

## STAFF REPORT

**TO: Devens Enterprise Commission**  
**FROM: Peter Lowitt, FAICP and Neil Angus, AICP**  
**Date: December 14, 2020**  
**RE: KSP Lot 1 45 Jackson Rd Unified Permit and Conceptual Master Plan**

**Applicant/ Owner: King Devens LLP, 800 Boylston Street, Suite 1570, Boston MA 02119**

**Engineer: Highpoint Engineering Inc., Canton Corporate Place, 45 Dan Rd, St 14, Canton MA 02021**

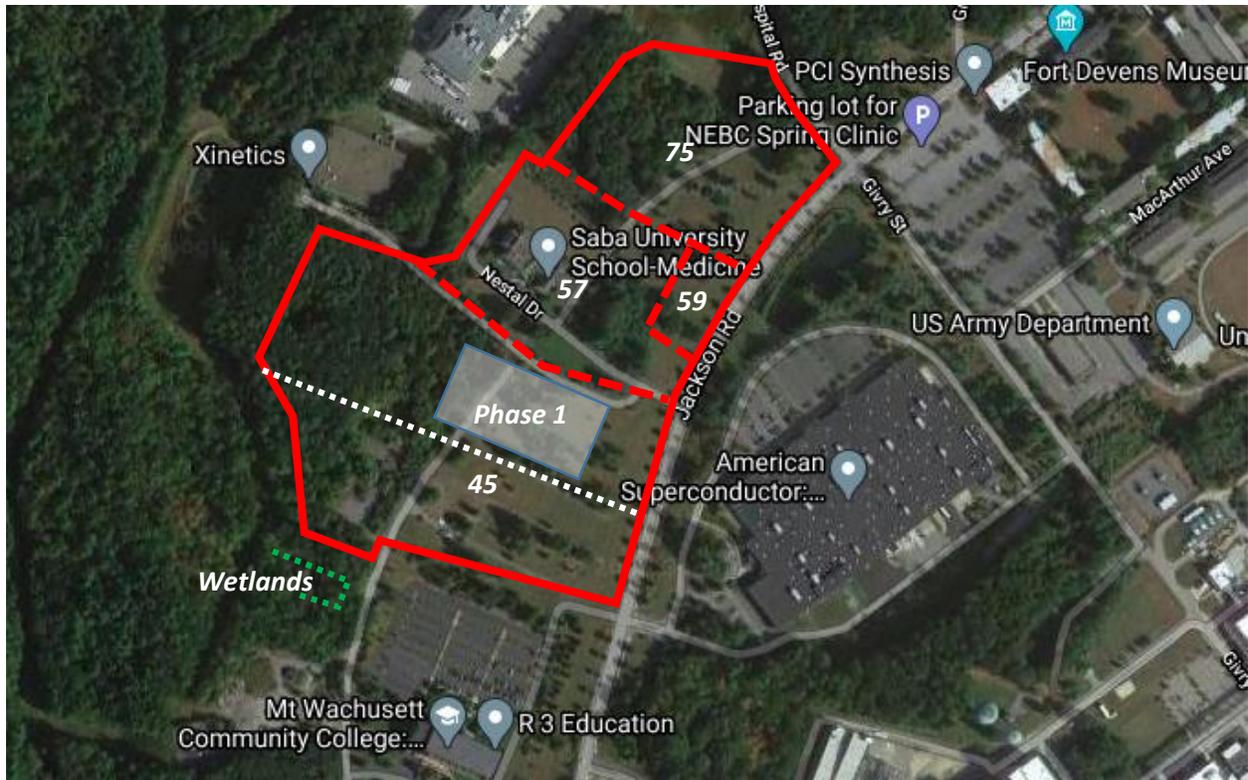
**Location: 45 Jackson Road Lot 1 UP (13-21-1000) and 45, 57, 59 and 75 Jackson Road Conceptual Master Plan 75 Jackson (13-21-1000, ) 57 (13-21-1100), 59 (13-21-100), 75 (18-21-900)**

**Zoning: Innovation Technology Business, Open Space and Recreation, Watershed Protection Overlay District and Viewshed Protection Overlay District**

**Premises and Proposed Project:** The four properties encompassed in the King Devens LLP conceptual Master Plan of approximately 42 acres +/- for which approval is being sought, lie west of Jackson Road, north of the Mount Wachusett Community College site, south of Givry Street and east of New England Studios, Northrup Grumman and an MDFA stormwater management area. A wetlands request for determination of applicability is required to address a turnaround proposed to be installed on Lake George Street adjacent to the southerly property boundary. The applicant is seeking a unified permit to construct a 150,000sf +/- Research and Development/Manufacturing building and associated site improvements on an easterly 14 acre portion of the ~24 acre parcel of land known as 45 Jackson Road, including parking, utility and stormwater management infrastructure improvements. The Applicant/Owner will subdivide the project parcel onto a separate lot through a level 1 lotting plan. That lot will have frontage on Jackson Road, with access being provided via common driveways servicing the larger site. It has sufficient area to comply with the Devens By-laws. The facility proposed for lot 1 is a core and shell building of 100,000 sf with the capability to increase to 150,000 based on the needs of an as yet unidentified future use. The proposed phasing/master plan approach is mainly for context purposes and any future development will still have to come back before the commission for a Level 2 review.

**Process:** 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 150,000 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. 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.



**Site Issues:**

**Masterplan:** lot 3 exceeds impervious cover requirement of 75% as it is 80%. Consider installing a vegetated roof as this counts as pervious material for calculating impervious cover. Also access issues raised below as part of the site plan review.

**Site Plan:**

**Access:** Initial review of the project raised questions about limiting the number of access points off of Jackson Road and assuring that access will take into account the future four boulevard lanes for Jackson Road. Use of Givry Street would provide an alternative access point for 75 Jackson and lessen the pressure on the Jackson Road frontage. Also the use of Lake George Street and its role in providing access to the projects was raised. The need to reconfigure the existing common driveway for 57 and 53 Jackson was brought up as well. Nitsch raised a number of technical points with the traffic study. In addition, the 4 MacArthur 100,000 sf light industrial use traffic should be entered into the traffic model as it was submitted prior to the public hearing. The Devens Main Post Trails Plan identifies a potential bike and pedestrian trail or sidewalk connection along the frontage of Jackson Road which should be coordinated with MassDevelopment engineering’s future build out of the Jackson Road Boulevard improvements.

**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), New England Studios, Northrup Grumman’s 53 Jackson facility, 64 Jackson QLP3, and MassDevelopment. 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 for the first phase

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.

*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 Lot 1 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. 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 and other issues such as grading of basin slide slopes were raised during the initial review.

*Wetlands Negative Request for Determination of Applicability:* Work is being done as part of the turnaround at the end of Lake George Street which is within 100' of wetlands. Staff recommends the Commission endorse their Negative Request for Determination of Applicability with conditions to adhere to our erosion and sedimentation regulations and inspection of limits of clearing in 974CMR3.04 and 4.08.

*Utilities:* A number of addressable utility issues were raised by MassDevelopment utilities and should be remedied by the Applicant during the next round of review. These included water, sewer depth to groundwater, curb roundings and such. Questions about irrigation were raised. Lighting comments included specifying the fixtures provide 3000 K.

*Parking:* Our review noted there are discrepancies in the proposed parking between the Level 2 report, the master plan, and the Lot 1 zoning conformance chart. The applicant has clarified that they propose to construct 198 spaces, with the ability to construct an additional 21 banked spaces to support flexible expansion of the building from 100KSF to 150 KSF. An additional HC parking space is required for lot 1 facility and will be added. Other minor details such as the use of reflective paint and covered bicycle parking were raised.

*Public safety:* Additional soil management and earth removal citations and notes are required. 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 indicated 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, there is no sidewalk or trail on this (west) side. Trail connections are important here for recreation, as well as safe, alternative access to businesses, including Mount Wachusett Community College. The Devens Main Post Trails plan shows a future trail connection to Lake George through this property, to connect to the USFWS trails and future trail parking. Given the wide open space buffer along Jackson Road, it would be appropriate to include a multi-purpose trail within this buffer paralleling Jackson Road from Givry Street to Lake George. Future sidewalk access along the Givry Street frontage may also be a future consideration to provide safe pedestrian access to Hospital Road.

*Waivers: 974 CMR 3.02(6)(d) - Landscape Treatment.*

If an irrigation system is proposed, the Submission shall include an irrigation plan complying with 974 CMR 8.09(11): Controls On In-ground Irrigation Systems showing the complete layout and of all components, complete schematic diagrams of all systems, a functional and sequential description of all systems, and irrigation details for installation of all components, including but not limited to piping, valves, valve boxes, sprinkler heads, backflow preventers, automatic control systems, pumps, meters, associated cabinets, and all appurtenances as needed.

***The Applicant seeks a waiver from submission of an irrigation system design until approval of the landscape design is rendered by the DEC. An irrigation design plan will be submitted to the DEC for administrative review when completed.***

An irrigation design plan will be submitted to the DEC for administrative review when completed. Staff would recommend the Applicant withdraw this waiver request as well. The DEC can make a finding or include a condition that no irrigation is approved as part of this application. Any proposed irrigation systems can be approved administratively at a later date – however, in order to comply with 974 CMR 3.04(8)(c)12., the Applicant should incorporate all necessary site design measures to utilize rainwater harvesting and/or reclaimed greywater to the maximum extent feasible. On-site cisterns may be installed to store water for irrigation. The DEC discourages irrigation systems connected to potable water supplies.

*Process:* King Devens LLP, submitted a Level II Unified Permit application package, including the application, Wetlands Request for Determination of Applicability, Stormwater Management Plan, Revised LEED v 4 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 11/16/2020, a site plan and conceptual Master Plan received on November 5, 2020. The pre-permitting conference was completed on September 23, 2020, and the Determination of Completeness was issued on November 18, 2020. Copies of the application and plans were received by the surrounding Towns on November 21, 2020. Legal notices were placed in Nashoba Publications on

November 27 and December 4, 2020. Certified Mail notice was sent to abutters on November 18, 2020. The 30-day public comment period expires on December 21, 2020. No public comments were received. The public hearing opened on December 15, 2020.

*Recommended Action:* As there are still open issues and the Town thirty (30) day comment period has not expired, staff recommends that the hearing be continued until the morning of January 7, 2021 at 7:30 AM.

Attachments:

[Application Package](#)

[Site Plan](#)

[Peer Review Comments](#)