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**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 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 143,640 sf warehouse/distribution center, equipped with 14 loading bays and 200 parking spaces, to support the growing demand for mid-sized industrial facilities. The project also includes upgraded stormwater management and sanitary treatment.

APPLICANT/OWNER: NBPII Littleton, LLC
401 Edgewater Place, Suite 265
Wakefield, MA 01880

DATES OF LEGAL NOTICE: December 20 and 27, 2019

DATES OF HEARINGS: January 9, and February 10, 2020 (ADD other dates here if needed)

MEMBERS PRESENT: Anna Hueston, Delisa Laterzo, Mark Montanari, and Gerald Portante

PUBLIC HEARING:
The Littleton Planning Board held a duly noticed public hearing on January 9, 2020, which was continued to February 10, 2020. The Public Hearing was closed on DATE HERE.

The Board deliberated on January 9, 2020, and February 10, 2020 (add other dates here if needed) to consider an application for Site Plan Review and Special Permits pursuant to MGL Chapter 40A and the Code of the Town of Littleton Zoning.

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Lawrence Beals of Beals Associates, Inc., on behalf of the property owner, presented the project and expressed support for the application. Todd Morey and Matthew Costa (Beals Associates, Inc.) and Douglas Halpert (Greenman-Pedersen) made a presentation to the Board regarding the engineering and design, architecture, traffic and landscaping. Representatives of the property owner and construction team 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 February 10, 2020, 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. The Public Hearing was closed on **DATE HERE**, with deliberations and a vote on the project at the meeting of **DATE HERE**.

BACKGROUND:

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

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 173-88, 173-62, 173-17 and 173-18 and are the basis of the Board’s determinations and decision:

1. Site Plan Review & Application for Special Permits for Article XIV Aquifer and Water Resource District and Article XVIII Major Commercial or Industrial Use dated December 2019 prepared by Beals Associates, Inc.
2. Stormwater Management Report dated December 2019 prepared by Beals Associates, Inc.
3. Stormwater Management Operations and Maintenance Manual dated December 2019 prepared by Beals Associates, Inc.
4. Stormwater Pollution Prevention Plan (SWPPP) dated December 18, 2019 prepared by Beals Associates, Inc.
5. Traffic Impact and Access Study dated December 2019 prepared by Greenman-Pedersen, Inc.
6. Site Development Plans prepared by Beals Associates, Inc. and GMA Architects Original Issue Date December 18, 2019 with sheets prepared and revised as follows:

SHEET NAME	SHEET NO.	PREPARED OR ISSUED	LAST REVISED
COVER SHEET	C0.0	12.18.2019	02.03.2020
GENERAL NOTES AND LEGEND	C0.1	12.18.2019	02.03.2020
BOUNDARY PLAN	C1.0	03.27.2019	
EXISTING CONDITIONS PLAN	C1.1	12.18.2019	02.03.2020
DEMOLITION, REMOVALS AND PROTECTION PLAN	C1.2	12.18.2019	02.03.2020
OVERALL STE PLAN	C2.0	12.18.2019	02.03.2020

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SITE LAYOUT & MATERIALS PLAN	C2.1	12.18.2019	02.03.2020
SITE LIGHTING PLAN	C2.2	12.18.2019	02.03.2020
SITE LANDSCAPE PLAN	C2.3	12.18.2019	02.03.2020
UTILITY PLAN	C3.0	12.18.2019	02.03.2020
SAN. SEWER PUMP STATION & TANK DETAILS	C3.1	12.18.2019	02.03.2020
PUMP STATION SPECIFICATIONS	C3.2	12.18.2019	02.03.2020
GRADING AND DRAINAGE PLAN	C4.0	12.18.2019	02.03.2020
INFILTRATION BASIN PLAN AND SECTION	C4.1	12.18.2019	02.03.2020
STEEP SLOPE PLAN	C4.2	12.18.2019	02.03.2020
EROSION AND SEDIMENTATION CONTROL PLAN	C5.0	12.18.2019	02.3.2020
EROSTION AND SEDIMENTATION CONTROL NOTES	C5.1	12.18.2019	02.03.2020
ACCESS DRIVE PROFILES	C6.0	12.18.2019	02.03.2020
SANITARY SEWER PROFILES	C6.1	12.18.2019	02.03.2020
WATER PROFILES	C6.2	12.18.2019	02.03.2020
STORM DRAINAGE PROFILES	C6.3	12.18.2019	02.03.2020
STORM DRAINAGE PROFILES	C6.4	12.18.2019	02.03.2020
SITE DETAILS	C7.0	12.18.2019	02.03.2020
SITE DETAILS	C7.1	12.18.2019	02.03.2020
SITE DETAILS	C7.2	12.18.2019	02.03.2020
UTILITY DETAILS	C7.3	12.18.2019	02.03.2020
UTILITY DETAILS	C7.4	12.18.2019	02.03.2020
STORMWATER DETAILS	C7.5	12.18.2019	02.03.2020
STORMWATER DETAILS	C7.6	12.18.2019	02.03.2020
EROSION AND SEDIMENTATION CONTROL DETAILS	C7.7	12.18.2019	02.03.2020
EROSION AND SEDIMENTATION CONTROL DETAILS	C7.8	12.18.2019	02.03.2020
LANDSCAPING AND LIGHTING DETAILS	C7.9	12.18.2019	02.03.2020
OVERALL FLOOR PLAN	A2.1	11.15.2019	
ENLARGED FLOOR PLAN – AREA “A”	A2.2	11.15.2019	
ENLARGED FLOOR PLAN – AREA “B”	A2.3	11.15.2019	
OVERALL ROOF PLAN	A2.4	11.15.2019	01.24.2020
EXTERIOR ELEVATION	A5.1	11.15.2019	
EXTERIOR ELEVATION	A5.2	11.15.2019	

7. Response to Comments, dated February 3, 2020, prepared by Beals Associates, Inc.

8. Any new documents here

DETERMINATIONS:

1. Pursuant to Section 173-87A, a major industrial use may be authorized only at locations where the type of use would, if not categorized “major”, be permitted by right or could be allowed by special permit. Unless otherwise prohibited or limited by Section 173-61, office, wholesaling,

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warehousing, distributions center, manufacturing, research and development, open storage and bulk storage, truck terminal (4 or fewer trucks on the premises) and public utilities are permitted non-major principal uses as set forth in Section 173-26A, subject to certain conditions in the notes following said section (collectively, the “Uses”).

2. For the reasons summarized in Section 6.0 (Special Permit Analysis) of the Site Plan Review & Application for Special Permits for Article XIV Aquifer and Water Resource District and Article XVIII Major Commercial or Industrial Use dated December 2019 prepared by Beals Associates, Inc., the Board determines that the requirements for the issuance of a Major Commercial or Industrial Use Special Permit have been satisfied, specifically:

- a) Roads, water and drainage facilities, as existing or as committed by the Applicant to be improved, will serve this proposal adequately and safely without material deterioration in service to other locations;
- b) There is a high assurance that no planned or unplanned contingency will result in undue hazard or contamination of air, land, or water resources;
- c) 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;
- d) 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;
- e) Buffering and screening from any nearby uses of different character is adequate.

3. As required by Section 173-62, the Board determines that the requirements for the issuance of an Aquifer and Water Resource Special Permit have been met, specifically:

- a) 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. There has been no determination that existing groundwater quality is already below those standards.
- b) 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 will remove particulate in runoff from 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.

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- c) The project includes 20.4% impervious surface, which the Board may allow by special permit in the Aquifer District (a special permit is required where a development proposes rendering impervious more than 15% of lot area or 2,500 square feet of any lot or parcel but less than 30% in the Aquifer Protection Overlay District). The project plans call for recharge of stormwater runoff from impervious surfaces without degradation to groundwater. Such recharge includes infiltration through methods as outlined in the Town of Littleton Low Impact Design/Best Practices Manual (latest edition). Oil, grease, and sediment traps are specified where required. The project does not include loading areas for toxic or hazardous materials. For the foregoing reasons, the proposed impervious surface of the project, including a parking area with a capacity of 100 or more spaces, is hereby allowed.

4. For the reasons summarized in Section 5.0 (Site Plan Review Analysis) of the Site Plan Review & Application for Special Permits for Article XIV Aquifer and Water Resource District and Article XVIII Major Commercial or Industrial Use dated December 2019 prepared by Beals Associates, Inc., and as required by Section 173-19, the Board determines that the project meets the requirements for approval of the site plan including provision of adequate access, egress and internal circulation, screening of parking and lighting from adjacent uses, the minimization of major topographic changes or removal of existing trees, the provision of adequate access to each structure for fire and service equipment, and adequate stormwater, utilities and drainage. The Board further determines that the project provides adequate and safe access as access will continue through the existing common driveway leading to Taylor Street, approximately 1,000 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.

5. As required by Section 173-7, the Board determines that, as conditioned below, no significant nuisance, hazard or congestion will be created and there will be no substantial harm to the neighborhood or derogation from the intent of this chapter.

CONDITIONS:

Based on the foregoing, [INSERT NAME] 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 and approves of the Uses; **grant/deny** the Aquifer Protection Overlay District and special permit; 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 following completion of construction of the project (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;

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3. Groundwater quality shall not be degraded below drinking water standards at the property lines due to activity on this property;
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 Stormwater Management Operations and Maintenance Manual for the Warehouse Facility, 151 Taylor Street, Littleton MA dated December 2019 prepared by Beals Associates, Inc., 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 or provide a pavement overlay prior to issuance of an occupancy permit for this redevelopment proposal. Subject to future Scenic Road review, the Applicant may seek to 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. 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.
10. INSERT ANY OTHER CONDITIONS needed based on Green Intl. final peer review, staff recommendations, or Board member questions.
11. Anything else??

[INSERT NAME] seconded this motion and the Board voted XX to YY in favor of this motion.

VOTE:

The Board members voted as follows:

Anna Hueston	AYE/NAY
Delisa Laterzo	AYE/NAY
Mark Montanari	AYE/NAY
Gerald Portante	AYE/NAY

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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:

Delisa Laterzo, 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.