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TOWN OF ANDOVER, MASS

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12-01-2021 @ 12:27P
Essex North Registry

**DECISION OF THE ANDOVER PLANNING BOARD
AS A SPECIAL PERMIT GRANTING AUTHORITY**

ON THE APPLICATION OF
100-400 Brickstone Square

For a Special Permit to Reduce Number of Parking Spaces
under Section 5.1.9 of the Andover Zoning Bylaw

Decision: SP21-02

YES (with conditions)

A public meeting of the Planning Board was held virtually on October 12, 2021. Present and voting on this matter were Zachary Bergeron, Rocky Leavitt, Vincent Chiozzi, Ann Knowles, Neil Magenheim and Morgan von Prelle Pecelli.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on June 24, 2021 and July 1, 2021 and pursuant to notice sent by mail, postage prepaid, to all interested parties under the provisions of Massachusetts General Laws Chapter 40A, a public hearing was convened by the Planning Board (the "Board") on July 13, 2021 for an application filed on June 16, 2021, by KS Partners, LLC on property owned by New Brickstone Land, LLC, for a Special Permit to Reduce Number of Parking Spaces. The property is more specifically identified as Lot 27 on Assessors Map 35. The public hearing was closed on October 12, 2021. The aforementioned members were present throughout.

The application submitted by KS Partners, LLC is to construct a 100,000 square foot lab for a life science manufacturing facility. The lab will be a two story building with associated parking, landscaping, stormwater management and utilities. The zoning bylaw parking requires 267 parking spaces; 194 will be provided for the lab, the reserve parking previously approved in 1998 will now have a minimum of 236 spaces within the reserve parking garage. The campus will have 2,759 spaces with a reserve of 236.

On a vote of 6 to 0, the Board finds that the proposed use with appropriate conditions will not be unreasonably detrimental to the established or future character of the neighborhood and Town and that such proposed use with appropriate conditions is in harmony with the general purpose and intent of the bylaw. The plan is dependent on a Special Permit for a Major Non-Residential Project (SP21-01), which was also reviewed during concurrent public hearings and approved by the Board on October 12, 2021. The Board approves with conditions the application of KS Partners, LLC 100-400 Brickstone Square for a Special Permit to Reduce the Number of Parking Spaces subject to the following condition:

Condition

1. Within 10 years of occupancy of the GMP Facility building or at 85% occupancy of the campus (as indicated by owner and confirmed by Inspector of Buildings), the owner at the direction of the Planning Board or Inspector of Buildings shall conduct a parking study of the whole campus. The scope of the parking study shall include the counting of occupied stalls in all the parking lots as well as all levels of the parking structure. Separate counts shall be made on 3 different week days during typical work hours and the highest count shall be used. The owner shall present the parking study including count information to the Planning Board at a public meeting for a determination if the number of parking spaces is sufficient to meet the needs of the buildings. If it is sufficient, the Planning Board will determine if the reserve parking is still required and if future counts are necessary. If the study shows that the parking is not sufficient to meet the needs of the buildings, the Planning Board will hold a modification of a special permit public hearing to determine if additional spaces should be constructed in the reserve parking area.

In the event that the Zoning Bylaw off-street parking requirements for the uses undertaken at Brickstone Square are reduced, such that the number of spaces at the property are in compliance with the off-street parking bylaw, which the building inspector confirms, then this provision of the special permit shall be deemed to be satisfied and the reserve parking shall not be required.

Following the statutory twenty-day appeal period, and in the absence of any appeal, the plan and an instrument containing the foregoing restrictions will be filed in the Registry of Deeds. The applicant is responsible for the costs associated with the Registry filings.

On October 12, 2021, at a public meeting, the Planning Board voted (6-0) to issue the foregoing Special Permit with conditions.

Date: 10-19-2021

, Chairman
THE ANDOVER PLANNING BOARD


Essex, ss

COMMONWEALTH OF MASSACHUSETTS

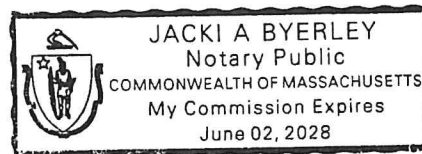
Date: 10-19-2021

On this 19 day of October, 2021, by Zachary Bergeron, the authorized agent of the Andover Planning Board, proved to me through satisfactory evidence, to be the person whose name is signed on the preceding or attached document, and who swore or affirmed to me that the documents are truthful and accurate to the best of his knowledge and belief and who acknowledged to me that he signed it voluntarily for its stated purpose and acknowledged the foregoing to be the free act and deed of the Andover Planning Board.

Before me,

, Notary Public

My Commission Expires:



CERTIFICATION

I, Melissa K. Ripley Town Clerk of the Town of Andover, Massachusetts, do hereby certify that twenty (20) days have elapsed since this decision of the Andover Planning Board was filed in my office on Oct 18, 2021 and no appeal against said decision has been filed.

Date: Nov 17, 2021

Melissa K. Ripley
Town Clerk