

ANDOVER TOWN CLERK  
RCUD 2022 APR 20 AMB:4

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06-02-2022 @ 01:59p  
Essex North Registry

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

**ON THE APPLICATION OF  
1 & 4 Corporate Drive**

**For a Special Permit for Major Non-Residential Project  
under Section 9.4.8 of the Andover Zoning Bylaw**

Decision: SP22-04

**YES (with conditions)**

A public meeting of the Planning Board was held virtually on April 12, 2022. Present and voting on this matter were Zachary Bergeron, 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 February 17, 2022 and February 24, 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 8, 2022 for an application filed on February 9, 2022, by IQHQ – 1 Corporate, LLC and IQHQ – 4 Corporate, LLC on property owned by IQHQ – 1 Corporate, LLC and IQHQ – 4 Corporate, LLC, for a Special Permit for a Major Non-Residential Project. The property is more specifically identified as Lot 12 & 12E on Assessors Map 167. The public hearing was closed on April 12, 2022. The aforementioned members were present throughout.

The application submitted by IQHQ – 1 Corporate, LLC and IQHQ – 4 Corporate, LLC is to construct a 95,640 gross floor area for research/lab with manufacturing to 1 Corporate Drive. The total gross floor area of 1 Corporate Drive will be 163,525 square feet. There will be 458 parking spaces to serve both 1 and 4 Corporate Drive (258 spaces near 4 Corporate and 200

spaces near 1 Corporate). The applicant is proposing a reserve area for future parking of 585 spaces.

The applicant submitted a Civil Site Plan, Future Parking Plan, Architectural Drawings, Landscape Plan, Site Lighting Plan, Stormwater Report, Geotechnical Report, Sanitary Sewer Investigation Report and a Traffic Impact Assessment for review by the Board and Town Departments. A peer review by Horsley Witten Group was completed for the Stormwater Report, after a few revisions Horsley Witten in a memo dated April 6, 2022, has stated they are satisfied with the information submitted with suggested conditions that should be put in place by the Board. Police has reviewed the traffic impact assessment and is satisfied with the information submitted. DPW has reviewed the Sanitary Sewer Investigation Report and the applicant's assessment that there are repairs needed to the sewer lines. Further, DPW agrees with the applicant's commitment to expend \$100,000.00 for the repair and rehabilitation of the existing sewer lines downstream of this project. DPW will work with the applicant to determine where those repairs will take place, so they do not duplicate repairs by other entities. This work will be completed prior to occupancy of the renovated 1 Corporate Drive. The final set of plans include revisions requested by Town Departments. The applicant has also provided a copy of their deed that references the maintenance of the roadway by the owner of the roadway which is then charged back to the lot owners.

On a vote of 5 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 to Reduce the Number of Parking Spaces (SP22-05), which was also reviewed during concurrent public hearings and approved by the Board on April 12, 2022. The Board approves with conditions the application for a Special Permit for a Major Non-Residential Project subject to the following conditions:

#### General Conditions

1. For purposes of this special permit the project shall encompass and be defined as the structures, parking areas, utilities, drainage systems, landscaping and all other details as shown on the approved plans. The site is identified as a parcel of land situated at 1 and 4 Corporate Drive, more specifically shown on Assessor's Map 167 Lots 12E and 12. The developer is identified and shall be defined as IQHQ-1 Corporate, LLC and IQHQ-4 Corporate, LLC or its successors. The developer, as defined, shall be subject to all conditions listed hereunder, and shall be directly responsible for construction of the project, including all contractors, subcontractors, vendors, or other parties working on the site and on the project;
2. Except as otherwise provided for in these conditions all work associated with the project, including landscaping, shall be in conformance with the following plans and drawings, Civil Plans prepared by Linden Engineering Partners LLC, Landscaping Plans prepared by Copley Wolff Design Group and Architectural Plans prepared by Ellenzweig:
  - a. Cover Sheet last revised January 26, 2022;

- b. C-1 Site Layout and Materials Plan last revised March 18, 2022;
  - c. C-2 Site Grading and Erosion Control Plan last revised March 21, 2022;
  - d. C-3 Site Utility Plan last revised March 21, 2022;
  - e. C-4 Sewer Connection Plan, Notes & Zoning Table last revised March 21, 2022;
  - f. C-5 Construction Details last revised March 21, 2022;
  - g. C-6 Construction Details last revised January 26, 2022;
  - h. C-7 Construction Details last revised March 18, 2022;
  - i. C-8 Construction Details last revised January 26, 2022;
  - j. C-9 Construction Details last revised January 26, 2022;
  - k. FP-1 Future Parking Plan last revised January 26, 2022;
  - l. FP-2 Future Parking Plan last revised January 26, 2022;
  - m. FP-3 Future Parking Plan last revised January 26, 2022;
  - n. L-100 Material Plan last revised January 26, 2022 ;
  - o. L-101 Material Plan last revised January 26, 2022;
  - p. L-200 Layout Plan last revised January 26, 2022;
  - q. L-201 Layout Plan last revised January 26, 2022;
  - r. L-300 Grading Plan last revised January 26, 2022;
  - s. L-400 Planting Plan last revised March 31, 2022;
  - t. L-401 Planting Plan last revised March 31, 2022;
  - u. L-500 Details last revised January 26, 2022;
  - v. L-501 Details last revised January 26, 2022;
  - w. L-502 Details last revised January 26, 2022;
  - x. A1.00 First Floor Plan last revised January 26, 2022;
  - y. A1.01 Second Floor Plan last revised January 26, 2022;
  - z. A1.02 Roof Plan last revised January 26, 2022;
  - aa. A2.01 Exterior Elevations last revised January 26, 2022;
  - bb. SL-1 Site Lighting Plan last revised January 26, 2022;
  - cc. SL-2 Lighting Schedule, Details and Notes last revised January 26, 2022;
  - dd. SL-3 Photometric Plan last revised January 26, 2022;
  - ee. SL-4 Site Lighting Fixtures last revised January 26, 2022;
3. Administration and enforcement of this permit and the conditions attached thereto shall be pursuant to the requirements of the Planning Board's Rules Governing Special Permits;
4. This special permit shall expire two (2) years from the date that this decision has been recorded in the Northern Essex Registry of Deeds unless substantially exercised by the applicant prior to that date. The Board may consider extending the special permit upon written request of the applicant;
5. Prior to recording of this permit, the applicant shall provide to the Planning Department two (2) sets of final plans referenced in Condition 2;
6. Prior to the recording of this permit, the applicant shall provide to the Planning Department a digital file containing the plan if produced using computer aided drafting and design (CADD) software. The file format shall be in AutoCAD DWG (or ASCII

DXF) version 2010 or earlier and Adobe PDF, delivered on CD-ROM or DVD-R media AutoCAD file delivery shall be in full model view and individual sheet views. The digital file shall include property boundaries, dimensions, easements, rights-of-way, edge of pavement, edge of sidewalk, edge of water bodies, wetland boundaries, topographic contours, spot elevations, parking areas, road centerline and associated text. Said digital data shall be delivered in the Massachusetts State Plane Coordinate System, North American Datum 1983 and North American Vertical Datum 1988, in U.S. Survey Feet. A review of the digital file shall be made by the Department of Public Works prior to the recording of this permit;

### **Prior to Construction**

7. Prior to any construction activity of any kind on the site or associated with the project, a pre-construction meeting shall be conducted which shall include representatives from the developer (including principle contractors and/or supervisors), the Department of Community Development and Planning, the Department of Public Works, the Police Department and the Fire Department, for purposes of reviewing these conditions and construction schedule;
8. Prior to any construction or demolition activity of any kind on the site or associated with the project, the developer shall submit a proposed construction schedule to the Planning Board to be used as a guide of activities associated with the project;
9. Prior to the start of construction of the building, a plan of the proposed domestic and fire services as determined by the applicants plumbing and fire protection engineers shall be provided to the Department of Public Works;
10. The hauling route for the import and/or export of earth materials and demolition debris shall be approved by the Inspector of Buildings. All public ways are to be kept clean and free of any dirt or debris associated with hauling activities;
11. A copy of the final Stormwater Pollution Prevention Plan (SWPPP) shall be provided to the Town at least 14 days prior to commencing of land disturbance activities;

### **Throughout and During Construction**

12. All activities on the site shall be conducted in a workmanlike manner. All construction equipment supplies and building materials shall be appropriately secured against unauthorized access. Construction debris and litter shall be collected and stored in appropriate containers on the site and shall be removed as promptly and regularly as possible. Appropriate measures (or those directed by the Inspector of Buildings) shall be taken so as to protect adjacent properties from dust and other windblown debris during site preparation and construction;
13. All hauling operations involving the import and export of earth materials and removal of all debris associated with the building to be demolished on the site shall be conducted in

accordance with a schedule approved by the Inspector of Buildings. Such operations shall be limited to Monday through Friday, during hours deemed appropriate by the Inspector of Buildings, and no such operations shall be allowed or undertaken at any time deemed to be in conflict with safe pedestrian movement near the site or to cause undue congestion or safety hazards in the adjacent street system;

14. Construction activities on the site including equipment startups, site preparation, excavation, demolition, grading, filling, paving, erection of structures, installation of utilities, and landscaping shall be conducted between the hours of 7:00 a.m., and 6:00 p.m., Monday through Friday. Interior finish work on the building once fully enclosed (doors and windows) is not subject to this condition;
15. Burning or burial of trees, stumps, or construction debris of any kind is strictly prohibited anywhere on site;
16. Construction of the project, once begun, shall continue through to completion as expeditiously and continuously as possible; however, in the event that construction activities cease on the part of the developer for a period of six (6) months from the date of last observed activity, the Board may convene a public hearing for the purpose of revocation or modification of the permit;

#### **Prior to Occupancy**

17. Prior to occupancy of any of the buildings on the site all parking areas, access driveways, pavement markings, sidewalks and off-site street improvements (if any) shall have been completed and made fully operational;
18. A set of as-built plans for utilities (water, sewer and drainage) of the site shall be submitted to and approved by the Department of Public Works before the issuance of a Certificate of Occupancy. A digital file as described in condition 6 shall be submitted of the as-built for utilities and building(s);
19. The developer will submit a final Operation & Maintenance Manual for review and approval by the Planning Department in consultation with the Town's stormwater peer reviewer prior to occupancy of 1 Corporate Drive;
20. Prior to occupancy the developer shall have repaired or rehabilitated the existing downstream sewer lines as noted in the Sanitary Sewer System Investigation Supplemental Report dated March 17, 2022 prepared by Linden Engineering Partners, LLC. The developer will expend a maximum of \$100,000.00 to repair or rehab the sewer main work as identified by the Water & Sewer Division of the Department of Public Works;

#### **Specific to Permit**

21. A separate special permit has been issued to allow for the reserve of parking (SP22-05).

Should the Inspector of Buildings determine that reserve parking is needed the current property occupant and/or owner shall come to the Planning Board for a review of the site's parking needs, at which time the Board will make a determination if the parking structure needs to be constructed or an alternative parking plan can be proposed;

22. The applicant shall be obligated to become a participating member in the local Transportation Management Association.

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 April 12, 2022, at a public meeting, the Planning Board voted (5-0) to issue the foregoing Special Permit with conditions.

Date: 4-20-2022

Flly C. By  
\_\_\_\_\_  
, Chairman  
THE ANDOVER PLANNING BOARD

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

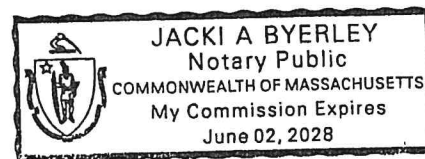
Date: 4-20-2022

On this 20<sup>th</sup> day of April, 2022, by Zachary Bergman, 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,

Jacki A. Byerley  
\_\_\_\_\_  
, 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 April 20, 2022 and no appeal against said decision has been filed.

Date: May 20, 2022

Melissa K. Ripley  
Town Clerk