

**Consolidated Decision**  
**Major Commercial or Industrial Use Special Permit**  
**Aquifer and Water Resource District Special Permit**  
**Site Plan Review**  
**151 Taylor Street**

- APPLICATION:** **SPECIAL PERMITS** pursuant to MGL Chapter 40A and the Code of the Town of Littleton Zoning. The application is for a Major Commercial or Industrial Use Special Permit, and Aquifer and Water Resource District Special Permit, and Site Plan Review for the development of a distribution center at 151 Taylor Street.
- PROPERTY LOCATION:** Approximately 28.763 acres of land at 151 Taylor Street Assessors' Map R-10, Parcel 14.
- DESCRIPTION:** The project includes the demolition of the existing two-story office building and construction of a new approximately 145,507 sf warehouse/distribution center, equipped with 30 loading bays and 134 parking spaces, to support the growing E-commerce industry. The project also includes upgraded stormwater management and sanitary treatment.
- APPLICANT:** The Bulfinch Companies, Inc.  
c/o James Ward, Esq. Nutter, McClennen & Fish  
155 Seaport Boulevard  
Boston, MA 02210
- OWNER:** 151 Taylor DE, LLC  
c/o The Bulfinch Companies, Inc.  
Attn: Robert Schlager  
116 Huntington Avenue, Suite 600  
Boston, MA 02116
- DATES OF LEGAL NOTICE:** August 24 and 31, 2018
- DATES OF HEARINGS:** September 13, October 4, and November 1, 2018
- MEMBERS PRESENT:** Mark Montanari, Ed Mullen, Anna Hueston, Jamie Cruz, and Peter Scott (certified pursuant to M.G.L. c. 39, s. 23D)
- PUBLIC HEARING:**  
The Littleton Planning Board held a duly noticed public hearing on September 13, 2018, which was continued to October 4, 2018, at which time the Board closed the public hearing, with the Board deliberating November 1, 2018, to consider an application for Special Permits pursuant to MGL Chapter 40A and the Code of the Town of Littleton Zoning.

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Matthew Snell of Nutter McClennen & Fish on behalf of the property owner, presented the project and expressed support for the application. Robert Gemma (Metrowest Engineering), Eric Weyant (Stantec), Shaun Kelly (Vanasse and Associates), and Ken Dickinson (Paul Finger Associates) made a presentation to the Board regarding the engineering and design, architecture, traffic and landscaping, respectively. Representatives of the property owner present responded to questions posed by members of the Planning Board and Town Staff. Abutters and other members of the public in attendance asked a number of questions, all of which were taken under advisement.

The Public Hearing was continued to October 4, 2018, at which time the detailed peer review provided by Green International Affiliates, Inc. was presented along with responses from the applicant, satisfactory to the peer reviewer and the Board, and the Hearing was closed, with deliberations and a vote continued to November 1, 2018. At the meeting of November 1, 2018, the Board deliberated and voted on the project.

### BACKGROUND:

The property, located off Taylor Street and Monarch Drive, is comprised of 28.763 acres. The Property is located within an Industrial A District and located within the Aquifer and Water Resource overlay district. The Property is currently improved with a two-story office building, parking, and loading areas; the building has been vacant for approximately two years. The Project includes demolition of the existing office building and construction of a new distribution center to support the growing E-commerce industry.

The Applicant submitted to the Planning Board the materials listed below (collectively, the “Plans”), which, together with the testimony provided at the referenced public hearings and the review and analysis of these materials provided by Green International Affiliates, Inc., consultants to the Town of Littleton, provide the information required by Sections 173-89, 173-62 and 173-17 and are the basis of the Board’s determinations and decision:

1. Special Permit Narrative dated August 14, 2018 prepared by Nutter McClennen & Fish.
2. Special Permit Applications: Basic Application and Form 1A, received August 14, 2018.
3. Site Development Plans prepared by MetroWest Engineering, Stantec and Vanasse and Associates:

SHEET NAME	SHEET NO.	DATE ISSUED	LAST REVISED
COVER SHEET	1	April 20, 2018	09/24/18
EXISTING CONDITIONS PLAN	2	April 20, 2018	09/24/18
OVERALL PROPERTY PLAN	3	April 20, 2018	09/24/18
EROSION CONTROL AND DEMOLITION PLAN	4	April 20, 2018	09/24/18
PROPOSED LAYOUT PLAN	5	April 20, 2018	09/24/18
PROPOSED SITE PLAN	6	April 20, 2018	09/24/18
PROPOSED DETAIL PLAN	7	April 20, 2018	09/24/18
PROPOSED DETAIL PLAN 2	8	April 20, 2018	09/24/18
PLANTING PLAN	L-1.0	July 2018	
OUTDOOR LIGHTING PLAN	1 of 1	7/12/18	
ARCHITECTURAL PLAN SET COVER SHEET	G-000		
SITE PLAN	A-011	04/06/2018	
LEVEL 1	A-101	04/06/2018	

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ENLARGED PLANS	A-102	04/06/2018	
ROOF PLAN	A-103	04/06/2018	
EDGE OF SLAB	A-161	04/06/2018	
BUILDING ELEVATIONS/SECTIONS	A-202	04/06/2018	
PERSPECTIVES	A-250	04/06/2018	
ENVELOPE SYSTEM TYPES	A-300	04/06/2018	
TYPICAL DETAILS	A-400	04/06/2018	
TYPICAL ROOF DETAILS ETC.	A-492	04/06/2018	
TYPICAL STAIR PLAT STIR DETAILS ETC.	A-623	04/06/2018	
CONCEPTUAL IMPROVEMENT PLAN – TRAFFIC IMPACT ASSESSMENT – PROPOSED DISTRIBUTION FACILITY – LITTLETON, MASSACHUSETTS		10/1/2018	

4. Drainage Report submitted August 14, 2018.
5. Conservation Commission Order of Conditions, third party review, and response to comments.
6. Storm Water Management Plan dated July 2018.
7. Transportation Impact Assessment – Proposed E-Commerce Distribution Facility, 151 Taylor Street, Littleton, Massachusetts, Vanasse & Associates, Inc., August 13, 2018.
8. Response to Comments, dated September 28, 2018, prepared by Nutter McClennen & Fish.
9. Minor Amendment to Application for Major Industrial Use Special Permit, Aquifer and Water Resource District Special Permit and Site Plan Review, dated October 2, 2018 prepared by Nutter McClennen & Fish.

**DETERMINATIONS:**

1. Roads, water, and drainage facilities as committed by the applicant to be improved, will serve this proposal adequately and safely without material deterioration in service to other locations;
2. There is a high assurance that no planned or unplanned contingency will result in undue hazard or contamination of air, land, or water resources;
3. The proposal is visually compatible with the vicinity, including consideration of site arrangement, consistency in architectural scale, retention of existing site features, especially trees, and architectural character;
4. There is a minimal degree of threat to environmental resources, including loss of valuable trees and other vegetation, disturbance of habitats, and soil loss through erosion;
5. Buffering and screening from any nearby uses of different character is adequate;
6. The Planning Board has determined that at the boundaries of the premises, the groundwater quality resulting from on-site waste disposal, other on-site operations, natural recharge and background water quality will not fall below the standards established by the Department of Environmental Protection in Drinking Water Standards of Massachusetts, as most recently revised, or, for parameters where no Department of Environmental Protection standard exists, below current Environmental Protection Agency criteria as published in the Federal Register or, where no such criteria exists, below standards established by the Board of Health in consultation with the Board of Water Commissioners and, where existing

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groundwater quality is already below those standards, upon determination that the proposed activity will result in no further degradation.

7. No proposed uses are prohibited in the Aquifer and Water Resource District and the project will meet the requirements of the Zoning Bylaw, as it will recharge 100% of the rainfall at the Property following treatment of stormwater and remove impervious surfaces within the buffer zone to wetlands at the Property to enhance the functionality of these areas. Further, the proposed sanitary system will reduce the discharge at the Property and will utilize new technologies to enhance treatment prior to discharge. As a result, the development improves water quality from existing conditions and enhances current recharge.

8. The project includes 20.8 percent impervious surface, which the Board may allow by special permit in the Aquifer and Water Resource District (A special permit is required where a development proposes rendering impervious more than 15% of lot area or 2500 square feet of any lot or parcel but less than 30% in the Aquifer Protection Overlay District and rendering impervious more than 20% but less than 50% of any lot or parcel in the Water Resource District.

9. The project provides adequate and safe access as access will continue through the existing common driveway leading to Taylor Street, approximately 1000 feet south of the Route 2/Taylor Street interchange. Based on the Traffic Study, it is not likely that traffic from the project will pass through or impact streets serving residential districts.

10. The project meets the requirements for approval of the site plan including provision of adequate access and internal circulation, screening of parking and lighting from adjacent uses, Adequate access to each structure for fire and service equipment and adequate stormwater, utilities and drainage.

11. As conditioned below, no significant nuisance, hazard or congestion will be created and that there will be no substantial harm to the neighborhood or derogation from the intent of this chapter.

### **CONDITIONS:**

Based on the foregoing, NAME HERE made a motion that the Planning Board **grant/deny** the Major Commercial or Industrial Use special permits under Articles XVIII Major Commercial or Industrial Use; **grant/deny** the Water Resource District special permits; and **approve/deny** the Site Plan under the Code of the Town of Littleton Zoning, subject to the following conditions:

1. The validity of this permit is dependent on the Applicant recording this decision at the Middlesex Registry of Deeds. No building permit shall issue until the Applicant has filed with the Building Inspector and Planning Board a copy of this decision setting forth the recording information of the decision;
2. Semi-annual groundwater monitoring activities shall be required to help assess land use impacts on local groundwater resources. The owner shall be responsible for all associated costs incurred including: the installation of new groundwater monitoring wells (to be located with the approval of the Littleton Water Department); maintenance and upkeep of existing groundwater wells; and sampling, analysis, and review performed by the Littleton Water Department. The sampling, location, testing frequency, and analytical requirements shall be drafted and modified by the Littleton Water Department and approved by the Littleton Planning Board contingent upon existing and future environmental site conditions;
3. Groundwater quality shall not be degraded below drinking water standards at the property lines due to activity on this property;

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4. The project as proposed does not include use, storage, or generation of large quantities of any hazardous material. However, the property owner, as part of any lease of the Property will require that the tenant comply with all applicable laws with respect to hazardous materials.
5. No sodium deicing chemicals are to be used or stored on site (non-sodium deicing chemicals may be used);
6. Operation and Maintenance of the stormwater system shall be conducted in accordance with the Operation and Maintenance Plan attached as Chapter 11 to the “Stormwater Report” Bulfinch Companies 151 Taylor Street Littleton, MA 01460 dated July 2018 submitted to the Board;
7. No parking of vehicles is allowed on any unpaved surface;
8. The applicant will inspect the existing common driveway to determine the need to reconstruct and install heavy-duty pavement prior to issuance of an occupancy permit for this redevelopment proposal and will re-align the entrance to the common driveway at Taylor Street as presented to the Board during the public hearing to allow adequate turning for trucks entering and exiting the common driveway;
9. As described in the October 2, 2018 Minor Amendment to Application for Major Industrial Use Special Permit, Aquifer and Water Resource District Special Permit and Site Plan Review, the property owner may use the property for temporary parking for the storage of trucks, trailers and equipment and/or the parking of passenger vehicles owned by employees, contractors, customers or agents of United Parcel Service (“UPS”) on the Property. All trucks and trailers shall be stored on the existing parking lot at the Property, and no goods or products shall be stored or unloaded at the Property during the temporary period. The temporary parking may be used for approximately five (5) months, beginning November 1, 2018 and ending in March 31, 2019.
10. This Special Permit will lapse 24 months following the grant thereof (except such time required to pursue or await the determination of an appeal referred to in M.G.L. c. 40A, Section 17) if a substantial use or construction has not sooner commenced, except for good cause. Commencement of construction of improvements to the building or substantial site work in support of the construction approved hereby will constitute substantial use of this Special Permit.

NAME HERE seconded this motion and the Board voted XX to YY in favor of this motion.

**VOTE:**

The Board members voted as follows:

Mark Montanari	AYE/NAY
Ed Mullen	AYE/NAY
Anna Hueston	AYE/NAY
Jamie Cruz	AYE/NAY
Peter Scott	AYE/NAY

**Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A, Massachusetts G.L., and shall be filed within 20 days after the date this decision is filed with Town Clerk.**

Signed:

\_\_\_\_\_  
Anna Hueston, Clerk

Date Filed with Town Clerk: \_\_\_\_\_

\_\_\_\_\_  
Town Clerk

**TOWN CLERK CERTIFICATION:**

To Whom It May Concern:

I, Diane Crory, Clerk of the Town of Littleton hereby certify that twenty days have elapsed since the filing of this decision by the Planning Board for this Special Permit and that no appeal concerning said decision has been filed, or that any appeal that has been filed has been dismissed or denied.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Clerk Diane Crory  
Littleton Mass.

DRAFT for Nov. 1, 2018 PB Meeting