

Bk 17465 Pg 46 #13183  
06-02-2022 @ 02:00p  
Essex North Registry

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

**ON THE APPLICATION OF**  
ARE-MA Region No 93 Phase 2 Holding, LLC  
3000 Minuteman Road  
Building 3

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

Decision: SP22-07

**YES (with conditions)**

A public meeting of the Planning Board was held virtually on March 29, 2022. Present and voting on this matter were Zachary Bergeron, Rocky Leavitt, Vincent Chiozzi, Ann Knowles, Neil Magenheim and Morgan von Prella Pecelli.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on March 10, 2022 and March 17, 2022 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 March 29, 2022 for an application filed on March 1, 2022, by ARE-MA Region No 93 Phase 2 Holding, LLC on property owned by ARE-MA Region No 93 Phase 2 Holding, LLC for a Special Permit for a Major Non-Residential Project. The property is more specifically identified as on Assessors Map 188, Lot 5B (previously known as Map 165, Lot 4D) and Map 187, Lot 4A & Lot 4C (previously known as Map 187, Lot 4). The public hearing was closed on March 29, 2022. The aforementioned members were present throughout.

The application submitted by ARE-MA Region No 93 Phase 2 Holding, LLC is to reduce the number of parking required to 362 spaces. The Zoning Board of Appeals issued a variance which allows the Board to grant the special permit without a reserve parking area. The hearing was held in conjunction with the Special Permit for a Major Non-Residential Project to renovate more than 40% of the gross floor area of the existing 171,200 sf building known as Building 3 with a change of use to a laboratory/office (+42,800 sf) and associated Current Good Manufacturing Process facility (+128,400 sf).

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 in conjunction with a Special Permit for a Major Non-Residential Project (SP22-03), which was also reviewed during concurrent public hearings and approved by the Board on March 29, 2022. The Board approves with conditions the application of ARE-MA Region No 93 Phase 2 Holding, LLC for a Special Permit to Reduce the Number of Parking Spaces subject to the following conditions:

#### Condition

The Special Permit for a Reduction in Parking Spaces is approved subject to the following condition:

1. Any building constructed may be used for office/laboratory and cGMP use(s) and uses ancillary thereto. If any portion were to be used for other purposes, the parking spaces required for such use and for all uses in the building shall be calculated accordingly pursuant to the Bylaw and if necessary the applicant shall seek appropriate further relief from the Zoning Board of Appeals or Planning Board before implementing such other uses.

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 March 29 2022, at a public meeting, the Planning Board voted (6-0) to issue the foregoing Special Permit with conditions.

Date: 3/30/2022

[Signature]  
\_\_\_\_\_  
, Chairman  
THE ANDOVER PLANNING BOARD

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

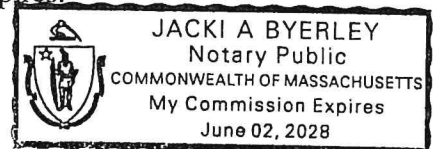
Date: 3/30/2022

On this 30 day of March, 2022, by Zachary Berggren, 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,

[Signature]  
\_\_\_\_\_  
, 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 March 30, 2022 and no appeal against said decision has been filed.

Date: May 17, 2022

Melissa K Ripley  
Town Clerk