

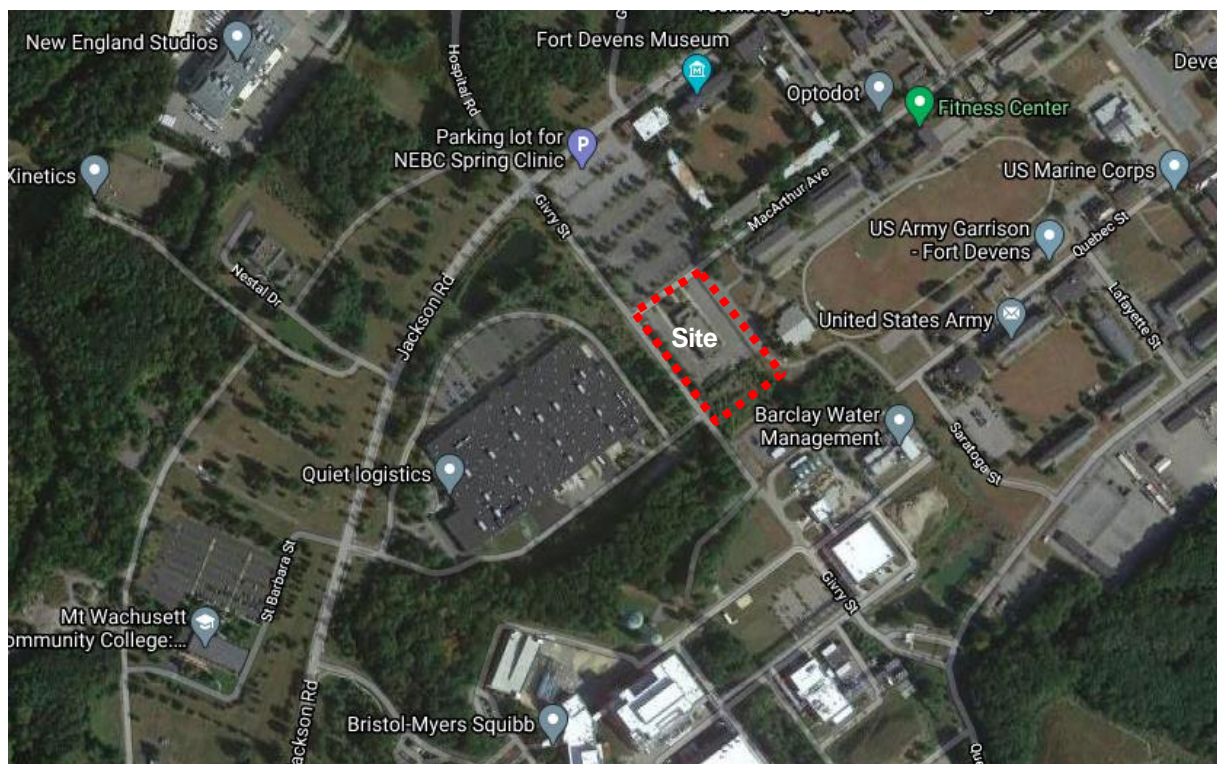
Staff Report

Date: January 21, 2021
To: Devens Enterprise Commission
From: Peter Lowitt, Director and Neil Angus, Environmental Planner
RE: 4 MacArthur Level 2 Unified Permit Public Hearing

Owner/App.: MacArthur Avenue, LLC.
Location: 4 MacArthur Avenue, Devens, MA
Zoning: Innovation & Technology Business District (ITB), Watershed Water Resources Protection Overlay District and Viewshed Overlay District

Proposed Project:

ETS Inc. Engineering and Consulting Services, on behalf of MacArthur Avenue LLC, has submitted a Level 2 Unified Permit for the development of a +/-55,000 sf light manufacturing facility and associated site improvements on the grounds of the former Hodges Theatre which is to be demolished as part of this project,. The proposed project is a light manufacturing facility for Nexius, a 5G distributor who proposes to conduct assembly and distribution services at this location, employing 70 people. The use is an allowed use in the ITB district and is located on a lot with sufficient area and frontage to comply with the Devens Bylaws. The Project is located at the northeast corner of MacArthur and Givry Streets on the site of the former Hodges Theatre. Quiet 3PF (the former American Superconductor building) is located to the south across Givry Street and the MD Utilities' BMS Substation is to the east of the site along Givry Street. New England Studios owns the parking area to the west across MacArthur Avenue.



Project Issues:

Access: The facility will be accessed via the two existing driveways as part of the project. All passenger vehicles will access the site from MacArthur Avenue. All shipping vehicles will enter and exit the property via the Givry Street

driveway. The largest vehicles serving this site will be an Interstate Semitrailer [WB-67] which is 8.5 feet wide by 73.5 feet long. Pedestrian access will require a 5-foot wide sidewalk from the proposed building entrance off of MacArthur with a crosswalk connecting to the Sherman Square area. This sidewalk should provide ADA ramps with transition curbing at the intersection (both sides of MacArthur) to provide unobstructed universal access to the existing sidewalks on the west side of MacArthur Ave. Provide pavement striping details in accordance with 974 CMR 3.04(3)(a)2.d. Please also include a stop bar and sign at each proposed entrance/exit to the property..

Parking: The Applicant has proposed a parking ration of 2 spaces per 1000 sf totaling 103 spaces.. Devens utilizes parking maximums. .Plan revisions reduced the parking to 63 spaces. Explain discrepancy that states only 30 employees are expected on site during normal business hours. Hours of operation are 7:30am to 6 PM. The Application narrative indicates that the proposed gross floor area is 6,000 sf office and 49,500 manufacturing/warehouse. Although the number of proposed parking spaces has been reduced, no pavement area was eliminated. If additional spaces are desired for future expansion, the Applicant should consider reserve parking strategies.

Traffic: Based upon the ITE Trip Generation Manual [10th Edition], this site would be expected to generate approximately 13 trips during the peak hour for the office personnel [2.54 trips per 1,000 GSF] and 37 trips during the peak hour for manufacturing areas [0.67 trips per 1,000 GSF]. Nexius the proposed tenant for the building anticipates approximately 70 employees at this location at full build. This conflicts with the narrative stating only 30 employees. Please clarify.

Viewshed Overlay: The applicant has provided the required analysis to illustrate that their project will not be visible from the Viewshed viewing locations at the Fruitlands Museum and Prospect Hill Overlook. Building finishes and rooftop mechanicals need to be specified as non-reflective.

Public Safety: A Hazardous Materials Spill Response Plan and Spill Pollution Prevention Control and Countermeasures Plan will be required as a condition of approval and will need to specify the materials, types, quantities, location and method of storage/containment, handling and disposal as per 974 CMR 4.09.

Industrial Performance Standards: To help avoid potential nuisance conditions, the Applicant has designed the facility with due consideration for the surrounding land uses.

Noise: To ensure compliance with 974 CMR 4.05 (IPS standards for Noise), all rooftop mechanicals shall be located closest to Givry Street and any exhaust fans directed away from the Army property. Mechanical equipment selection should include low or ultra-low noise fans and or sound enclosures to reduce any potential nuisance conditions. The closest sensitive receptors include the adjacent Army dormitories.

Lighting: DEC Regulation require 0.5 footcandles for walkways and driveways. Staff has requested the Applicant review the lighting plan to ensure compliance with 974 CMR 3.04 and 4.04. The Applicant also needs to indicate if any lighting is required to remain on overnight and if so, how it can be minimized (reduced lighting plan required between 11PM and 7AM). Any lighting controls (timers, photocells, etc.) should also be indicated. Light fixture and pole colors also need to be dark earth-tone colors (some are specified as being white).

Greenhouse Gas Emissions: The application does not trigger the requirement for a high performance building. The applicant shall join the Devens EcoStar program and work with the Devens Eco Efficiency Center to develop a greenhouse gas mitigation plan for the facility.

Devens Engineering and Utilities: Devens Engineering and Utilities have a small number of comments regarding proposed utility connections along Givry and redirecting offsite drainage.

Stormwater Management: Porous pavement and permeable pavers are being proposed in areas of the site and stormwater will be stored under the parking lot and managed on site as required by DEC Regulations. The DEC Peer Review Engineers have requested the Applicant better detail contours and labels and take curbing into account when assessing stormwater flow. Additional minor comments remain which can be rolled into an order of condition. A Construction General Permit from the EPA and a Stormwater Pollution Prevention Plan still need to be provided to the DEC prior to the commencement of any activity on-site.

Landscaping: The DEC's peer review Landscape Architects have reviewed the plans for compliance with 974 CMR 3.04(8). There are a number of modifications required to the erosion and sediment control plans which should also show the limits of clearing, construction laydown and temporary sedimentation basin locations. Additional comments regarding plant species selection, stabilization of all disturbed areas, soil compaction and landscape management will also need to be addressed through conditions of approval.

Waiver Requests:

The Applicant has requested the following design waivers:

1. *Parking lot planting requirements under 974 CMR 3.04 (8) (h) along the parking area on the south side of the property.*

The Applicant should provide justification for this waiver request.

2. *A waiver from 974 CMR 3.04(1)(a) to allow a 10' front setback instead of the required 25' setback for the Givry Street frontage.*

The lot is located at the corner of Givry and MacArthur. In order to provide distance from the abutting Fort Devens military facility and to address having two frontages, staff recommends the Commission grant this waiver.

The Land Use Administrator granted the following Administrative Plans, Form and Content waiver from 974 CMR 3.02(3)(a) to allow 1"=30' scale rather than 1"=40'.

Application and Process: ETS on behalf of MacArthur Avenue LLC submitted the Unified Permit Application on December 8, 2020 and the Determination of Completeness was issued on December 10, 2020. Copies of the application were received by the surrounding Towns on December 28, 2020. Legal notices were placed in Nashoba Publications on December 25, 2020 and January 1, 2021. All abutting property owners were duly notified by certified mail. The 30-day Town comment period expires on January 27, 2021. No comments were received. The 75 day review period for the DEC to act on this application ends on February 22, 2021.

Recommended Action: The 30-day town comment has not expired and there are still a number of outstanding issues that need to be addressed. Once the Commission and public have had an opportunity to ask any questions or comments, the commission should continue the public hearing to the next regularly scheduled meeting on February 4, 2021 at 7:30 AM.