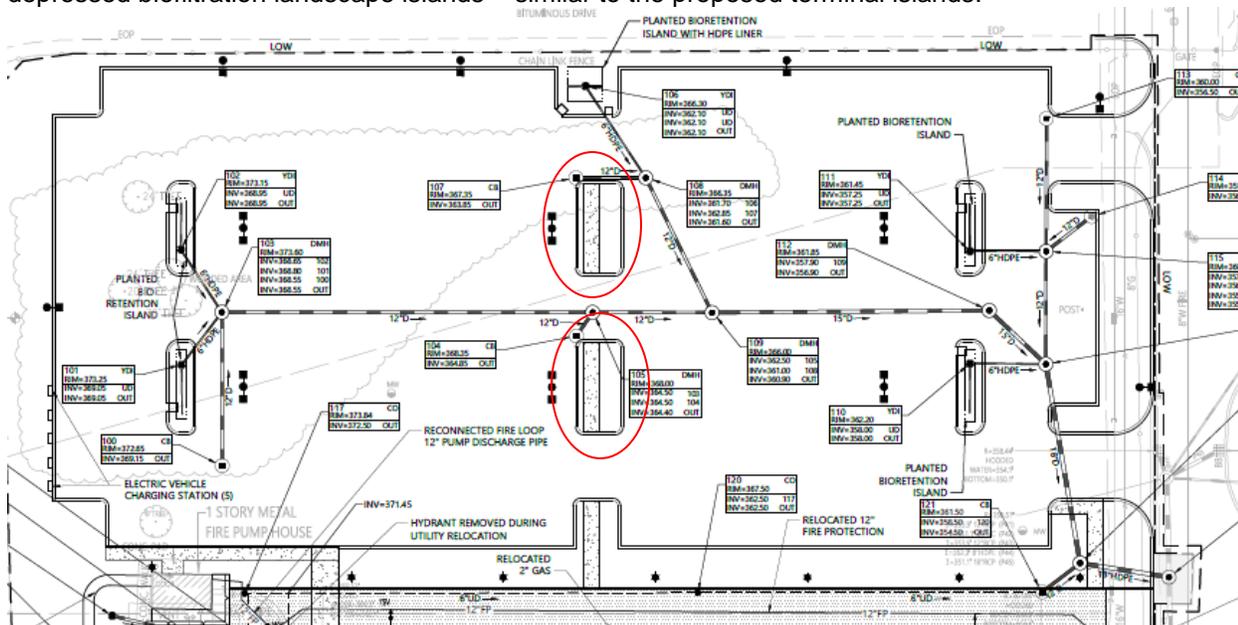
RE: Level 2 Unified Permit Amendment– BMS Cell Therapy Facility Interim Parking and Loading Dock Modifications

Remaining Site Issues:

Stormwater/Low-Impact Development: The DEC's peer review engineers have reviewed the stormwater design and have requested the following minor modifications:

1. Revise the bioretention detail to include the impermeable liner.
2. Revise the catch basin and manhole details to note these will be pre-cast structures.
3. Evaluate further opportunities to increase bioretention within parking lots.

Regarding the third item, Staff has discussed this with the Applicant's engineer and they have agreed to modify the two central/intermediate landscape islands in the northern-most parking lot from raised islands to depressed biofiltration landscape islands – similar to the proposed terminal islands:

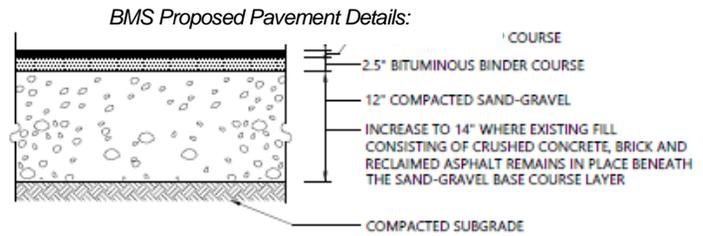


Biofiltration landscape islands in these locations would be consistent with 974 CMR 3.04(3)(a)1.e. which requires landscape islands to serve a functional purpose for stormwater infiltration and evapotranspiration. We reviewed this with our peer review engineers and they agreed that this design modification could be addressed as a condition of approval.

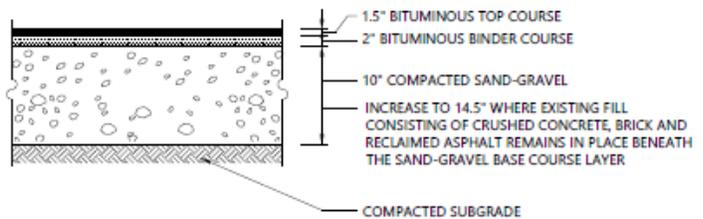
Reserving Approvals for the Parking Structure and Warehouse Expansion: BMS is requesting the DEC allow them to keep the site plan approval for the 3-story 600-space parking structure and the 44,850 square-foot expansion to the existing warehouse building in the event these are required for future expansions. If the Commission is in agreement, it could allow staff to review any future proposed parking or warehouse expansion with the previously approved CTF Unified Permit Record of Decision dated April 9, 2020. If there are no substantial changes from what was previously approved, it could be approved administratively by Staff and only a building permit would be required. If the building permit plans and supporting information

vary significantly from what is shown on the previously approved plans, a site plan modification (Level 2) would be required. Both structures would still also require building permits and need to meet the current building codes at the time of construction (approvals would not be grandfathered for building, plumbing, gas, electrical, sheet metal, and fire safety codes).

Proposed pavement thickness: Regular pavement and heavy-duty pavement details on 100-10C-600.2 do not comply with 974 CMR 3.04(3)(a)2.a. and b. which require Heavy Duty pavement to have 12" of compacted gravel base, 3" of bituminous base course, 1½" of bituminous binder course, and 1½" of bituminous concrete top course. The Applicant's proposed Heavy Duty Pavement is actually slightly thicker. The DEC's regular pavement detail requires 12" of compacted gravel sub-base, 2" of bituminous binder course and 1½" of bituminous top course. This is a minor difference in the compacted subgrade material (2" less). Section 3.04 (3)(a)(2)(c) of the DEC regulations states that the Applicant may pose modifications to the pavement construction where anticipated traffic and usage justify a lesser standard. The pavement structure proposed is consistent with the rest of the BMS campus, which was based on the recommendations of the original Geotechnical Engineers and previously approved by the DEC. To address this, the DEC should make a finding that the proposed regular and heavy-duty pavement details are sufficient based on previously submitted geotechnical investigations.



Heavy Duty Flexible Pavement



Standard Duty Flexible Pavement

Miscellaneous Details: There were also a few additional minor plan changes that need to be made based on review comments from our engineers and staff:

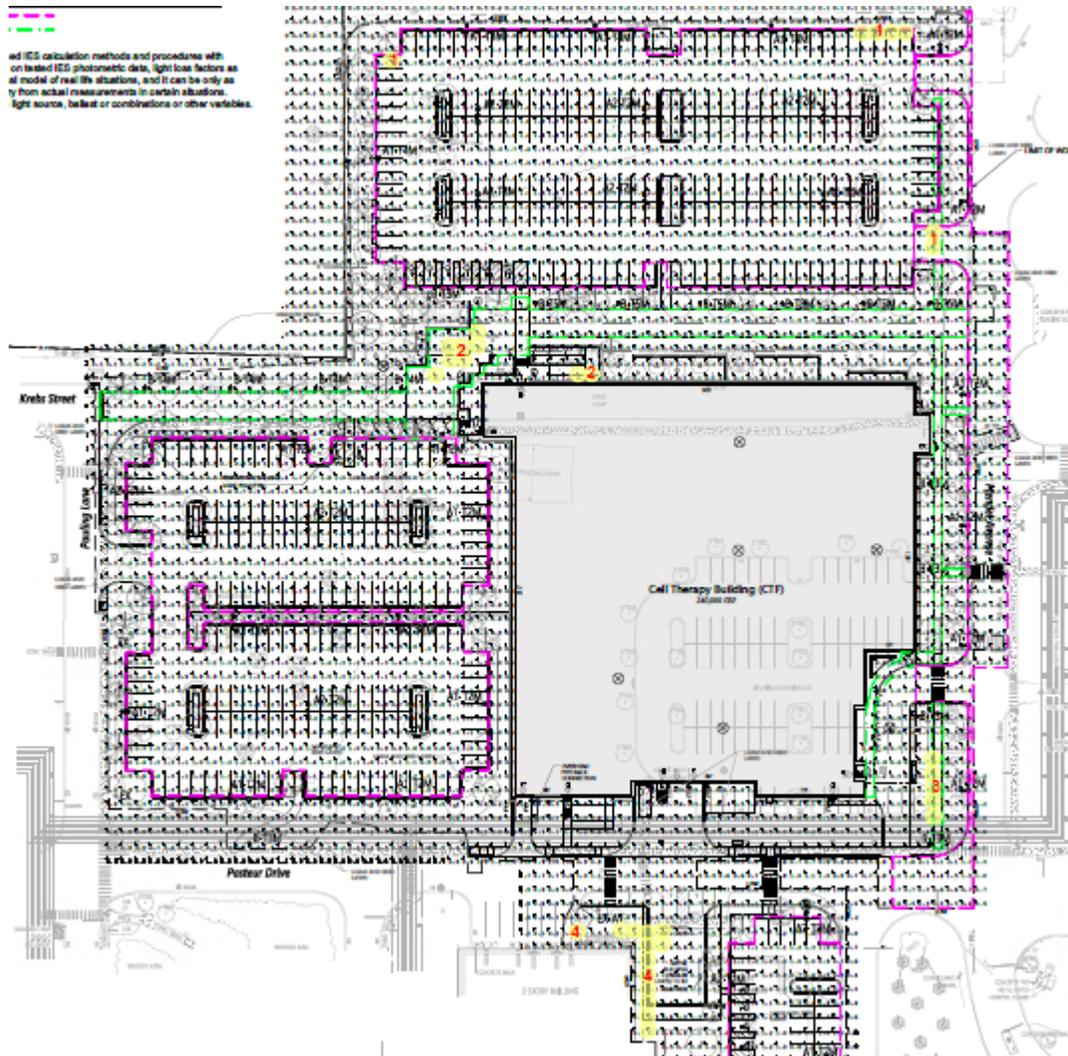
1. Catch basin detail on 100-10C-603.2 should be updated to include the eliminator hood or equal;
2. Add temporary sedimentation basin locations and any other additional controls on sheet 100-10C-500.2;
3. Add updated site zoning table noting the area of the site, the percentage of the site to be covered by impervious surfaces (such as buildings and parking areas), the area to be devoted to open space, the area to be paved for parking, driveways, loading spaces, and sidewalks, etc.,
4. Add revised loading dock building elevation to the final plan set.

As these changes are minor and do not impact the development layout of the site, staff has included them as conditions of approval in the draft ROD.

Waiver Requests: The Applicant has updated their waiver requests to include the following waiver as part of this application:

974 CMR 3.04(6)(a)3.a. - access road/driveway and parking lot lighting shall be a minimum of 0.5 footcandles.

Minor areas around the perimeter of the new parking and walkway areas do not meet this requirement (yellow highlighted areas in the diagram on the next page) however the Applicant has modified the lighting layout to address some of these deficiencies and all critical areas like walkways and drive aisles still have some level of lighting for safety. The photometric plan does not take into account some of the building-mounted lighting as well.



This waiver is consistent with previous approvals for this site and will further aid in reducing light pollution within the Viewshed Overlay District. Staff has no concern with this waiver request.

Process: The application was submitted on September 15, 2020 and a Determination of Completeness was issued on September 18, 2020. Copies of the application were received by the surrounding Towns on September 22, 2020. Legal notices were placed in Nashoba Publications on October 2 and 9, 2020. All abutting property owners were duly notified by certified mail. The 30-day Town comment period expired on October 23, 2020. No comments were received. The 75-day review period for the DEC to act on this application ends on December 7, 2020.

Recommendation: The proposed interim surface parking and CTF loading dock modifications are consistent with the allowed uses and campus master plan for the BMS project. With some minor plan additions and amendments, the proposed amendments will comply with the DEC Rules and Regulations. Once the Applicant has presented the project and all questions from the Commission and public have been heard, staff would recommend the Commission close the hearing. A draft Record of Decision has been prepared for the Commission's consideration.