

Staff Report

Devens
Enterprise
Commission

Date: September 2, 2021

To: Devens Enterprise Commission

Cc:

From: Neil Angus, Environmental Planner

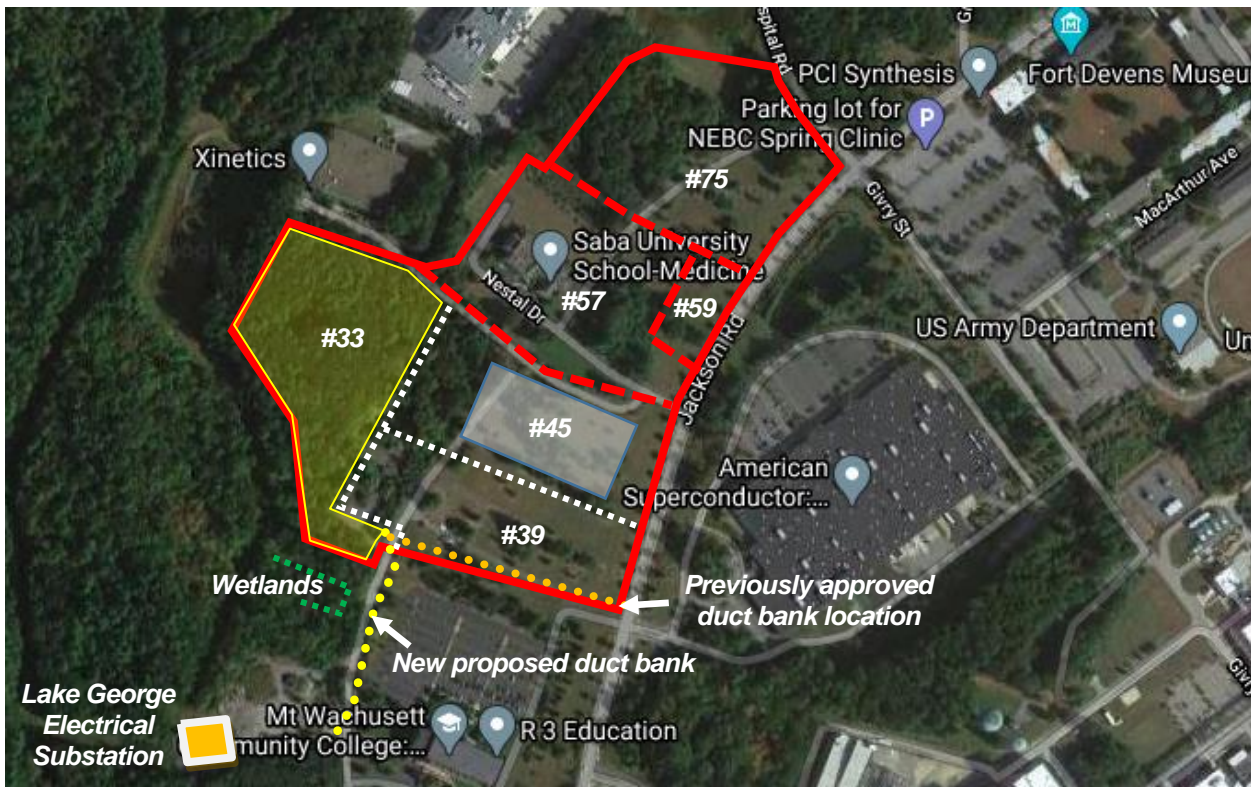
RE: 33 Jackson Road – King Devens, LLC Duct Bank Relocation

Owner/App.: King Devens, LLC/King Street Properties Acquisitions, LLC.

Location: 33 Jackson Road and Lake George Street Right-Of-Way, Devens, MA

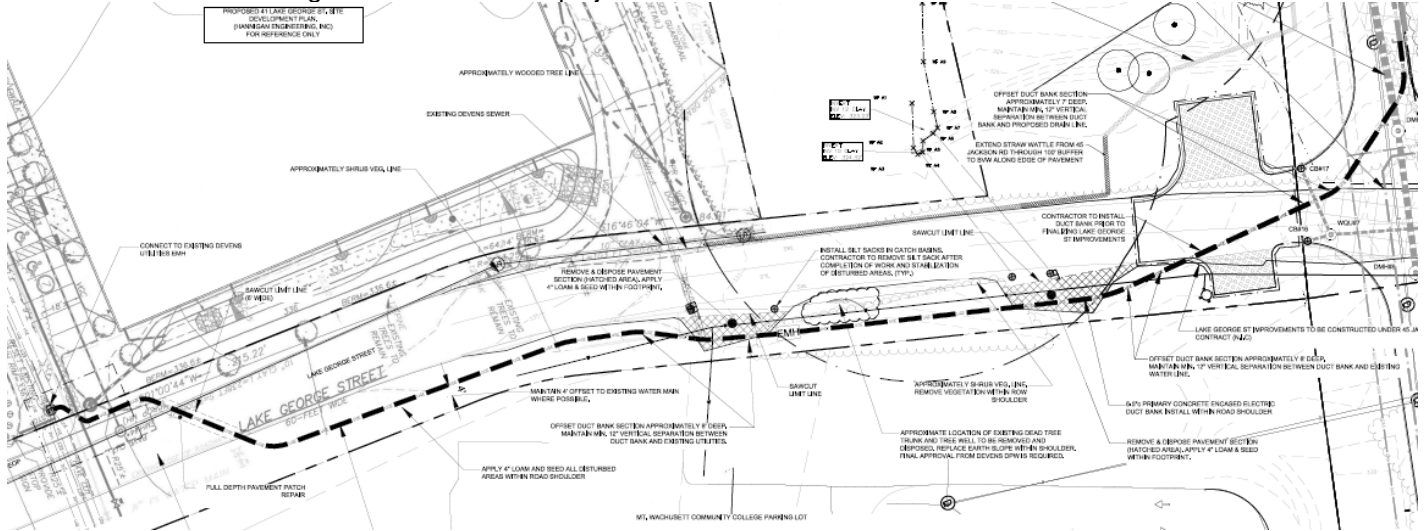
Zoning: Innovation & Technology Business District, Watershed Protection Overlay District and Viewshed Protection Overlay District.

Premises and Proposed Project: Highpoint Engineering, on behalf of King Devens LLC, is seeking a Wetland Request for Determination of Applicability for the construction of a +/- 150 linear feet of electric duct bank to service their 220,000 gross square foot bio-manufacturing building:



Originally this line was proposed and approved to connect to the site from Jackson Road (see above). The relocated electrical main is partially located within a 100' buffer to a Bordering Vegetated Wetland (BVW) located on the opposite side of Lake George Street. The proposed conduit is located entirely within a previously cleared area and therefore does not alter any significant habitat associated with the BVW. The proposed conduit will be installed within the easterly shoulder of Lake George Street which will ultimately connect to an existing electrical manhole located at 41 Lake George Street adjacent to the right-of-way. The conduit from 33 Jackson Road will cross Lake George Street near the northerly extent of the roadway which will ultimately be resurfaced by King Street Properties. The conduit will continue along the easterly shoulder of Lake George Street through two

unused driveway aprons and an overgrown landscaped area featuring a stone tree well and a dead tree stump. The pavement within the unused aprons will be removed, along with the vegetation and former tree well located in the landscaped area adjacent to the 27 Jackson Road property (Mount Wachusett Community College). After the trenches are backfilled, all areas will be restored with loam and seed. The conduit will then cross Lake George Street with a 6' wide pavement trench to connect to an existing electric manhole in the proposed driveway of the future 41 Lake George Street construction project:



This new route has been reviewed with Devens Engineering and DPW, and both parties have approved the work as designed pending the issuance of utility / street opening permits. DEC Staff have little concern for any negative impacts to the nearby BVW as it is on the opposite side of the road. As long as the existing drainage system on Lake George is protected from any sedimentation from this project, there should be no problems. The project will actually result in a small decrease in pavement as a result of the old road aprons being permanently removed. The Director has made a preliminary determination that a full Wetland Notice of Intent is not required for this project, subject to a few conditions for erosion controls and stabilization of disturbed areas (see below).

Application and Process: Highpoint Engineering, on behalf of King Street Properties Acquisitions, LLC., submitted the Level 1 Request for Determination of Applicability (RDA) Application on August 30, 2021. The Director determined this project to be minor and only require a Levels 1 review. In accordance with 974 CMR 1.03(2), such review does not require a public hearing. An RDA does require public notification and ratification of the Director's decision at a public meeting. A legal notice was placed in Nashoba Publications on September 3, 2021. No comments were received.

Recommended Action: If the Commission is in agreement with the Director's decision, Staff would recommend the Commission ratify the DEC Director's decision to issue a Negative Determination of Applicability for the above-referenced project subject to the following conditions:

1. No ground disturbance or vegetation removal is permitted on the west side of Lake George Street north of 41 Lake George Street. Any dewatering activities must occur on the east side of Lake George and no dewatering discharges are authorized to the Lake George Street drainage system.
2. Erosion and sediment controls shall be installed and inspected by DEC Staff prior to commencement of any construction.
3. The Applicant shall obtain a utility/street opening permit from MassDevelopment prior to commencement of construction.
4. All exposed areas shall be permanently stabilized with a native New England restoration seed mix. Erosion controls shall remain in place until all exposed areas are fully stabilized.

This approval would be subject to the plan entitled: "Level One DEC Submission, Lake George Street & 33 Jackson Road (Lot 3) - Electric Duct Bank Site Plan", Sheet E000, dated 8-26-21; prepared by Highpoint Engineering, Inc., 45 Dan Road, Suite 140, Canton, MA 02021. Any changes must be approved by the DEC in writing prior to implementation.