

STAFF REPORT

TO: Devens Enterprise Commission
FROM: Peter Lowitt, FAICP and Neil Angus, AICP
Date: January 7, 2021
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

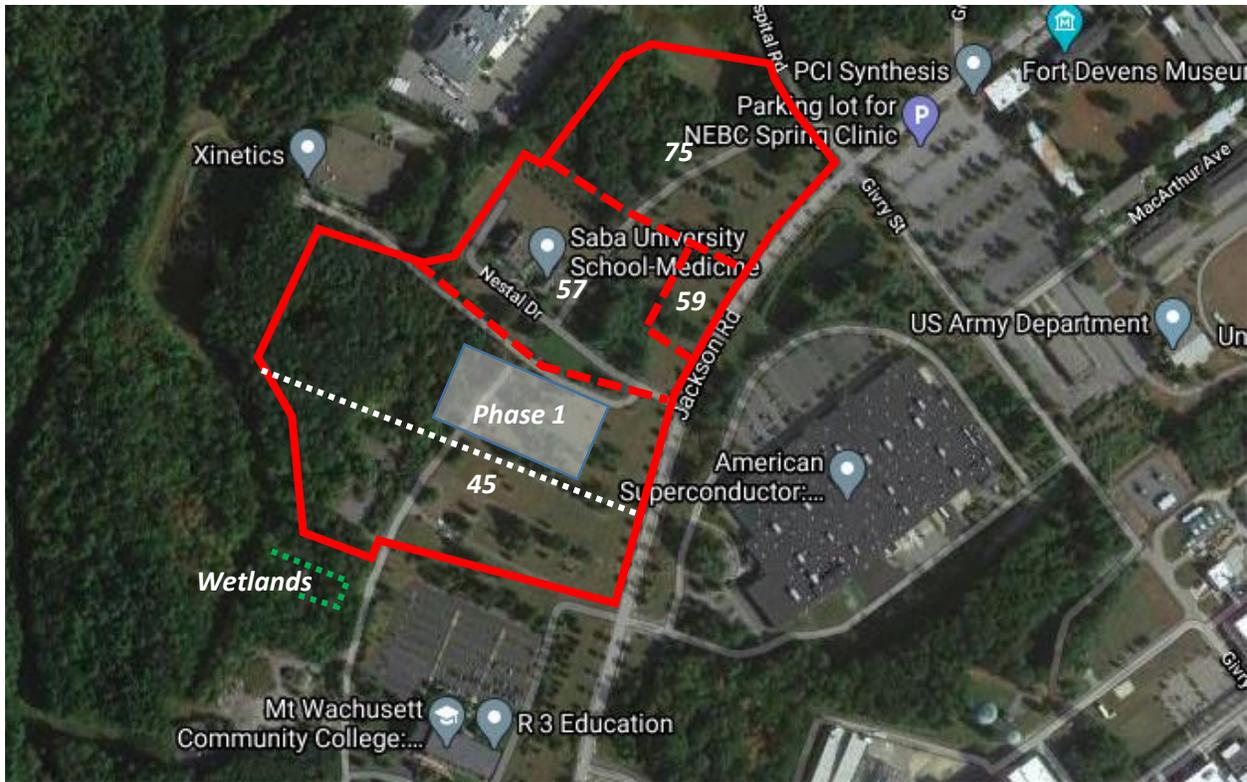
Location: 45 Jackson Road Lot 1 UP (13-21-1000) and 45, 57, 59 and 75 Jackson Road Conceptual Master Plan 75 Jackson (13-21-1000,) 57 (13-21-1100), 59 (13-21-100), 75 (18-21-900)

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

Premises and Proposed Project: The Unified Permit for this project includes Site Plan Approval and a Wetland Request for Determination of Applicability for the construction of a new core and shell building of up to 150,000sf, parking, driveway, drainage, utilities and associated improvements and a conceptual master plan of development for 45, 57, 59 and 75 Jackson Road.

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 Applicant responded to these comments and another round of peer review comments greatly reduced the remaining issues. The following is a summary of those remaining issues.

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:

Site Plan:

Traffic and Access: These issues have been addressed through revisions to the traffic study and conditions of approval requiring participation in the Devens Transportation Management Initiative, and a letter of approval from the Devens Public Safety Officer (Fire Chief).

Industrial Performance Standards: 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.

Drainage and Stormwater Management: The DEC's requirements for the use of LID such as porous asphalt in the western parking areas and reduction in traffic aisle widths reduced impervious surfaces. MD Engineering collaborated with staff to assure that this new project meets the requirements of our MS4 permit (see draft conditions of approval and reference to John Marc-Aurele's letter of 12/31/2020).

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 remedied by the Applicant during the second round of review and proposed conditions of approval. These

included water, sewer depth to groundwater, curb roundings, and other peer review and utility department comments.

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. Aisle widths were reduced and porous asphalt added in the far western parking area. A ratio of 1.5 spaces per 1000 sf is included as a finding and appropriate for this site based on the information provided. Standard reserve parking covenant are put forth as a condition of approval.

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: Most of the initial round of peer review comments from IBI were addressed. The remaining issues are included as draft conditions of approval.

Viewshed: The Viewshed study indicates that the project should not be visible. Rooftop mechanicals will be evaluated to assure they do not prove reflective and are in compliance with the Regulations. This will be done once a specific user and specific equipment are identified.

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. The Applicant worked closely with staff to design a trail/sidewalk through the open space area which moves through a bermed and landscaped area parallel to Jackson Road. These improvements are proposed to be bonded and constructed in conjunction with building 2 (also fronting Jackson Road). The need to address this front door to the site along Jackson Road and manage the appearance of the construction laydown and soil stockpiling area on Lot 2, as the applicant intends to building lot 3 next in response to market demand, is the focus of one condition of approval.

Erosion and Sedimentation Control: There are a number of conditions of approval addressing erosion and sedimentation controls and soil management policy compliance as well as our standard requirements for Spill Pollution Control and Countermeasure plans and facility and site operation and maintenance plans.

Master Plan: This unified permit approval is for the conceptual master plan and detailed build-out of Building #1 core and shell and associated parking, grading, drainage, and utility work on the 45 Jackson Road Parcel only. Additional Unified permit(s) will be required for subsequent phases and the formal development of Buildings 2, 3, 4 and 5.

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 expired on December 21, 2020. No public comments were received. The public hearing opened on December 15, 2020 and continued to the morning of January 7, 2021. Staff recommends the Commission vote to close the public hearing and then vote on the wetlands RDA and Unified Permit.

Attachments: Draft Record of Decision, Staff Report, 2nd Peer Review Letters
Comments