

Staff Report

Devens
Enterprise
Commission

Date: June 7, 2023

To: Devens Enterprise Commission

From: Neil Angus, FAICP Environmental Planner

RE: New Industrial Building – 11 Grant Road Level 2 Unified Permit – Continued Public Hearing

Since the opening of the public hearing on April 25, 2023 and the continuation to May 30th, and again to June 8th Staff have continued to review the remaining open items with the Applicant:

Design review: The Applicant is working with MassDevelopment to modify the building design and screening to comply with the Jackson Technology Park Design Guidelines. MassDevelopment has concerns about the scale and massing of the building façade along Grant Road. The Applicant has revised the architectural plans to include additional plantings, still being evaluated by MassDevelopment.

Landscape Requirements: There are still a number of review comments that have not been addressed. Limits of disturbance, tree protection, planting distribution, screening. The scale and massing of this building continue to present challenges to providing appropriate screening. This is especially true along Grant Road.

Building Scale and Massing: The proximity of the building to the property line and limit of work (26.4 feet) raises questions of whether or not this is a realistic limit of work to allow the building to be constructed. The limit of work fencing and existing tree protection fencing along Grant reduce the work area even more. How will the foundation be excavated, backfilled, and required screening installed within this limited work area? Staff has requested the Applicant reduce the size of the building on this side to accommodate a reasonable work area and allow the placement of the required screening.

Traffic: The actual proposed operations of the facility are still being evaluated, therefore, the volume, frequency and timing of truck traffic is still an open item. The traffic study will need to be updated to address these issues. Staff has included conditions that would restrict operating hours, truck volumes, and deliveries, in order to ensure compliance with the DEC Rules and Regulations.

Sound Study: Similar to traffic, the volume, frequency and timing of truck activities on-site can impact noise levels in the surrounding area. The sound study will need to be updated to include the actual and projected volumes and timing of trucks to ensure full compliance with the DEC Industrial performance Standards for Noise.

Site/Stormwater: Bike rack details, curbing clarifications, water quality protection measures during construction, phosphorous removal, and updated stormwater calculations are required. These can be provided as a condition of approval.

Recommended Action:

Staff has prepared a draft Record of Decision for the Commission's consideration that addresses the majority of these issues as conditions of approval, but it should be noted that failure to fully meet all of these requirements could result in the project not being able to move forward as currently designed. At this point, the Commission has three options:

1. Approve the Unified Permit with Conditions.
2. Continue the public hearing to the July 13, 2023 meeting to provide the Applicant additional time to fully address the remaining issues and bring the project into full compliance with the DEC Rules and Regulations. Such a continuation/extension would have to be requested by the Applicant.
3. Deny the Application without prejudice based on failure of the Applicant to provide site plans that fully comply with 974 CMR 3.04 (design standards), 4.05 (industrial performance standards for noise), and 4.08 Stormwater Management.