

# Staff Report

Devens  
Enterprise  
Commission

**Date:** August 1, 2022

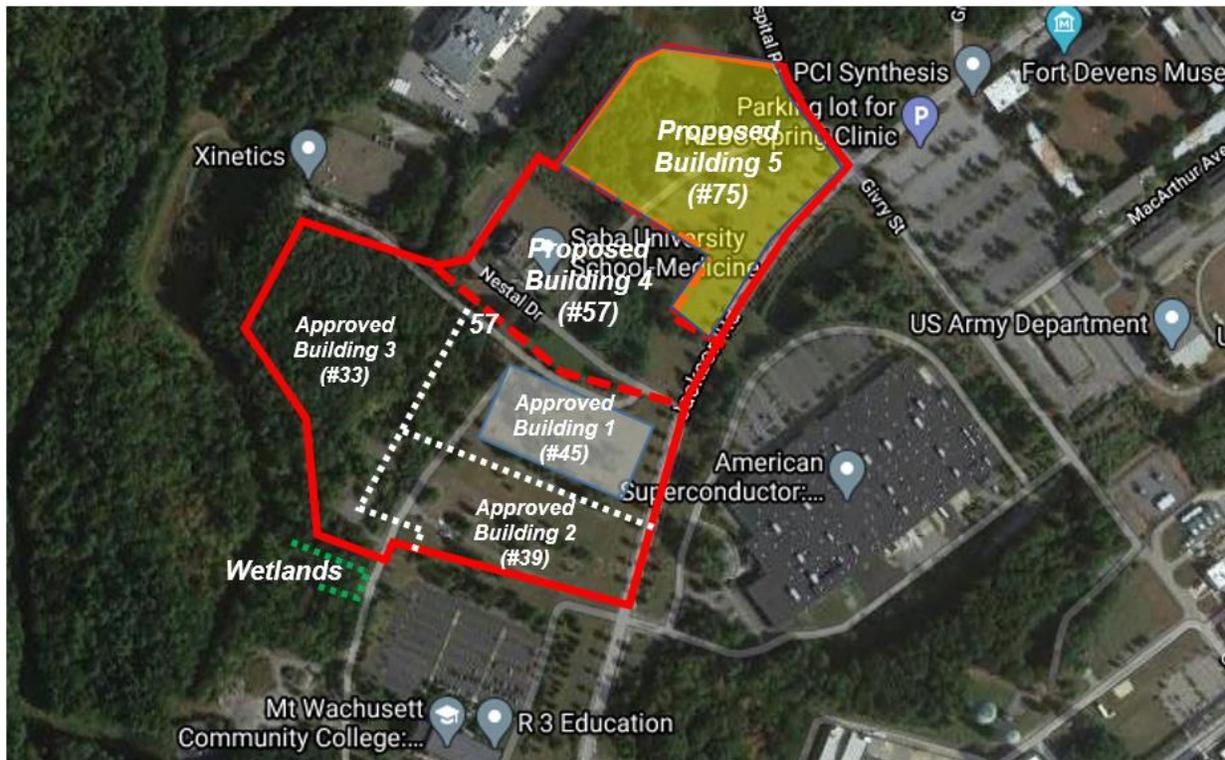
**To:** **Devens Enterprise Commission**

**From:** Peter Lowitt, FAICP DEC Director and Neil Angus, FAICP Environmental Planner

**RE:** **King Street Properties – 75 Jackson Road Level 2 Unified Permit**

**Applicant/ Owner:** King Devens LLC, 800 Boylston Street, Suite 1570, Boston MA 02119  
**Engineer:** Highpoint Engineering Inc. Canton Corporate Place, 45 Dan Rd, St 14, Canton MA  
**Location:** 75 Jackson Road, Devens  
**Zoning:** Innovation Technology Business, Open Space and Recreation, Watershed Protection Overlay District and Viewshed Protection Overlay District

**Premises and Proposed Project:** The applicant is seeking a Level 2 Unified Permit including site plan approval for construction of a new 275,000 gross square foot biomanufacturing building including parking, stormwater management, landscaping, utilities, and a reserve five-level structure parking garage for 512 spaces (if needed) on a new 12.7-acre lot (Parcel ID # 0.18.0-0021-0900.0). The lot will have frontage on Jackson Road, with access being provided via common driveways servicing 75 as well as 57 Jackson and access from Givry. It has sufficient area to comply with the Devens By-laws. The facility proposed for 75 Jackson is a core and shell building of 275,000 sf based on the needs of a yet unidentified future bio-manufacturing use:



The complete application has been circulated to MassDevelopment and the full DEC Peer Review team: Nitsch Engineering (site plan, stormwater, and traffic), IBI Group (landscaping), and Tech Environmental (light, noise, electromagnetic interference). The following is a summary of those reviews and the key issues raised:

**Zoning:** The 275,000 gsf R&D Manufacturing use is an allowed use in the Innovation and Technology Business District in which it is proposed to be located. Open Space and Recreation Zoning District borders Jackson Road and will be used to access the property along another access from Givry Street. The building is to be sited within the Watershed Protection Overlay District and the Viewshed Protection Overlay District on a lot exceeding the two acre required minimum with over 100' of frontage on Jackson Road and Givry Street.



The DEC's peer review engineers and landscape architects, as well as DEC and MassDevelopment staff have reviewed the plans. The following is a summary of the main issues:

#### **Site Plan:**

**Access:** Access needs to be coordinated with MassDevelopment Engineering's plans for upgrading Jackson Road and the Jackson/Givry intersection improvements proposed as part of that upgrade. Use of Givry Street will provide an alternative access point for 75 Jackson and 57 Jackson and lessen the pressure on the Jackson Road frontage. The Devens Main Post Trails Plan identifies a potential bike and pedestrian trail or sidewalk connection along the frontage of Jackson Road. The Applicant should continue construction of the sidewalk along the Jackson Road and Givry Street frontage of their properties. This should be coordinated with MassDevelopment engineering's future build out of the Jackson Road Boulevard and Givry Street intersection improvements.

**Traffic:** As discussed in the 57 Jackson Staff report, the Applicant conducted a combined traffic study in conjunction with the proposed development on the adjacent parcel (57 Jackson) as they are sharing a driveway and parking. The development of 75 Jackson is expected to generate 3,018 vehicle trips per day (unadjusted). Combined with 75 Jackson, the total development could result in an additional 4,900 vehicle trips (2,450 entering/ 2,450 exiting) over the course of a typical weekday. These numbers are adjusted to exclude pass-by traffic for the retail uses already travelling on the roadway. The breakdown of unadjusted trips generated per building are on the following page.

The Applicant has proposed to implement the following measures to address expected traffic impacts:

1. Become a member of the Devens Transportation Demand Initiative (the Devens TDM Program) which will seek to implement a series of Travel Demand Management strategies that will reduce single occupant vehicles arriving and departing from the site and encourage use of transit and ped/bike resources in the area;
2. Design the site driveways in a manner that allows for the safe and efficient movement of motor vehicles into and out of the site off Jackson Road which includes:
  - a. Creation of an exclusive left-turn lane into the primary project driveway for 57/75 Jackson Road;
  - b. Creation of separate left - and right-turn lanes exiting both the Jackson Road driveway (subject to DEC review and acceptance).
3. Conduct a post-occupancy monitoring of traffic conditions to identify differences between the forecasted traffic generation of the development and any critical off-site locations. This will allow the future phases of development to be well planned to address both future impacts and those of the current project.

Table 3 Project Trip Generation – ITE Unadjusted Vehicle Trips

|   | 57 Jackson Road <sup>1</sup><br>(145 KSF) | 75 Jackson Road <sup>1</sup><br>(275 KSF) | Amenity Building <sup>2</sup><br>(8.3 KSF) | Total Unadjusted Vehicle Trips |
|---|---|---|--|--------------------------------|
| <b>Weekday Daily <sup>3</sup></b>             |   |   |  |                                |
| Enter   | 742                                       | 1,509                                     | 290  | 2,541                          |
| Exit  | <u>742</u>                                | <u>1,509</u>                              | <u>290</u>                                 | <u>2,541</u>                   |
| Total   | 1,484                                     | 3,018                                     | 580  | 5,082                          |
| <b>Weekday Morning Peak Hour <sup>4</sup></b> |   |   |  |                                |
| Enter   | 46  | 87  | 15   | 148                            |
| Exit  | <u>15</u>                                 | <u>29</u>                                 | <u>10</u>                                  | <u>54</u>                      |
| Total   | 61  | 116                                       | 25   | 202                            |
| <b>Weekday Evening Peak Hour <sup>4</sup></b> |   |   |  |                                |
| Enter   | 11  | 20  | 34   | 65                             |
| Exit  | <u>60</u>                                 | <u>115</u>                                | <u>34</u>                                  | <u>209</u>                     |
| Total   | 71  | 135                                       | 68   | 274                            |

Source: Trip Generation Manual, 10<sup>th</sup> & 11<sup>th</sup> Edition; Institute of Transportation Engineers (ITE); Washington, D.C. (2017 & 2021).

**Industrial Performance Standards:** To help avoid potential nuisance conditions, the Applicant has designed the facility with due consideration for the surrounding land uses. The closest sensitive receptors include 27 Jackson Road/One Jackson Place (Mount Wachusett Community College), 122 Hospital Road (New England Studios), 53 Jackson Road (Northrup Grumman), 64 Jackson Road (Quiet Logistics), and 100 Sherman Square (MassDevelopment). The Applicant has conducted a baseline sound study for the campus. Upon securing a tenant for the building, the tenant-specific building use requirements will be evaluated with the DEC Administrator for compliance with the IPS (noise, light, air emissions, and electromagnetic interference). This will be a condition of approval. The proposed site lighting plan includes fully shielded, downward directed light fixtures and appears to comply with 974 CMR 3.04 and 4.04. Light temperature/color of 3000K or less should be specified for all lighting fixtures. Once a tenant has been identified, the mechanical fit-up of the building will need to be reviewed and any stacks or visible emissions associated with the bio-manufacturing process will need to be reviewed. Any emergency generators will need to be permitted by the MA DEP. This will also be a condition of approval.

**Greenhouse Gas Regulatory Requirements:** Due to the volume of traffic and number of parking spaces this project will create, combined with 75 Jackson Road (subject of a separate application), the Applicant will be required to join the Devens Eco-Efficiency Center and demonstrate compliance with EcoStar Standard 24 – Climate Change Mitigation and comply with the MA Stretch Code (780 CMR 120AA) as amended. If this project requires a MassDEP Air Quality Permit, it will also need to have a roof for which at least thirty (30) percent shall be vegetated.

**Drainage and Stormwater Management:** This project site is part of a larger watershed area that was detailed in a report entitled *Roadway, Utility and Drainage Improvements – Jackson Road – Route 2 Gate to Hospital Road* by MassDevelopment, dated February 2000. A detention pond was constructed as part of this master plan and

is located to the northwest of this site. This detention pond was designed with the intention of mitigating runoff from the entire larger watershed area. Therefore, the stormwater management plan for 75 Jackson is only required to meet or decrease peak rates of runoff up to the 25-year storm event. Stormwater discharges exceeding the 25-year storm up to and including the 100-year storm and including the 50-year storm can be released to the off-site regional detention pond. Access to the pond must be maintained for MassDevelopment maintenance and inspections. The DEC's requirements for the use of LID and presence of high groundwater need to be taken into account in the stormwater management design. Clarification of grading, further explanation of stormwater modelling, stormwater design calculations, compliance with DEP Stormwater Standards, Devens MS4 permit requirements and other issues were raised during the initial review.

*Utilities:* Several addressable utility issues were raised by MassDevelopment utilities and should be remedied by the Applicant during the next round of review. This included water, sewer depth to groundwater, curb roundings and such. There is a need to maintain utility easements during construction and this should be coordinated with MassDevelopment Utilities. Questions about irrigation were raised. Lighting comments included specifying the fixtures provide 3000 K or less.

*Parking:* 1. Base parking - will include construction of surface parking only, for a maximum of 400 spaces located on the 75 Jackson parcel. This parking will also be shared with 57 Jackson, which will have 83 parking spaces for a total parking supply of 484 parking spaces (1.15/1000). 2. Parking Garage Alternate - if tenant demand requires, construct a maximum of fivelevel, 512 space structured parking garage. This parking will also be shared with 57 Jackson, for a total parking supply of 882 spaces (2.07/1000). The Commission is requested to make a finding that the parking ratio of 1.15/1000 square feet spread over the two lots as allowed by the By-laws is sufficient for the proposed uses, with the 512-space parking garage allowing a ratio of 2.07 to be utilized if demand requires it to be constructed. The Commission encourages the use of porous concrete for the parking spaces and asphalt for the drive aisles to better comply with the 2008 MEPA findings which limit the amount of impervious area constructed on Devens. Other minor details such as the use of reflective paint and covered bicycle parking were raised.

*Public safety:* A letter of approval is required from the public safety officer/fire chief, we expect it to be forthcoming once his review comments are addressed. A Hazardous Materials Spill Response Plan or Spill Pollution Prevention Control and Countermeasures Plan will be required, depending on the quantities of hazardous materials being stored (refer to 974CMR 4.08). This plan will need to specify the materials, types, quantities, location and method of storage/containment, handling and disposal as per 974 CMR 4.09. These will be required as a condition of approval for the building permit once a specific use has been identified for this facility.

*Landscaping:* IBI notes the need to modify the submitted plans to address the use of invasive species, grading clarifications, screening borders and shade trees around parking areas, landscape and water maintenance plans, the use of salt tolerant species near roadways and other addressable comments were included in this initial round of comments.

*Viewshed:* This project is located within the Viewshed Overlay District. The Applicant submitted photos from the appointed viewshed viewing points along Prospect Hill and Fruitland's Museum which indicate that the building should not be visible because of the intervening terrain. Rooftop HVAC should comply with our nonreflective material requirements for facilities within the viewshed. This should be a condition of approval.

*Devens Open Space and Recreation:* The Devens Main Post Trails Plan identifies this area of Jackson Road as a future multi-purpose trail connection area. While there are sidewalks on the east side of Jackson Road, the Applicant has constructed portions of the multi-purpose trail as part of their prior developments at 33, 39, and 45 Jackson Road. Trail connections are important here for recreation, as well as safe, alternative access to

businesses, including Mount Wachusett Community College. Future sidewalk access along the Givry Street frontage is required to provide safe pedestrian access to Hospital Road. Coordination with MassDevelopment Engineering around future improvements within the Jackson Road ROW is encouraged.

**Waivers:**

*No waivers are currently proposed.*

**Process:**

King Devens LLC, submitted a Level II Unified Permit application package, including the application, Stormwater Management Plan, Revised LEED v 4 for BD +C New Construction and Major Renovation checklist, Landscape and Water Maintenance Plan, a supplemental geotechnical evaluation by GZA, Traffic Impact Study, Final Soil Arsenic Study dated 2005, a certified abutters list dated 5/23/2022, and a site plan received on June 6, 2022. The pre-permitting conference was completed on May 23, 2022, and the Determination of Completeness was issued on June 8, 2022. Copies of the application and plans were received by the surrounding Towns on June 16, 2022. Legal notices were placed in Nashoba Publications on July 15 and July 22, 2022. Certified Mail notice was sent to abutters on June 15, 2022. The 30-day public comment period expired on July 15, 2022. No public comments were received. The public hearing opened on August 4, 2022. The 75-day review period ends August 22, 2022.

**Recommended Action:**

As there are still open issues, staff recommends that the hearing be continued until the evening of August 30, 2022 at 6:45 PM. In accordance with 974 CMR 1.08, the Applicant will need to submit a written request to extend the 75-day review period for the Commission to continue this application past August 22, 2022.

**Attachments:**

[Application Package](#)  
[Site Plan](#)  
[Peer Review Comments](#)  
[Responses to Comments](#)  
[Revised Site Plans](#)