

Staff Report

**Devens
Enterprise
Commission**

Date: July 26, 2021
To: **Devens Enterprise Commission**
Cc:
From: Peter Lowitt, DEC Director and Neil Angus, Environmental Planner
RE: **41 Lake George Street – Accumet Level 2 Unified Permit**

Owner/App.: Devens Lot 10A, LLC - Mike Lanney, Apex Properties.
Location: 41 Lake George Street (Parcel ID# 013.0-0021-0600.0)
Zoning: Innovation & Technology Business District, Watershed Protection Overlay District and Viewshed Protection Overlay District.

Premises and Proposed Project: Accumet Engineering, Inc., is a light industrial/manufacturing business that conducts precision laser machining, drilling, cutting, marking, welding, lapping and polishing for a wide variety of materials. They are seeking a Level 2 Unified Permit including Site Plan approval and a Wetland Request for Determination of Applicability to move their operations to Devens and construct a +/- 40,000 square foot single-story office/industrial building and associated site improvements on a +/- 3.11 acre parcel located at 41 Lake George Street. The project includes a pre-engineered building with loading docks located to the rear of the building, in addition to a tank farm to house various chemicals used in their manufacturing process. The lot is currently owned by DEVENS LOT 10A LLC and managed by Apex Properties (same owner and manager as 27 Jackson (MWCC building)).



Key Project issues:

The complete application has been circulated to MassDevelopment, Public Safety, Devens DPW, and the full DEC Peer Review team: Nitsch Engineering (site plan, stormwater, and traffic), IBI Group (landscaping). The following is a summary of those reviews and the key issues raised:

Access: The existing parcel has the required 100 feet of frontage on Lake George Street. The Applicant is proposing to access the site via two new curb cut openings – the northern entrance for truck traffic and the southern entrance for employees and customers. To reduce impervious surface, the Applicant has made the truck entrance one way, allowing them to narrow the drive isle down to 20 feet (suitable for trucks and emergency access). Development of the site will need to provide continued access to the existing Lake George Electrical substation to the rear of this parcel via an existing access easement that will run through the southern parking lot/drive isle.

Parking/Traffic: The Applicant has reduced the number of parking spaces to 69 which is the maximum allowed for a building of this size and intended use and is sufficient for the number of expected employees and visitors (~55 employees over one shift – M-F 7:00AM-5:00PM). The proposed project is expected to generate up to 132 trips per day, with 19 trips occurring during morning peak and 35 trips occurring during evening peak periods. Truck traffic is anticipated as follows:

- UPS/Fedex drop-off/pickup: 4/day
- Tanker truck deliveries per week for propane, LN and LOX: 3/week
- Trash/Recyclable pickup: 1/week
- Clean uniform delivery: 1/week
- Tractor trailer deliveries: 1/bi-weekly

Relative to the Transportation Management Initiative (TMI) and other Transportation Demand Management (TDM), the Proponent will be implementing an employee education system to highlight the availability of the various public transportation systems within the area, as well as encouraging carpooling between employees to reduce single-user trips. The Site Plans have been updated to depict areas for bicycle parking and storage on the site, designation of parking spaces reserved for rideshare use, as well as designation of parking spaces reserved hybrid/electric vehicles to help encourage reduced traffic and lower greenhouse gas emissions. As a condition of approval, the Applicant will be required to become a member of the Devens Transportation Demand Initiative (the Devens TDM Program) which will assist them in implementing additional Transportation Demand Management strategies. The relatively small volume of traffic associated with this project will result in negligible traffic impacts from the development and existing street network.

Slope Resource Areas: The property sits on a plateau high above the Nashua River corridor and USFWS Oxbow National Wildlife Refuge. The site is comprised of a cleared and previously disturbed site that drops off steeply to the west. While the parcel itself does not contain any Slope Resource Areas (SRA), the northwesterly portion of the site is within the 50' SRA buffer. No activity is proposed with the 15' no disturbance zone but a small portion of the rear driveway extends into the 50' buffer. The DEC can authorize activity within the 15-50' SRA buffer as long as the Applicant provides supporting information that demonstrates the proposed activity within this area will have no adverse impacts on the structure and stability of the SRA. There are no structures (only pavement) within the 50'buffer, with the exception of a small portion of the subsurface infiltration system –which will be at a much lower elevation closer to the bottom of the slope but ~40 feet back. Since the soils are well drained, there is likely little concern for any impacts to the slope stability (infiltrating water bleeding out of the side of the slope and destabilizing it), but the Applicant should confirm this. Preservation of existing vegetation between the proposed development and top of slope will be key to ensuring long-term slope stability.

Wetlands RDA: The project also includes construction activity within 100 feet of wetlands to the north of the site. The Applicant has revised the original plans to reduce the footprint of the development to the north by including a small retaining wall. With this change, the majority of existing trees and slopes leading to the wetlands will be preserved. With proper erosion and sediment controls and construction monitoring, there is little chance for any negative impacts to the existing wetland system. The DEC Director is recommending the Commission endorse his Negative Determination, conditional on compliance with the final approved plan and any conditions of approval in the Unified Permit Record of Decision.

Public Safety: The Devens Public Safety Officer will need to review the final plans to ensure compliance with applicable fire and safety codes. In addition, the project includes chemical storage for the following:

Liquid Propane – 2,000 gallons

Liquid Oxygen – 1500 gallons

Liquid Nitrogen – 3000 gallons

Liquid Helium – 1500 gallons

The Applicant is proposing to store quantities of propane that will trigger the need for a Flammables and Combustibles License. This license will be part of a separate application since at the time of submittal, the quantities were not known. A Hazardous Materials Spill Response Plan and Operations and Maintenance Plan will be required, depending on due to the quantities of hazardous materials being stored. These plans 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 prior to issuance of a building permit or certificate of occupancy for the facility.

Industrial Performance Standards:

Lighting: Lighting levels have been reduced to comply with 974 CMR 3.04. Lights will need to include controls (timers, photocells, etc.) to reduce light pollution which will help reduce impacts to the viewshed sensitive receptors.

Noise: Due to the small scale of the project, the Applicant, as long as the Applicant selects ultra-low noise HVAC units and directs the sound to the rear of the parcel, there should be no concerns with sound. The gas deliveries may require the installation of ground-mounted pumps to ensure full compliance with 974 CMR 4.05. This could be a condition of approval or deferred until a License for Storage of Flammables and Combustibles Application is submitted.

Air Emissions: Any stacks or visible emissions associated with the manufacturing process will need to be reviewed. The Applicant should confirm that an air permit is not required for the proposed chemicals and quantities they are using and whether or not there will be any visible emissions. Any emergency generators will need to be permitted by the MA DEP. This will also be a condition of approval.

Viewshed: This project is located within the Viewshed Overlay District. The Applicant has concentrated development in the center of the parcel to maximize use of the cleared area. Due to the height of the building (28') the existing tree canopy will provide some level of screening. The landscape plan includes additional plantings along the front and south sides of the building and property to aid in further long-term screening between the viewshed and the building. Some plantings will need to be increased in size to comply with the screening requirements. To ensure maximum screening, there should be no architectural building lighting and all building finishes and rooftop units must be non-reflective finishes and/or be properly screened to prevent any off-site glare. This will also be a condition of approval.

Soil Management: The existing stockpile of material currently on-site will need to be relocated or reused on-site. The Applicant will need to comply with the Devens Soil Management Policy in terms of managing any excess material on or off-site. All contractors on-site will also need to go through the required UXO training prior to commencement of any activity.

Stormwater Management: The DEC Peer Review Engineers reviewed the site plan and stormwater management design in accordance with the DEC Regulations. The majority of stormwater will be treated and infiltrated on-site. There is no direct connection to the Devens Municipal Storm Drainage system. A number of changes have been made to the revised plan to meet the DEC Stormwater management requirements, including reduced impervious surfaces, porous pavement and an expanded biofiltration basin along the front of the property. As of the writing of this report, our Peer reviewers are still reviewing the full revised submittal for compliance. Additional comments will be provided to the Applicant prior to August 5, 2021.

Landscaping: The DEC's peer review Landscape Architects have reviewed the plans for compliance with 974 CMR 3.04(8). There are still a few outstanding issues that will need to be addressed including proper plant species selection, size and location. Other remaining issues include:

- Use of Native species
- Existing tree protection and location of proposed plantings near drives
- Additional screening requirements

A revised lighting plan was submitted on 7/26/21 that depicts lighting level that are generally compliant with 974 CMR 3.04. As of the writing of this report, our Peer reviewers are still reviewing the full revised landscape plans for compliance. Additional comments will be provided to the Applicant prior to August 5, 2021.

Building Design Review: The Building is subject to the Jackson Technology Park Design Guidelines administered by MassDevelopment. A design review letter from MassDevelopment is expected prior to the August 5, 2021 meeting.

Waiver Requests:

The Applicant has not requested any waivers.

Application and Process: Hannigan Engineering, on behalf of the owner, submitted the Unified Permit Application on May 24, 2021 and the Determination of Completeness was issued on June 4, 2021. Copies of the application were received by the surrounding Towns on June 8, 2021. Legal notices were placed in Nashoba Publications on June 25, 2021 and July 2, 2021. All abutting property owners were duly notified by certified mail. The 30-day Town comment period expired on July, 2021. No comments were received. The 75 day review period for the DEC to act on this application ends on August 22, 2021.

Recommended Action: The 30-day town comment has expired. Once the Commission and public have had an opportunity to ask any questions and comments, the DEC should continue the hearing to the August 5, 2021 meeting at 7:30AM to allow time to resolve the remaining landscape issues and for staff to draft a Record of Decision for the Commission's consideration.

Attachments*: Revised Site Plans
Response to Comments

* All attachments to be posted on-line at: <https://www.devensec.com/level2hearingsJULY272021.html>