

**Unified Permit
Record of Decision
Salad Bowl Farms, LLC
105 Walker Road, Devens
August 6, 2015
Devens Parcel #39-14-500**

1. Applicant:

The applicant is Salad Bowl Farms, LLC, 84 Shady Brook Lane, Carlisle, MA. The landowner is Massachusetts Development Finance Agency, 99 High Street, Boston, MA.

2. Premises and Proposed Project:

The applicant is seeking Unified Permit for site plan approval for the development of a +/- 215,700 sq.ft. greenhouse, +/-5,300 sq.ft. support building and associated site improvements on approximately 13 acres of land located at 105 Walker Road (Devens Parcel #39-14-500) within the Environmental Business Zone and Watershed and Aquifer Water Resources Protection Overlay District. The site has more than 100 feet of frontage, in compliance with the minimum requirements of 2 acres of land area and 100 feet of frontage as per the Devens Bylaws.

3. Submission:

The following is a list of exhibits that have been included as part of the record for this Application:

1. Application submittal entitled "Supplemental Data Report Salad Bowl Farms, 105 Walker Road, Devens Massachusetts prepared for the DEC by Howard Stein Hudson 114 Turnpike Road, Chelmsford, MA 01824 dated June 15, 2015. This submittal included the following:

- Cover Letter
- Level II Unified Permit – Checklist for Determination of Completeness
- Existing Conditions Narrative
- Proposed Conditions Narrative
- Waiver List
- Narrative - Compliance with Reuse Plan
- Narrative - Compliance with the Devens Open Space and Recreation Plan and the Devens Main Post Trails
- Certified List of Abutters
- LEED Green Building Rating System Checklist
- Stormwater Management Standards Report
- Hydrology Report
- Erosion and Sedimentation Control
- Determination of Completeness Checklist
- Industrial Performance Standards Checklist
- DEC Application

2. Plans entitled "Level Two Permit Site Plan for Proposed Greenhouse, Salad Bowl Farm, 105 Walker Road, Devens, Massachusetts," prepared for Salad Bowl Farm LLC, prepared by Howard Stein Hudson, date June 15, 2015, Sheets 1 to 8 of 8. Revised 7-20-15 by Howard Stein Hudson and consisting of Sheets 1 to 14, later revised to 1 to 17 with a revision date of 8/3/2015 as follows:

- Sheet 1 Title Sheet dated 6/15/2015, revised 7/20/2015 and 8/3/15
- Sheet 2 Locus Map " "
- Sheet 3 Erosion and Sedimentation Control Plan " "
- Sheet 4, 5 Layout , Materials Landscaping and Lighting Plan " "
- Sheet 6,7 Grading, Drainage and Utility Plan " "
- Sheet 8,9 Lighting Plan " " by Echo Lighting
- Sheet 10-12 Site Detail Sheets " "
- Sheet 13,14 Sewage Disposal Plan dated 7/20/2015 and revised 8/3/2015
- Sheet 15 Cut and Fill Analysis dated 8/3/2015
- Sheet 16 Post Development Watershed Map dated 7/20/2015 revised 8/3/2015
- Sheet 17 Pre-Development Watershed Map " "

3. Level II Unified Permit – Checklist for Determination of Completeness Issued by DEC, July 2, 2015.
4. Determination of Completeness deemed Incomplete by Director on June 24, 2015.
5. Letter prepared by Katie Enright of Howard Stein Hudson, dated July 6, 2015, to the DEC regarding plan revisions dated July 2, 2015 for Salad Bowl Farm addressing incompleteness of initial filing including additional supporting information:
 - Maintenance schedule
 - Post Development Watershed Map
 - Pre-Development Watershed Map
 - Recorded Conservation and Management Permit for NHESP file number 11-30-144
 - Topographic Site Plan dated June 25, 2015 prepared by WSP, 155 Dunstable Road, Nashua , N.H. for Salad Bowl Farm
 - Plan revisions.
6. Letter prepared by Katie Enright of Howard Stein Hudson, dated July 20, 2015, to the DEC regarding 7/20/15 plan revisions for Salad Bowl Farm at Devens.
7. Soil Suitability Report for On Site Septage Test Pit result 1-5.
8. Supplemental Data Report Revised July 2, 2015 and including) the following:
 - Hydrology
 - Stormwater Management Standards
 - Operations and Maintenance Plan
 - Erosion and Sedimentation Notes
 - Hydrocad
9. Director’s Determination of Completeness dated July 2, 2015;
10. Plan Elevations and 3-d photo image of project for Salad Bowl Farm, Walker Road prepared by Larssen Ltd; Greenhouse Engineering, Burlington, Ontario, Canada consisting of three sheets dated 7/15/15;
11. G.E. Jenbacher Technical description Cogeneration Unit JMS 612.(27 pages).
12. Video Baby Leaves showing similar facility and its operation dated 6/2/2013.
13. JNEI Peer Review letter dated July 23, 2015.
14. Public Hearing Notice Fax to Town Clerks of Ayer, Harvard, Shirley, Lancaster and MassDevelopment, from Peter Lowitt, dated July 2, 2015;
15. Public Hearing Legal Notice Fax to Nashoba Publications, from Peter Lowitt, dated July 6, 2015 – to be published July 10, 2015 and July 17, 2015.
16. Copies of Legal notices from July 10, 2015 and July 17, 2015 from Ayer Public Spirit.
17. Public Hearing Notice emailed to Community Service Cable Committee, from Peter Lowitt/Kate Clisham, dated July 6, 2015;
18. Memo dated July 2, 2015 from Peter Lowitt to Towns of Ayer, Harvard and Shirley Board of Selectman and Planning Offices; Subject: Level 2 Unified Permit –Salad Bowl Farm, LLC (notification of Public Hearing on August 6, 2015 at 6:45PM);
19. Memo dated July 9, 2015 from Peter Lowitt to Abutters and Interested Parties; Subject: Level 2 Unified Permit –Salad Bowl Farm, LLC (notification of Public Hearing on August 6, 2015 at 6:45PM);
20. Public Hearing Notice to Secretary of State, from Peter Lowitt, dated July 2, 2015.
21. Certified Mail Return Receipts for application and plan deliveries to Ayer, Harvard and Shirley, received by towns on July 2, 2015. Certified Mail return receipts for public hearing notices to all abutters – various dates.
22. Septage Letter with Route and Complaint Form from Thatcher Kezer, Jim Moore and Peter Lowitt to Patrice Garvin, Town of Shirley dated July 1, 2015.
23. Plan Circulation Memo for Salad Bowl Farm from Neil Angus to MassDevelopment dated July 7, 2015.
24. Letter to Ms. Enright, Howard Stein Hudson from Brian Butler, Oxbow Associates regarding Site Review for Wetland Resources dated July 21, 2015 for 105 Walker

- Road, Shirley, later revised July 30, 2015 to 105 Walker Road, Devens.
25. DEC Private Well Requirements Draft 2015 dated July 28, 2015.
 26. DEC 1st Review Comments to Applicant dated July 28, 2015.
 27. MassDevelopment Design Review letter dated July 29, 2015.
 28. Copy of Shirley Curb Cut Permit issued to Salad Bowl Farm by the Town of Shirley date July 15, 2015; including sight distance from opening.
 29. Greenhouse Technology pamphlet from the VB Group undated.
 30. US Reference since 1990 of VB Greenhouses, updated May 2015.
 31. Boal Systems Greenhouse Systems book undated.
 32. Larsson Ltd., 2015 Rainwater Diagram undated.
 33. E-mail correspondence as follows:

Date	From	To	Subject
6-23-15	Peter Lowitt	Neil Angus	RE:Salad Bowl Farm DOC items
6-24-15	Paul Sellew	Peter Lowitt	FW: Introductions for Walker Road Project
7-16-15	Ron Ostrowski	Peter Lowitt	Re: Project at North Post EBZ Lot 2 B
7-27-15	Scott Turner	Neil Angus	RE: Salad Bowl Review
7-27-15	Peter Lowitt	Paul Sellew	RE: Peer Review Fee
7-29-15	John Marc Aurelle	Neil Angus	RE: Salad Bowl Farms
7-31-15	David Boyer (DEP)	Neil Angus	RE: Devens Well and septic Systems
7-31-15	Robert Bostwick (DEP)	Neil Angus	RE: Devens Well and Septic System
7-31-15	Robert Bostwick (DEP)	Neil Angus	RE: Devens Well and septic System
6-8-15	Peter Lowitt	Bill Castro	RE: Project Introduction for Walker Road
6-8-15	Peter Lowitt	Bill Castro	RE: Project Introduction for Walker Road2
7-1-15	John Marc Aurelles	Kate Clisham	RE: Abutters List
6-23-15	Paul Sellew	Peter Lowitt	FW: Sewer Map
6-10-15	Paul Sellew	Peter Lowitt	RE: Follow-up from yesterdays DEC meeting
6-10-15	Paul Sellew	Peter Lowitt	RE: Follow up .2
6-11-15	Paul Sellew	Peter Lowitt	RE: Setback in EBZ
6-23-15	Katie Enright	Peter Lowitt	RE: Salad Bowl Submittal
6-30-15	Paul Sellew	Peter Lowitt	RE: Application Fee
7-1-30	Paul Sellew	Peter Lowitt	RE: Summary of meeting last night
7-7-30	Paul Sellew	Peter Lowitt	RE: conversation with Patrice Garvin of Shirley
7-16-15	Ann Gagnon	Peter Lowitt	RE: Salad Bowl Farm Plans
7-17-15	Scott Turner	Neil Angus	RE: Salad Bowl
7-18-15	Katie Enright	Peter Lowitt	RE: Salad Bowl
7-21-15	Scott Turner	Neil Angus	RE: Salad Bowl Review
7-21-15	Dane Labonte	Peter Lowitt	RE: supplemental submittal
7-21-15	Shawn Smith	Neil Angus	RE: Salad Bowl Review
7-23-15	Shawn Smith	Neil Angus	RE: 1 st review letter
7-29-15	Paul Sellew	Peter Lowitt	RE :Salad Bowl Review Building Inspector
8-4-15	Dane Labonte	Peter Lowitt	RE: Transmission of Plan Revisions
8-4-15	Paul Sellew	Peter Lowitt	RE: Meeting with Building Inspector
8-5-15	Scott Turner	Neil Angus	RE: Turnaround time for review
8-6-15	Scott Turner	Neil Angus	Salad Bowl Farms
8-6-15	Scott Turner	Peter Lowitt	RE: Salad Bowl Farms review
8-5-15	Paul Sellew	Peter Lowitt	RE: Clarification on Unified Permit fee phasing
8-6-15	Neil Angus	Paul Sellew	RE: Air Permit and Vegetated Roof requirements
8-6-15	Paul Sellew	Neil Angus	RE: Side Curtain Wall use during snow events
8-6-15	Neil Angus	Katie Enright	RE: Outstanding Peer Review Comments
6-30-15	Jim Moore	Peter Lowitt	RE: Water for Walker Road
6-30-15	Neil Angus	Katie Enright	Re Septic for 105 Walker Road
7-1-15	Katie Enright	Neil Angus	Re Septic for 105 Walker Road
8-6-15	Neil Angus	Paul Sellew	RE: Staff Report and Draft ROD
8-6-15	Katie Enright	Neil Angus	RE: Outstanding Engineering Issues

34. Letter from Thomas Larsson, Larsson Ltd. Greenhouse Engineering, to Katie Enright, Howard Stein Hudson dated August 3, 2015 regarding Salad Bowl Farm, Rainwater Buffer and Release System.
35. Letter from Katie Enright, Howard Stein Hudson dated July 28, 2015 to the DEC regarding response to DEC Review Salad Bowl Farm.
36. Letter from Katie Enright, Howard Stein Hudson dated July 28, 2015 to the DEC regarding response to JNEI review comments, including revised HYDROCAD report.

37. Revised Supplemental Data Report dated August 4, 2015 including Hydrology, Stormwater Standards, Operations and Maintenance Plan, Erosion and Sedimentation Plan, and General Construction Sequence.
38. Revised Landscape Maintenance Schedule received August 4, 2015
39. Revised Waiver List received August 4, 2015 undated.
40. Waiver request to DEC from Katie Enright, Howard Stein Hudson, dated August 6, 2015 regarding waiver of vegetated roof if an air permit is required.
41. DEC Draft Record of Decision, Salad Bowl Farms, dated August 5, 2015
42. DEC Staff Report from Peter Lowitt and Neil Angus, to DEC, dated August 5, 2015

4. Unified Permit Components and Actions:

The Unified Permit request includes site plan approval in order to construct the phased development of a +/-215,700 sq.ft. greenhouse, +/-5,300 sq.ft. support building and associated site improvements on approximately 13+/- acre proposed parcel of land located at 105 Walker Road (Devens Parcel #39-14-500) within the Environmental Business Zone and Watershed and Aquifer Water Resources Protection Overlay District

5. Process:

The application was submitted on and a Determination of Completeness was issued on July 2, 2015. Copies of the application were received by the surrounding Towns on, July 2, 2015. Legal notices were placed in Nashoba Publications on July 10 and July 17, 2015. All abutting property owners were duly notified by certified mail. The 30-day Town comment period expired on August 3, 2015. The public hearing opened on August 6, 2015 and closed that same evening.

6. Waivers

The Applicant requested waivers from the following regulations:

- 1. 974 CMR 3.04(1)(d) Setbacks shall comply with the requirements of all districts, except the minimum side yard and rear yard setbacks for lots abutting Walker Road in the town of Shirley shall be 150' in addition to the public open space buffer to Walker Road.**

The proposal calls for a 38' side yard setback from the eastern proposed lot line and a 74' side yard setback from the western property line.

- 2. 974 CMR 3.04(6)(a)1.c. "Principle building entries shall have an accessible pedestrian walkway connecting to pedestrian walkways within ways".**
Sidewalks have been proposed between the parking and area and the building entry. No additional walks have been proposed. There are currently no sidewalks on Walker Road along the project frontage.

- 3. 974 CMR 3.04(6)(a)4.b. "Service areas, dumpsters, or open storage areas shall not be located to the front façade of the building.**

In an effort to minimize pavement and vegetation removal, the loading area and dumpster locations have been located in the front of the building. The area is approximately 300 feet from Walker Road and has been proposed to be screened by existing topography, mature vegetation, and proposed understory plantings.

4. 974 CMR 3.04(6)(a)3. Lighting. Figure 1. Light fixture types

The proposed fixture consisting of a flat plane of LED bulbs, facing downward, we feel, fits the intent of the lighting treatments. The new LED "bricks" appear flat, as if a plastic overlay was present between the bulb and light surface. It does not appear as an exposed bulb in the way a conventional non LED bulb would appear unshielded to the eye.

5. 974 CMR 3.04(6)(a)3.a. Access Road/Parking lighting shall be 0.5-foot candles minimum (maintained), with 30' maximum height posts.

The parking lot lighting has been kept to a minimum due to the residential abutters. The majority of the parking area in front of the support building meets these requirements. The phase I excess parking area away from the structure is lit at the parking spaces but is darker in between the building and parking spaces.

6. 974 CMR 3.04(8)(d)5. Areas of previously cleared woodlands on site that are not utilized shall be re-planted with native woodland species. Edges of previously cleared woodlands on site shall be planted with a mix of blueberry, rhododendron, winterberry, bayberry, shrub dogwoods, cranberry bush, spicebush, native viburnums and other hardy shrubs to transition between natural woodland and more formally landscaped portions of a site. Where woodland areas are intended to serve as buffers, such plantings shall be used to fill in voids and rapidly reestablish undergrowth.

Except along the front of the building where the project will be in compliance with this requirement, the edge of previously cleared woodlands has been proposed to be immediately re-vegetated with a meadow seed mix.

7. 974 CMR 3.04(8)(h)2. "The Applicant shall provide shade trees around the perimeter of the parking areas".

The greenhouse business is dependent on the use of natural sunlight.

8. 974 CMR 3.04(8)(h)3. "Internal parking area plantings shall contain one deciduous shade tree for every 20 parking spaces".

The greenhouse business is dependent on the use of natural sunlight.

9. 974 CMR 3.04(7)(a)1. Requires all sewerage connect to the Devens public sewer system.

No sewer is available in the immediate area. The distance to connect to the public sewer is excessive for the minimal on site sewerage that will be produced by the facility.

10. 974 CMR 3.04(7)(a)2. Prohibits septic system construction.

No sewer is available in the immediate area. The distance to connect to the public sewer is excessive for the minimal on site sewerage that will be produced by the facility.

11. 974 CMR 3.04 11. (7)(b) Requires connection to the Devens water system for sanitary and fire suppression purposes.

No public water supply is available in the immediate area. The distance to connect to the public water system is excessive for the minimal demand of the facility.

12. 974 CMR 3.02(3)(a) The Site Plan shall be at a scale of 1"=40' unless an alternative scale is authorized by the Director".

Plans prepared at 1"=30' which allows the site to be shown on two sheets.

13. 974 CMR 4.08(6)(b) Closed drainage systems designed based on the Rational Method.

The drainage system incorporates three (3) pipe lengths that have been modeled in HydroCAD. Drainage areas are extremely small and therefore capacity of a 12" pipe is not questioned.

14. 974CMR 4.11(2)(c) Greenhouse gas mitigation requirement that a vegetated roof be installed if a DEP Air Permit is required.

Because the project utilizes CO₂ from an onsite Combined Heat and Power plant and reuses 89% of the rainwater from the site the greenhouse gas issues of on-site generation are adequately mitigated.

The Commission voted to **approve waiver requests #1-3, and 5- 14** for the reasons stated in the Applicant's waiver request and cited in the Staff Report dated August 5, 2015 and subject to the conditions of approval in Section 8 of this Unified Permit. The Commission **denied waiver request #4** for the reasons cited in the Staff report dated August 5, 2015. **Waiver Request #12 was administratively approved by the Director** as part of the Determination of Completeness, dated July 2, 2015.

7. Findings

The DEC made the following findings:

1. The proposed greenhouse production facility is an allowed use within the Environmental Business Zone.
2. The proposed parking area is sufficient to meet the anticipated demands of the proposed project with conditions of approval.
3. The proposed lot size and frontage are in accordance with the minimum requirements for development in the Environmental Business Zone District in which it is located.
4. The existing proposed pavement is adequate due to the limited amount of truck traffic.
5. The proposed rainwater harvesting system is a standard retention basin and is not visible from the street and is serving a functional purpose and is an acceptable water and energy efficiency measure and is therefore is compliant with 974 CMR 4.08(4)(a) and (b).
6. Connection to public water and sewer at this time and location is so impractical as to constitute extreme hardship.
7. Regarding the approval criteria listed in 974 CMR 3.03(2):
 - (a) The Site Plan, with conditions and waivers, complies with 974 CMR 3.00 and with the applicable provisions of the By-Laws.
 - (b) The development lies on a lot that will be recorded at the Registry of Deeds;
 - (c) The application is Complete.
 - (d) All drives, parking lots, loading areas, paths, sidewalks, and streets are designed to provide for safe vehicular and pedestrian travel.

- (e) Access and site circulation will enable prompt fire, police, and emergency response.
- (f) Adequate capture, treatment, infiltration and discharge of stormwater and surface water runoff and compliance with applicable portions of the "Devens Stormwater Pollution Prevention Plan", will be achieved with conditions of approval.
- (g) Connections with utility, power and communication systems available in the abutting infrastructure have been shown and approved by the Mass Development Managers of Engineering and Utilities with conditions and waivers granted.
- (h) Facilities required under the Water Resources Protection Bylaw and the related Design Standards have been included on the plans.
- (i) The plans demonstrate compliance with Landscaping Design Standards for plant materials, planting strips, screening, and preservation of existing specimen trees and wooded areas with the waivers granted and proposed conditions of approval.
- (j) A Wetlands Order of Conditions is not required for this site.
- (k) Industrial Performance Standards will be adhered to as per the final plans and the conditions of approval.
- (l) Sufficient parking for current needs has been provided.
- (m) Traffic control measures have been included on the plans and as a condition of approval.
- (n) The proposed development is required to participate in the Devens traffic management association.
- (o) Adequate water supply exists in terms of quantity, quality, and water pressure for domestic needs and fire protection with findings, waivers and conditions of approval.
- (p) Connection to sanitary sewers is not available and an on-site septic system will be authorized by Devens Enterprise Commission acting as the Board of Health with findings, waivers granted and conditions of approval.
- (q) Building designs will meet the minimum standards as established by Mass Development for the district in which the lots are located as per conditions of approval.
- (r) Soil testing indicates that the soils are capable of supporting the proposed development.
- (s) The development has been designed with due consideration for public health with waivers granted and conditions of approval.
- (t) Adequate climate change mitigation, adaptation and greenhouse gas emissions mitigation measures have been incorporated in accordance with 974 CMR 4.11 with conditions and waivers granted.

8. Conditions:

The DEC voted to impose the following conditions:

1. Wherever “Applicant” is referenced in the Conditions set forth herein, it refers to the Applicant, its successors and assigns. Wherever “DEC” is referenced, it shall refer to the Devens Enterprise Commission, its successors and assigns.
2. The Applicant shall take appropriate measures to encourage all truck traffic associated with this project to use the Devens WWTP preferred truck route to the maximum degree feasible. In addition, the Applicant shall participate in the Devens Transportation Management Initiative. When transportation/ trip reduction/ public transit options become available in the future, the applicant shall be obligated to advise the building occupants to make their employees aware of such transportation alternatives and help to facilitate connections to these programs for those who are interested.
3. In accordance with the Devens By-Laws, Article III, Section K 1. a., no soil, loam, sand, gravel, or other earth materials shall be permanently removed from any lot within Devens, except in accordance with the Devens Soil Management Policy and approval from the DEC.
4. Prior to commencing any intrusive earth work within Devens (due diligence, construction of otherwise) all personnel to be on site shall view an Unexploded Ordinance/Munitions of Explosive Concern (UXO/MEC) video briefing provided by the Devens Fire Department.
5. The waivers granted shall be listed on the plans.
6. Once the appeal period has expired, the Applicant shall submit final approved plans to the DEC for endorsement. The Applicant shall file the endorsed plans with the Registry of Deeds and proof of recordation shall be submitted to the DEC prior to the issuance of a building permit.
7. All applicable federal, state, and local permits necessary for the construction and operation of the facility must be obtained prior to the issuance of a Certificate of Occupancy. Copies of permits issued by those other than the DEC must be filed with the DEC.
8. Limits of clearing shall be marked in the field and approved by DEC Staff prior to any clearing. All required erosion controls shall be in place prior to the commencement of construction. The best management and maintenance practices for the Site as articulated in the Applicant’s Erosion and Sediment Control Plan and Notes and Stormwater Pollution Prevention Plan (SWPPP), shall be strictly adhered to, now and in the future. Tree protection fences shall also be installed and maintained in areas where construction is being conducted. Any existing trees marked for preservation that are damaged, killed or removed shall be replaced in accordance with 974 CMR 3.04(8)(d)8. Additional controls shall be implemented at the discretion of the DEC or its Staff.
9. The Applicant shall notify the DEC in writing seven or more days prior to the completion of the following construction milestones:
 - completion of the site grading and site work

- complete installation of site stormwater management facilities and other subsurface utilities
 - Installation of trees and other major landscaping features.
 - completion of all site improvements as shown on the approved site plan
- The LUA shall schedule a site inspection by the DEC's consultants or allow the submission of a red-lined print stamped by a RLS or PE, as appropriate.
10. The Applicant shall provide As-Built Plans and accompanying information for all site improvements in accordance with the DEC As Built Policy, prior to issuance of a final Certificate of Occupancy.
 11. There is no approval of signs within the Devens Regional Enterprise Zone implicitly or explicitly granted in this Unified Permit and any erection of signs of any type will require subsequent approval. Signs shall be designed and erected in accordance with the Sign Regulations 974 CMR 6.00 and shall be located below new or existing tree canopies.
 12. The Applicant shall file annual reports to the DEC in October of each year indicating how they are maintaining their on-site stormwater management facilities. This is an on-going condition once construction is completed.
 13. Prior to commencement of construction the Applicant shall provide the DEC with confirmation in writing from the Natural Heritage Endangered Species Program of their acceptance of the final plan. Any Conservation and Management Plan requirements will be incorporated into this Record of Decision.
 14. Final engineering review and administrative approval of the plans and stormwater management system is required prior to commencement of construction. As the project is disturbing greater than one acre, the Applicant shall obtain a National Pollutant Discharge Elimination System (NPDES) Permit from the EPA. A copy of this permit shall be provided to the DEC prior to commencement of construction. An illicit discharge statement in compliance with the MA DEP Stormwater Management Standards is also required to be filed with the DEC prior to commencement of construction.
 15. Percolation tests and septic system installation/inspection shall be overseen by Nitsch Engineering (DEC Peer Review Consultants). Final septic system design(s) shall comply with Title 5 (310 CMR 15.00). The Applicant shall obtain approval from MA DEP prior to discharging any facility wash water to a septic system. If approval from MA DEP cannot be obtained, the applicant will be required to collect/contain the wash water on-site in a tight tank and haul it off-site to an approved treatment disposal facility.
 16. The proposed private well serving less than 20 persons shall comply with the "Devens Private Well Construction Requirements" as may be amended from time to time. Additional water testing parameters will be required based on the historic use of the site. Well installation shall be coordinated with MassDevelopment and the Applicant's LSP. The DEC shall be copied on all water testing results. The Applicant shall provide proof of sufficient yield for the proposed use prior to construction.

17. The proposed development shall not obstruct trail access around the proposed parcel. MassDevelopment shall place any necessary easements/restrictions on the land to ensure trail access around the development parcel is maintained.
18. All fertilizer, fertilizer solutions, mixing areas and any other hazardous materials shall be fully contained and stored inside the building on/within impervious surfaces at all times. No outdoor storage is permitted.
19. As per 974 CMR 4.11(2), the Applicant is required to join the Devens Eco-Efficiency Center and demonstrate compliance with EcoStar Standard #24 – Climate Change Mitigation. The Applicant shall also implement a composting program for organic waste.
20. The building, greenhouse and irrigation system shall be equipped with water-conserving plumbing fixtures.
21. A baseline sound study and model of proposed activities shall be performed and submitted to the DEC prior to issuance of a final Certificate of Occupancy. The Applicant shall install the necessary acoustical and visual screening to comply with 974 CMR 4.05 and 3.04. Any rooftop mechanical units shall be positioned to direct any noise sources away from Walker Road and also be properly screened and comply with 974 CMR 4.05.
22. All interior and exterior facility lighting shall comply with 974 CMR 4.04. Interior growing lights shall be shielded at all times during nighttime operations (one hour before dusk and one hour after dawn) with the exception of times when roof shield are required to be open for snow melt. Side Curtains/shielding must remain in place during these times.
23. This approval includes the construction of Phase 1 and the support building and all associated structures, parking, landscaping and site improvement. The Phase 2 greenhouse will require a separate building permit and erosion and sediment control plan and parking analysis (administrative review) prior to construction. The proposed phase 2 site will be loamed and seeded with a native New England conservation/wildflower seed mix for temporary stabilization until Phase 2 is built.
24. The Applicant shall contact the State Department of Public Health and Department of Agriculture to determine if any additional permits are required. Copies of all state and federal permits shall be provided to the DEC prior to commencement of operations.
25. A level One Lotting Plan shall be submitted in accordance with the requirements of 974 CMR 1.00. Once approved by the Director, this plan shall be recorded with the Middlesex Registry of Deeds. Proof of recording shall be submitted to the DEC prior to issuance of a final CO.
26. Should the adjacent property to the southeast be developed by someone other than the Applicant, the Applicant will be required to plant additional landscaping along the southeast property line to comply with the screening requirements of 974 CMR 3.04(8)(g).

27. Prior to endorsement, final plans shall be revised to include:
- Final location and details of all generators, chiller, utilities and any storage tanks, including associated containment/screening;
 - Rainwater harvesting basin to be equipped with aerator or other similar device to prevent stagnant, standing water and reduce the likelihood of mosquito breeding, algae blooms or other nuisance conditions.
 - Fire lane, loading, anti-idling signage and bike rack details shall be added to the details sheets, along with fire lane striping details
 - Additional coniferous landscape plantings in front of the proposed parking to fill in the understory and further screen the facility and parking from Walker Road
 - The generator details related to the pads will be developed by the distributor and provided to the DEC prior to building permit. The infiltration trench has been eliminated from the plan set.
 - All proposed site lighting shall comply with 974 CMR 4.04.
 - Landscape plans shall be revised to include transitional plant species between cleared woodland areas and the proposed development to the front of the building. Fertilizer type and application and invasive species management details shall be included and comply with 974 CMR 3.04(8)(n).
 - A detail of the stone diaphragm proposed near the rain garden is needed on the plans.
 - The chain link fence shown around the rainwater harvesting basin is shown on the grading plans but not clearly labelled. A detail has not been provided. A label and detail should be provided on the plans.
 - The plans for the rainwater harvesting system indicate that a pump will be used to discharge overflow water from the rainwater harvesting basin into the site drainage system. There is no information regarding the size or type of the line or the sizing calculations for the pump.
 - HSH's response indicates that swales have been added to direct stormwater from the access road to the infiltration trenches. Show on the plans.
 - Ensure rainwater harvesting system does not backup stormwater into the roof drain lines internal to the building.
 - The pre and post condition show minor increases in peak flows off the site for two design points for higher storms. These increases are less than 1 cfs. Keep on site.
 - Revise plans to meet the requirements for groundwater recharge under the Stormwater Management Standards.
 - Connect the pump serving the rainwater harvesting basin to the emergency generator.
 - Line the sediment forebay since the site is located within the zone II.
 - Any final engineering review edits.
 - All final plans shall be stamped and signed by their appropriate disciplines

9. Decision:

The DEC voted August 6, 2015, after the Public Hearing was closed, to grant applicable waivers, to issue findings, including that the application complied with Approval Criteria in 974 CMR 3.03(2), to impose Conditions, and to approve the site development plan for the Salad Bowl Farm at Devens, 105 Walker Road, Devens, MA (Devens Parcel #39-14-500).

10. Building Permit

The Building Commissioner, along with the Electrical and Plumbing Inspectors, must review architectural/structural drawings and specifications and approve them in writing, prior to issuance of a building permit. All requirements in the Massachusetts Building Code, the Massachusetts Sanitary Code, and those of the Devens Fire Chief must be met. When this approval is obtained, the building permit may then be integrated with this Site Plan Record of Decision and together they will constitute the Unified Permit for Salad Bowl Farm LLC at Devens, which will, in turn, allow construction to commence.

11. Permit Duration

In accordance with 974 CMR 1.10, unified permits shall remain in effect so long as the approved activities are commenced within six months of the date of the DEC or the LUA produces a written decision and completed within two years. It is further noted that a thirty-day "reconsideration period" during which an applicant, a Town, or an aggrieved person may request the DEC reconsider its action (By-Laws, Article IV, Sections C through F). Work performed during this period, which begins on August 7, 2015 and terminates September 8, 2015, is "at risk". Final plans must be submitted for endorsement by the Commission by February 8, 2016.

Approved by:

Date: 8-6-2015

Peter C. Lowitt
Peter C. Lowitt, FAICP, Director
Devens Enterprise Commission

Certification

Middlesex, SS

I certify the above is a true action and record of the Devens Enterprise Commission and that Peter C. Lowitt, Devens Land Use Administrator/Director, is empowered by the Devens Enterprise Commission to sign this Record of Decision on its behalf.

8-6-2015
Date

Kathryn Clisham
Kathryn Clisham, Notary
My Commission expires March 16, 2018

