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Littleton Planning Board

Mark Montanari, Chair
Littleton Planning Board
Littleton Town Offices
37 Shattuck Street, Room 303
Littleton, MA 04160

received
8/14/18 JZ
3pm

Re: 151 Taylor Street, Littleton, MA
Application for Major Industrial Use Special Permit, Aquifer and Water
Resources District Special Permit and Site Plan Review

Dear Chair Montanari and Members of the Board:

On behalf of 151 Taylor DE, LLC, c/o The Bulfinch Companies, Inc., 250 First Street, Suite 200, Needham, MA 02494 (the "Petitioner"), we hereby request that the Town of Littleton Planning Board (the "Board") approve a Major Industrial Use Special Permit, an Aquifer and Water Resources District Special Permit and approve the Site Plan for the development of a distribution center at 151 Taylor Street (Assessor's Parcel Map R10 Lot 14) (the "Property") pursuant to Article XVII, Article XIV and Article IV respectively, of the Town of Littleton Zoning Code. (the "Code"). As shown on the attached plans, the Petitioner propose to demolish the existing two-story office building at the Property and construct an approximately 144,600 square foot (sf) distribution center and associated parking and loading facilities (the "Project").

The following materials are provided in support of this request:

1. Special Permit Application (Form 1), Aquifer & Water Resources Districts Special Permit Application (Form 1A) and Site Plan Checklist (Exhibit 1);
2. Certified Abutter List (Exhibit 2);
3. Two full sheet sets and five reduced copies (11x17) of Project Site Plans and Architectural Plans (Exhibit 3);
4. Drainage Report and Calculations (Exhibit 4);
5. Order of Conditions, Town of Littleton Third Party Peer Review and Response to Comments (Exhibit 5);
6. Traffic Review Letter (Exhibit 6); and

7. Three checks in the amounts of \$5,000.00 (Major Industrial Use Special Permit), \$250.00 (Aquifer & Water Resources Districts Special Permit) and \$35,150.00 (Site Plan Approval Fee) (Exhibit 7).

I. The Proposed Project.

The Property, located off of Taylor Street and Monarch Drive, is comprised of 28.763 acres (1,252,920 sf).¹ According to the Littleton GIS, the Property is located in an Industrial A (“IA”) District under the Littleton Zoning Bylaw (“Bylaw”) and portions of the Property are located in the Aquifer and Water Resources Districts.² The Property is presently, and will be following development, accessed by a common commercial driveway off of Taylor Street, approximately 100 feet south of the Route 2/Taylor Street exchange.

The Property is presently improved with a two-story office building (50,755 sf footprint) and supporting parking (340 spaces) and loading areas. The existing impervious area occupies 207,000 sf (17 percent of the Property). Sanitary sewer for the existing office is provided by an approved Title 5 septic system (approximately 7,500 gallons per day) located under the existing parking lot. The office building, permitted in the late 1980s through a special permit and aquifer district special permit, is presently vacant and has been without a tenant for approximately two years.³

The Project includes the demolition of the existing office building and construction of a new distribution center to support the growing E-commerce industry. As the Property features easy access to Routes 2 and 495, and proximity to Hanscom Field Airport, the repurposing of the Property will enhance the long-term economic health of the Property.

The proposed distribution center will be an approximately 144,600 sf, single story (approximately 34 foot height) building. The building will be equipped with 30 loading bays and parking will be provided for 134 passenger vehicles (1.25 spaces per employee, with 100-105 employees anticipated in the largest shift as required by Section 173-22). Impervious area on the site will increase from 207,000 sf (17 percent of the Property) to 261,000 (20.8 percent of the

¹ In addition, the Petitioner owns the adjacent property, which is comprised of 2.913 acres (126,907 sf) (the “Monarch Drive Property”). No development is proposed on the Monarch Drive Property.

² In addition, portions of the Property are occupied by Wetlands and Floodplain described in Article XVI of the Code, however, no work requiring approval is taking place in these portions of the Property. Further, the Littleton Conservation Commission issued an Order of Conditions for the Project on July 10, 2018.

³ Despite aggressive efforts, marketing and pricing, the Petitioner has been unable to secure a new tenant for the space. In addition, the Petitioner has owned the Property since 2006, and approximately 35% of the existing office building has been vacant for the entire ownership period.



Property), an increase of 54,000 sf. However, the Project does not encroach into the 50 foot no disturb zone required by the Town of Littleton Wetland Protection Bylaw except as approved in the Order of Conditions issued by the Conservation Commission. The Order of Conditions allows for removal of the existing impervious surfaces located within the 50-foot no disturb zone adjacent to certain wetlands at the Property and restoration of these areas to enhance the function of the wetlands.

The Project will be served by a new Title 5 sanitary system (to be approved by the Board of Health. The new sanitary system, which will be designed to accommodate 3,000 gallons per day (designed for 200 employees x 15 gallons per day), is over half the size of the current existing system. As described in the stormwater report and the Order of Conditions, the Project will meet the Massachusetts Stormwater Management Standards and the redevelopment will include significant improvements to stormwater management, including treatment to remove sediment, oil and grease from parking lot runoff and infiltrate stormwater onsite to recharge the aquifer.

II. Major Industrial Use Special Permit.

A special permit from the Board is required for certain commercial and industrial uses considered to be “major”.⁴ Here, the Project is considered to be major as it includes “more than fifty thousand (50,000) square feet gross floor area in any other nonresidential use or combination of nonresidential uses.” As shown on the Plans, the Project meets all other dimensional requirements of the Code with the exception of impervious coverage as discussed in Section III below.

The major industrial use special permit may be granted as the Project meets the criteria of Section 173-7C because 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. The Property is presently developed and is located in the IA zoning district. The Project will be screened from surrounding roadways as required by the Code and traffic entering and exiting the Property will access Taylor Street to Routes 2 and 495, with little to no impact on other Town roads.

Further, the Project meets the requirements for a Major Industrial Use Special Permit pursuant to Section 173-88B(1-5) as follows:

⁴ Pursuant to Section 173-26 of the Code, if not a major industrial use, the proposed use of the Project as “wholesaling, warehousing, distribution center” would otherwise be an allowed use in the IA Zone.

- *Roads, water and drainage facilities as existing, or as committed by the town or the applicant to be improved, and their ability to serve the project adequately and safely without material deterioration in service to other locations.*

The Property has access to existing utilities and to Taylor Street. No upgrades or offsite improvements will be necessary to develop the Project. Upgrades to the sanitary sewer system, including a reduction in daily gallonage by more than half from the current system, and stormwater management systems will improve conditions at the Property, including recharge to the aquifer.

- *Degree of assurance that no planned process or unplanned contingency will result in undue hazard or contamination of air, land or water resources.*

The Project will house a distribution center for an as yet undetermined future tenant. No underground storage or outside storage of hazardous materials or oil will occur at the Property. Further, upgrades to the sanitary sewer system and stormwater management systems will improve conditions at the Property, including recharge to the aquifer.

- *Visual compatibility with the vicinity, including consideration of site arrangement, consistency in architectural scale, retention of existing site features, especially trees and architectural character.*

The Property is presently developed with an office building and the surrounding uses are commercial or industrial in nature. The majority of the Property will remain wooded, with the proposed Project screened from adjacent roadways pursuant to the Code (See Landscaping Plan). During the hearings in front of the Conservation Commission, the Project was revised to remove drainage features saving 52 trees on the Property.

- *Degree of threat to environmental resources, including loss of valuable trees and other vegetation, disturbance of habitats and soil loss through erosion.*

As part of the Order of Conditions issued by the Conservation Commission, the Petitioners received a No Take letter regarding endangered species. In addition, much of the Property will remain in its natural state. Also, a portion of the Property and Monarch Drive Property are subject to a Conservation Restriction entered into as part of prior development of an adjacent property.

- *Buffering and screening from any nearby uses of different character.*

The Property will be screened as shown on the Landscape Plan. Further, the surrounding uses are all of a commercial nature.

For all of the above reasons, the Board may issue a Major Industrial Use Special Permit for the Project.

III. Aquifer and Water Resources District Special Permit.

Section 173-61 of the Code establishes aquifer and water resource protection areas which are delineated on the map entitled “Aquifer and Water Resource District, Town of Littleton” dated March 2004. The Property is located partially within the Aquifer Protection Overlay District and partially within the Water Resource District. No uses prohibited in either district are proposed for the Project, however, under the Code, pursuant to Section 173-62C of the Code, “changes resulting in crossing the thresholds of §173-61” require an Aquifer and Water Resource District Special Permit from the Board. Here, development in the Aquifer Protection Overlay District or Water Resource District necessary for the Project exceeds certain of the thresholds of Section 173-61, including:

- Parking area with more than 100 or more spaces;
- Accessory uses or activities: manufacture, use, transport, storage or disposal of toxic or hazardous materials in excess of 5 gallons or 25 pounds dry weight of any substance or a total of all substances not to exceed 50 gallons or 250 pounds dry weight, on a site at any one time as an accessory activity for nonresidential and nonagricultural principal activities
- Rendering impervious more than 15% of lot area or 2500 square feet of any lot or parcel but less than 30% (Aquifer Protection Overlay District; and
- Rendering impervious more than 20% but less than 50% of any lot or parcel (Water Resources District).

The Planning Board may grant a special permit for the Aquifer and Water Resource District where, 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 or other criteria for groundwater quality. Here, as described above and in the attached stormwater report (which was reviewed by a third party engineer as part of the Conservation Commission’s review of the Project), the Project will meet the requirements of Section 173-63D as it will recharge 100% of the rainfall at the Property following treatment of such stormwater. This improves water quality from existing conditions and enhances current recharge. Further, removal of impervious surfaces within the buffer zone to wetlands at the Property will enhance the functionality of these areas.

The Project's proposed sanitary system will reduce the discharge at the Property and will utilize new technologies to enhance treatment prior to discharge. The Petitioner does not anticipate any industrial wastewater being discharged at the Property.

In addition, although it is anticipated that the distribution center may handle small amounts of hazardous material and keep small amounts of cleaning products, these materials cannot be defined until a tenant is identified. However, the Project as proposed does not include storage of large quantities of any hazardous material. In addition, as part of any lease of the Property, any hazardous materials will be required to be stored in the proposed building pursuant to all applicable laws. Any such materials will not be stored outside or in a manner that would lead to a release to the environment. As part of any future monitoring of the Property required pursuant to Section 173-63E, the Petitioner would provide a list of any materials, along with Material Safety Data Sheets and handling procedures, to the Town (Board of Health, Water Commissioners and the Board).

IV. Site Plan Review.

As shown on the attached plans, the Project meets the requirements of Section 173-18 necessary for Site Plan Approval by the Board. As described below, the Project meets the requirements of Section 173-18(A-F):

- *Internal circulation and egress are such that traffic safety is protected, and access via minor streets servicing single-family homes is minimized.*

As shown on the Plans, access to the Property will continue through a drive to a common driveway leading to Taylor Street, approximately 100 feet south of the Route 2/Taylor Street exchange. Traffic from the Project will not pass or impact streets serving residential districts.

- *Visibility of parking areas from public ways and residences is minimized, and lighting of these areas avoids glare on adjoining properties.*

The Project will be screened from Taylor Street, including lighting, as shown on the Plans.

- *Major topographic changes or removal of existing trees is minimized.*

The Project minimizes grading and will leave much of the Property in its natural state. The Project does not encroach on the 50 foot no disturb zone required by the

Littleton Wetlands Protection Bylaw and existing impervious surfaces within the no disturb zone will be removed and the areas restored as part of the Project.

- *Adequate access to each structure for fire and service equipment is provided.*

Fire access is provided around the building.

- *Utilities and drainage in the vicinity either are or will be made adequate, based on the functional standards of the Planning Board's Subdivision Regulations.*

The Project utilizes existing utilities that provide the necessary service to the Project. Further, upgraded stormwater management systems will enhance volume and quality of recharge at the Property.

- *Methods of stormwater control and treatment as outlined in the Town of Littleton Low Impact Design/Best Management Practices Manual (latest edition) are utilized to the maximum extent practicable.*

The upgraded stormwater management system as approved through the Order of Conditions issued by the Conservation Commission improves conditions at the Property.

V. Conclusion.

Please docket and advertise this request for a public hearing. We look forward to discussing the Project and any questions that you may have at the public hearing. Please do not hesitate to contact this office to discuss this filing.

Very truly yours,

James G. Ward

Enclosures

Cc: Robert Schlager, The Bulfinch Companies, Inc.
Mark DiOrion, The Bulfinch Companies, Inc.
Robert Gemma, MetroWest Engineering, Inc.