Staff Report

Devens Enterprise Commission

Date: November 15, 2024

To: **Devens Enterprise Commission**

From: Neil Angus, Director

RE: **Proposed Building Addition: 8 Charlestown Street Level 2 Unified Permit**

Applicant	**Charter Construction Management, LLC**
Owner:	**LNA NEWCO, LLC. (YMC)**
Engineer:	**Kristen LaBrie, Howard Stein Hudson Engineering**
Location:	**8 Charlestown Street, Devens**
Zoning:	**Innovation Technology Business, Open Space and Recreation, Watershed Protection Overlay District**

Premises and Proposed Project: The applicant is seeking a Level 2 Unified Permit including site plan approval for the for the construction of a ~11,325 gross square foot addition to YMC's existing building, located at the intersections of Jackson, Charlestown, and Peggy Streets. The proposed project also includes new loading docks, parking, stormwater management, landscaping, and utilities:

The existing buildings that YMC is occupying were the former gym and racquetball courts for the Army.
The proposed building is being planned to accommodate YMC's growing business. The addition will allow them to re-align their existing manufacturing and assembly space to improve efficiency. New loading docks are being

proposed as the existing loading dock front on Charlestown Street and in their parking lot and are not ideal for loading as they block the street and parking areas.

The complete application was circulated to MassDevelopment and the DEC Peer Review team: Nitsch Engineering (site plan, stormwater, and traffic), IBI Group (landscaping). Revised plans were submitted by the Applicant on November 6, 2024 to address initial review comments. The following is a summary of the review and remaining issues:

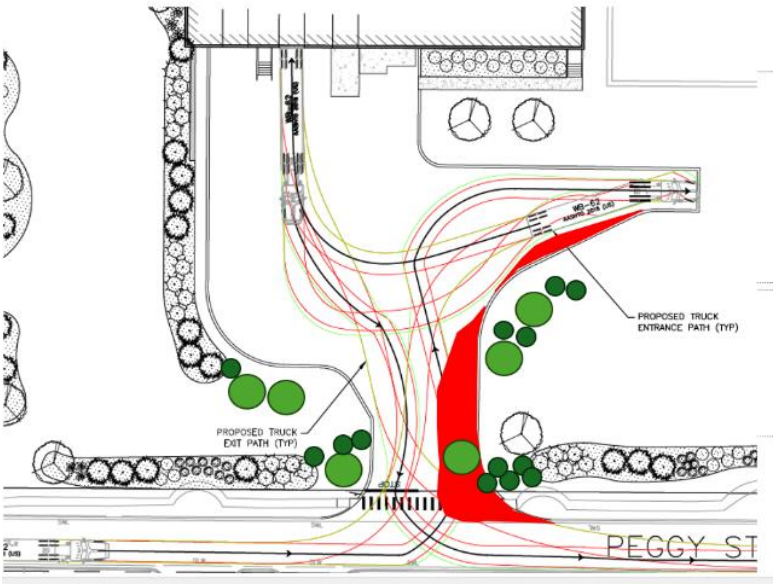
Zoning and Proposed Use:

YMC America focuses on the development and production of advanced liquid chromatography systems designed for the pharmaceutical and biopharmaceutical sectors. Their on-site operations include Design, Engineering, and manufacturing of custom chromatography and advanced in-house fabrication of system components. YMC also conducts Testing and Validation for the systems they manufacture. The proposed building expansion is intended to enhance these existing operations and the expanded uses appear to comply with the allowed uses in the Innovation and Technology District. The property also includes a portion of the Open Space and Recreation Zoning District along Jackson Road and is within the Watershed Protection Overlay District. The proposed parcel is over the two acre required minimum and has more than 100' of frontage on Jackson Road, Charlestown Street, and Peggy Street.

***Parking/Truck Access*:**

The original plans proposed eliminating one of the existing loading docks, however the Applicant has revised the plans to keep the existing loading dock that is off of the existing parking lot for smaller deliveries. This will eliminate additional parking spaces that would have accommodated the building expansion. The Applicant currently owns the adjacent property at 37 MacArthur Ave. and has additional parking that can accommodate overflow parking for this site if needed. The DEC Regulations encourage shared parking where feasible to minimize excessive pavement. The Applicant currently has 53 parking spaces and has no plans for additional parking as part of this expansion (except for trucks). Based on the square footage of the existing building and addition, there should be approximately 82 spaces (maximum). The Applicant can proposed less should provide a reserve parking plan showing where they could accommodate additional parking spaces in the event the adjacent property is ever sold or demand for parking grows in the future due to any changes in operations or use of the building. This could be at the existing loading dock in the current parking area or in the proposed truck turning areas on the side (if 2 loading docks are not needed in the future).

The existing loading dock off of Charlestown Street is not safe for loading as it is directly adjacent to the Charlestown Street Right-of-way and trucks using it block both the sidewalk and the roadway. Use of this loading dock for vehicles should cease once the new loading docks are constructed. There is currently a significant size tent structure that is storing materials outside that also needs to be removed from this area. Staff had approved a temporary relocation until the addition is built however the tent has yet to be moved. This violation should be corrected immediately and once the new addition is constructed, the tent must be removed. This could be a condition of any approval.



There still appear to be opportunities to minimize the large expanse of proposed pavement for the new loading dock area.

Further reductions could help reduce the size of the stormwater basins, reduce snow storage needs, decrease the entry drive width, and leave more room for additional landscaping that will help screen the existing loading docks and dumpster s from Jackson Road and Peggy Street. With the small volume of truck traffic and the direction of all outgoing truck traffic, the driveway apron width could be reduced to a single lane and restrict left turn exits. Additional landscaping in these areas would also help provide additional screening between the building and the viewshed sensitive receptors. MassDevelopment Engineering is also requesting the Applicant provide truck turning plans for the Jackson/Peggy intersection to ensure trucks can safely maneuver onto Peggy from Jackson and vice versa.

Lastly, the Applicant should address surface-level TDM initiatives, such as designating preferred parking spaces for ridesharing services and hybrid or zero/low emitting vehicles and a minimum of 5% of spaces for EV charging infrastructure.

Design Review:
The design of the building is subject to the Jackson Technology Park Design Guidelines. MassDevelopment has reviewed the project and has concerns with the loading docks and their visibility from Jackson Road and Peggy Street. While the adjacent properties on Peggy are the Sherman Square building that are in disrepair, this area is likely to be redeveloped in the near future and the visibility of loading docks needs to be minimized. Since they cannot go on the rear of the facility, additional screening and pavement reductions as mentioned above should be considered to fully meet the screening requirements and fit better into the Innovation and Technology Business District and Jackson Technology Park. MassDevelopment has also requested the applicant provide updated elevation drawings based on the updated plans and an additional perspective of the view from Peggy Street showing how the loading area will be screened from pedestrian and vehicle heights

***Landscaping*:**
The majority of landscaping issues are addressed in the Parking/Truck Access section of this report. The Applicant should revisit the proposed narrow lawn areas which could prove difficult to maintain and consider extending the New England Conservation/Wildlife Mix to meet the planting bed mulch edges.

Utilities:
The existing Devens sewer infrastructure is old and further investigations will be needed to ensure the applicant can tie the addition into the existing sewer service on Peggy Street. This can be required as a condition of any approval.

Stormwater Design:
There are minor increases in rates at drainage area AP-2 for the 2- and 10-year storms and volumes for the 2-year storm when comparing the proposed condition to the existing condition. These should be corrected. The drainage configuration as designed does not isolate the drainage in the loading area (area where the truck would be parked for a significant period). Nitsch recommends isolating this area and adding a post indicator valve specifically to the zone where contamination is most likely to occur.

The DEC regulations require a 4-foot separation between detention basin bottoms and the mean annual high groundwater level. The applicant has provided 2 feet but has performed a mounding analysis demonstrating that there are no concerns with groundwater interception the bottom of the basin. In addition, the existing detention basin bottom is more than 3 feet lower than the proposed basins and the existing basin has never held any standing water for longer than 72 hours.

The Applicant was required to conduct a falling head soil permeability test to confirm the infiltration rates used for the design of the basins. They did not do this and just used the test pit data and an assumption of an infiltration rate of 2.41 based on the MA DEP Stormwater Regulations. This is a reasonable assumption, however, the DEC should

include a condition in any decision requiring the applicant confirm the infiltration rate is 2.41 or higher via a falling head soil permeability test prior to final construction of the basins.

Industrial Performance Standards:
To help avoid potential nuisance conditions, the Applicant has designed the facility with consideration for the surrounding land uses. With minimal mechanical equipment, there is no need for a formal sound study. The main issues will be screening of the active loading areas and expanses of pavement. From a lighting perspective, the proposed site lighting plan includes fully shielded, downward directed light fixtures and appears to comply with 974 CMR 3.04 and 4.04.

Public Safety:
The Devens Fire Chief has noted that there is adequate access to three sides of the building and ample water service for firefighting needs. The Fire Department will need to review the final building and sprinkler plans at the building permit stage. A Hazardous Materials Spill Response Plan or Spill Pollution Prevention Control and Countermeasures Plan may be required, depending on the quantities of hazardous materials being stored (refer to 974CMR 4.08). Such a plan will need to specify the materials, types, quantities, location and method of storage/containment, handling and disposal as per 974 CMR 4.09.

Greenhouse Gas Regulatory Requirements:
The Applicant will be required to join the Devens Eco-Efficiency Center and demonstrate compliance with EcoStar Standard 24 – Climate Change Mitigation. Including Electric Vehicle charging stations and priority parking spaces for carpooling and fuel efficient vehicles, which will aid in reducing GHG emissions from the transportation sector. Existing connections to the Devens sidewalk network and the addition of bike racks provide additional opportunities for multi-modal transportation options that will help reduce vehicle trips and transportation-related emissions.

Waiver Requests:
The Applicant requested a waiver from the plan scale and topography requirements. Both these waivers were granted administratively to allow the Applicant to provide additional detail on the plans.

Process:
Charter Construction Management, LLC, submitted a Level II Unified Permit application package on October 2, 2024. The pre-permitting conference was completed on September 20, 2024, and the Determination of Completeness was issued on October 4, 2024. Copies of the application and plans were received by the surrounding Towns on October 7, 2024. Legal notices were placed in Nashoba Publications on October 18 and 25, 2024. Certified Mail notice was sent to all abutting property owners on October 7, 2024. The 30-day public comment period expired on November 7, 2024. No public comments were received. The public hearing opens on November 19, 2024. The 75-day review period ends December 19, 2024.

Recommended Action:
As there are still open issues to be addressed, staff recommends that the hearing be continued until the December 5. 2024 virtual meeting at 7:30AM to provide additional time for the Applicant to resolve some of the outstanding issues.

Attachments:
- Revised Application Package and Plan Set
- Peer Review Comments from Nitsch Engineering
- Peer Review Comments from Arcadis