

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

ON THE APPLICATION OF

The Gillette Company LLC

30 Burt Road, 0 Lowell Junction Road, 38 Lowell Junction Road

For a Special Permit for Major Non-Residential Project

under Section 9.4.8 of the Andover Zoning Bylaw

Decision: SP24-01

YES (with conditions)

A public meeting of the Planning Board was held virtually on November 12, 2024. Present and voting on this matter were Neil Magenheim, Rocky Leavitt, Vincent Chiozzi, Morgan von Prelle Pecelli and Ann Knowles.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on May 9, 2024 and May 16, 2024 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 May 28, 2024 for an application filed on April 30, 2024, by The Gillette Company LLC at 30 Burt Road, 0 Lowell Junction Road, 38 Lowell Junction Road on property owned by The Gillette Company LLC, for a Special Permit for a Major Non-Residential Project along with an associated Change in Parking Special Permit with a reduction in parking (SP24-02), which was also reviewed during concurrent public hearings and filed under a separate permit. The property is more specifically identified as Assessors Map 185 Lot 2 and Map 159 Lots 12C and 12. The public hearing was closed on November 12, 2024.

The application submitted by The Gillette Company LLC is to construct a 201,684 gsf addition for warehouse, manufacturing, laboratory and office use and related parking adjustments, located in the IA Zoning District. Landscaping has been integrated into the plan; walkways from parking areas are provided with an internal bike storage area. An associated Special Permit to

Reduce the Number of Parking Spaces (SP24-02) was also reviewed during concurrent public hearings.

During a series of public hearings held from May to November, the Board reviewed the information submitted by the applicant and residents along with the information as listed in the Zoning Bylaw Section 9.4.8 and Section 9.5.4.3 a – k. Through the submission of plans, reports, and hearings the Board reviewed:

a. The proposed placement of the buildings – the Manufacturing Center Enhancement project is meeting zoning setback requirements along with the lot coverage maximum requirement;

b. Major topographic changes – grading is proposed to be consistent with the existing grades;

c. Surface and ground water drainage and erosion control – a stormwater management report was submitted and peer reviewed by Horsley Witten Group. Currently stormwater runoff from existing parking areas is collected in catch basins and piped to the adjacent wetland resource area along with the stormwater runoff from the access road located along the western side, and stormwater runoff from the access road at the eastern side of the building that sheet flows to concrete swales which also discharge to the wetland resource areas. The existing stormwater management system was constructed prior to the 2008 MassDEP Stormwater Management Standards and the Site provides minimal peak flow attenuation, water quality treatment, and groundwater recharge. The upgrades to the stormwater system will include the installation of a stormwater management system that is being designed to meet the MassDEP Stormwater Management Standards and the Town of Andover Conservation Commission Wetland Protection Regulations, Stormwater Management and Erosion Control Regulations, and Stormwater Management Program Plan. The Stormwater design prevents the increase of stormwater and non-point source pollution by disconnecting flow paths, treating and infiltrating stormwater at its source, and protecting natural resources. Stormwater systems have been designed to model natural hydrologic features, including promoting infiltration throughout the site. The proposed stormwater management includes deep sump catch basins, silt prisons and proprietary water quality units. Stormwater will be collected and infiltrated in three (3) subsurface infiltration systems and one (1) subsurface detention system. Deep sump and hooded catch basins are proposed to provide pretreatment for the impervious areas of the parking lot and driveways. Silt Prison inlets are also proposed throughout the site which provide additional treatment. Stormwater captured in the catch basins will be directed to a water quality unit for additional pretreatment prior to an infiltration system prior to discharging to a resource area. Thirteen (13) proprietary water quality structures are proposed for water quality pretreatment in areas of the Site where space is limited, or additional pretreatment is required prior to infiltration. These stormwater practices have been designed to remove greater than 90% TSS in conjunction with their associated deep sump and hooded catch basins;

d. Protection against flooding and inundation – a stormwater management report was submitted and peer reviewed by Horsley Witten Group. Currently stormwater runoff from existing parking areas is collected in catch basins and piped to the adjacent wetland resource area along with the stormwater runoff from the access road located along the western side and the access road at the eastern side of the building that sheet flows to concrete swales which also discharge to the

wetland resource areas. The existing stormwater management system was constructed prior to the 2008 MassDEP Stormwater Management Standards and the Site provides minimal peak flow attenuation, water quality treatment, and groundwater recharge. The upgrades to the stormwater system referenced above will include the installation of a stormwater management system that is being designed to meet the MassDEP Stormwater Management Standards and the Town of Andover Conservation Commission Wetland Protection Regulations, Stormwater Management and Erosion Control Regulations, and Stormwater Management Program Plan;

e. Prevention of water and pollution and environmental damage – a stormwater management report was submitted and peer reviewed by Horsley Witten Group. The stormwater practices have been designed to remove greater than 90% TSS in conjunction with their associated deep sumps and hooded catch basins.

Additionally, the Department of Environmental Protection issued an approval to The Gillette Company LLC for their application regarding Air Quality Plan, stating the application is in compliance with the Air Pollution Control regulations and current air pollution control engineering practice;

f. Provisions for adequate utility services – the proposal does provide for utility connections, sewer and water connections are shown on the site utility sheets of the submitted plans. Town departments will issue permits at the time of construction to ensure compliance with applicable code requirements;

g. Provisions for off-street parking and loading – as a mix of industrial uses the existing facility modified by the proposed building addition will be a combination of manufacturing, laboratory, warehousing and office. The parking review was based on the bylaw requirements in place before the 2024 Town Meeting amendment. The application suggested that 1,936 parking spaces were required for the entire facility, but with the benefit of the 2024 Town Meeting amendment now in place, only 965 parking spaces are required. With the reconfiguration of the existing parking lot to accommodate the addition, 667 parking spaces will be provided for the entire facility. The applicant also presented a site plan and other plans showing a potential design for a “Reserve Parking Area” in the form of a possible parking garage that would raise the total parking space count to 1,965 spaces, which is an excess of parking. The “Reserve Parking Area” will remain free of buildings, and is to be used as a parking lot until such time as the garage is required. The applicant provided information on parking demand based on current employee shifts and provided information on other overflow options should the need arise for additional parking, or the parking garage is needed. GPI reviewed the parking information as part of the transportation peer review and suggested a post-occupancy monitoring study to verify that the provided parking supply is adequate to accommodate the peak parking demand;

h. Location of intersections of driveways and streets – there are three access areas into the site, two from Burt Road and one on Gillette Way. The southernmost existing Burt Road access is to function as emergency access, while the northernmost gated access from Burt Road is to function as the primary access to be used with this project and the Gillette Way access is to serve as the primary truck access;

i. The effect of additional traffic created by the development on intersections and streets likely to be affected by the proposal – as part of the application package a Traffic Impact Assessment dated April 2024 prepared by Vanasse & Associates, Inc (VAI) has been submitted. Greenman-Pedersen Inc (GPI) was selected as the peer review consultant; they submitted an initial review memo dated June 25, 2024. Vanasse & Associates has issued a response memo dated July 31, 2024 supplemented by information submitted for the applicant dated July 30, 2024, which was reviewed by GPI. GPI issued a second review letter on September 10, 2024. A final submission by VAI was made on September 17, 2024, which was reviewed and a final response memo was issued by GPI with suggested conditions on September 24, 2024. The response memo included proposed mitigation measures in the form of a contribution towards RRFBs along River Road, All-Way Stop sign controls at the intersection of Lowell Junction Road and Connector Road, and improvements to the Andover Street/River Street intersection. P&G had initially volunteered to contribute \$125,000 towards the mitigation measures, DPW reviewed the mitigation measures necessary and submitted a memo supporting a contribution of \$280,000.00 (\$25,000 for RRFBs, \$5,000 for All-Way stop sign controls and \$250,000 towards the future installation of a traffic signal at the Andover Street/River Street intersection.) The Applicant has agreed to this suggested amount;

j. Provisions for pedestrian/bicycle access ways connecting to adjacent open space, neighborhoods, schools, recreation areas or transportation facilities and for alternative transit programs – walkways from parking areas are provided. An internal bike storage area is currently provided and can be expanded should the need arise from additional usage;

k. Provisions for landscaping and adequate screening and buffering – a landscaping plan has been submitted which provides for shade and heat island effect and allows for usage for outdoor recreational events;

Special Permit Criteria

Section 9.4.2

1. Social, economic, or community needs are served by the proposal;

P&G/Gillette will be moving certain manufacturing operations out of their Boston property and into their Andover facility. The special permit is for a 201,684 GSF addition for warehouse, manufacturing, laboratory, and office uses within in the Industrial A (IA) Zoning District. Gillette has used this Andover property consistently as a laboratory, manufacturing, warehousing and office facility for over 30 years. Benefits of the enhancement project include added employment, and traffic, stormwater and environmental improvements to the facility.

The Planning Board finds the project meets the economic needs.

2. Traffic flow and safety, including parking and loading;

As part of the application package, a Traffic Impact Assessment dated April 2024 prepared by Vanasse & Associates, Inc (VAI) was submitted. Greenman-Pedersen Inc (GPI) was selected as

the peer review consultant; GPI submitted an initial review memo dated June 25, 2024. VAI issued a response memo dated July 31, 2024 which was reviewed by GPI. GPI submitted a second review memo dated September 10, 2024. VAI submitted a response dated September 17, 2024 which was reviewed and a final response memo was issued by GPI with suggested conditions dated September 24, 2024. The response memo included proposed mitigation measures in the form of a contribution towards RRFBs along River Road, All-Way Stop sign controls at the intersection of Lowell Junction Road and Connector Road, and improvements to Andover Street/River Street intersection. P&G had initially volunteered to contribute \$125,000 towards the mitigation measures, but DPW reviewed the mitigation measures necessary and submitted a memo supporting a contribution of \$280,000.00 (\$25,000 for RRFBs, \$5,000 for All-Way Stop Sign controls and \$250,000 towards the future installation of a traffic signal at Andover Street/River Street intersection. The Applicant has agreed to this suggestion;

The parking review was based on the bylaw requirements in place before the 2024 Town Meeting amendment. The application suggested that 1,936 parking spaces were required for the entire facility, but with the benefit of the 2024 Town Meeting amendment now in place, only 965 parking spaces are required. With the reconfiguration of the existing parking lot to accommodate the addition, 667 parking spaces will be provided for the entire facility. The applicant also presented a site plan and other plans showing a potential design for a "Reserve Parking Area" in the form of a possible parking garage that would raise the total parking space count to 1,965 spaces, in excess of the current requirements. The applicant shall maintain the location of the Reserve Parking Area free of buildings, and shall use it as a parking lot unless and until the Planning Board requires construction of additional parking spaces.

The Planning Board finds that the traffic flow and safety including parking and loading have been reviewed by experts and mitigation measures have been submitted. The parking is adequate for the use but a contingency of shift changes or the construction of a parking garage is in place should the need arise in the future.

3. Adequacy of utilities and other public services;

The proposal does provide for utility connections, and sewer and water connections are shown on the site utility sheets of the submitted plans. Town departments will issue permits at the time of construction to ensure compliance with applicable code requirements.

The Planning Board finds that the utilities and other public services have been reviewed and approved as adequate.

4. Neighborhood character and social structures;

The neighborhood character of this project includes other industrial uses. The zoning district was created in the 1950s to be used for manufacturing, warehousing and other industrial uses.

The Planning Board finds that the project meets the neighborhood character and social structure of this neighborhood as manufacturing and warehousing are allowed within the district.

5. Impacts on the natural environment, including, but not limited to, air and water pollution, noise, stormwater runoff, and aesthetics;

A stormwater management report was submitted, and peer reviewed by Horsley Witten Group. Currently stormwater runoff from existing parking areas is collected in catch basins and piped to the adjacent wetland resource area along with the stormwater runoff from the access road located along the western side, and stormwater runoff from the access road at the eastern side of the building that sheet flows to concrete swales which also discharge to the wetland resource areas. The existing stormwater management system was constructed prior to the 2008 MassDEP Stormwater Management Standards and the Site provides minimal peak flow attenuation, water quality treatment, and groundwater recharge. The upgrades to the stormwater system will include the installation of a stormwater management system that is being designed to meet the MassDEP Stormwater Management Standards and the Town of Andover Conservation Commission Wetland Protection Regulations, Stormwater Management and Erosion Control Regulations, and Stormwater Management Program Plan. The Stormwater design prevents the increase of stormwater and non-point source pollution by disconnecting flow paths, treating and infiltrating stormwater at its source, and protecting natural resources. Stormwater systems have been designed to model natural hydrologic features, including promoting infiltration throughout the site. The proposed stormwater management includes deep sump catch basins, silt prisons and proprietary water quality units in three (3) subsurface infiltration systems and one (1) subsurface detention system. Deep sump and hooded catch basins are proposed to provide pretreatment for the impervious areas of the parking lot and driveways. Silt Prison inlets are also proposed throughout the site which provide additional treatment. Stormwater captured in the catch basins will be directed to a water quality unit for additional pretreatment prior to an infiltration system prior to discharging to a resource area. Thirteen (13) proprietary water quality structures are proposed for water quality pretreatment in areas of the Site where space is limited, or additional pretreatment is required prior to infiltration. These stormwater practices have been designed to remove greater than 90% TSS in conjunction with their associated deep sumps and hooded catch basins.

Additionally, the Department of Environmental Protection issued an approval to The Gillette Company LLC for its application regarding its Air Quality Plan, stating the application is in compliance with the Air Pollution Control regulations and current air pollution control engineering practice.

The Planning Board finds that the impacts on the natural environment associated with the project have been adequately addressed, and that the project will not cause significant detrimental impacts on the natural environment, including, but not limited to, air and water pollution, noise, stormwater runoff, and aesthetics. The Applicant is meeting all current air and environmental policies.

The Planning Board finds that the special permit for a major non-residential project will not be unreasonably detrimental or substantially detrimental to the established or future character of the neighborhood specifically in the IA Zoning District and Town and that this is in harmony with the general purpose and intent of the Zoning Bylaw and that the impacts on the natural environment associated with the project have been adequately addressed, as the applicant is

meeting all current air and environmental policies. The Planning Board approves the Special Permit with conditions to ensure compliance with the information provided during the public hearing process.

General Conditions

1. For purposes of this special permit the project shall encompass and be defined as the structures, parking areas, utilities, drainage systems, street improvements, signage, landscaping and all other details as shown on the approved plans. The site is identified as a parcel of land situated at 30 Burt Road, 0 Lowell Junction Road, & 38 Lowell Junction Road, more specifically shown on Assessors Map 185 Lot 2, & Map 159 Lots 12C & 12. The developer is identified and shall be defined as The Gillette Company 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 prepared by Nitsch Engineering dated April 16, 2024, and revised through September 5, 2024, (65 sheets) which are considered the final plans and may be found in the Planning Division;
3. If a modified or supplemental plan(s), drawing(s) and document(s), if any, is required by the Planning Board under the conditions of this permit, it shall be submitted to, reviewed and approved by the Board, at a regularly scheduled, or specially scheduled public meeting of which the developer and the abutters will be notified;
4. Any amendments or revisions to the foregoing plans, in whatever form or extent, shall be submitted to the Planning Division for consideration as to whether they constitute major or minor amendments;
5. 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;
6. This special permit shall expire three (3) 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;

Prior to Construction

7. Prior to any construction or demolition 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 principal 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 on site, the applicant shall provide to the Planning Department a digital file containing the plan listed in #2 if produced using computer aided drafting and design (CADD) software. The file format shall be in AutoCAD DWG (or ASCII DXF) version 2020 or earlier and Adobe PDF, delivered on a flash drive or shared file. 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, utilities including but not limited to water and sewer, road centerline and associated text. Said digital data shall be delivered in the Massachusetts 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 construction;
9. 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;
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. The applicant shall provide a signed Illicit Discharge Compliance Statement prior to any land disturbance;
12. 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;
13. The Long-Term Operation and Maintenance Plan shall be signed by the property owner and submitted to the Planning Division;

Throughout and During Construction

14. The installation of the infiltration systems shall be certified by a professional engineer;
15. 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;
16. All hauling operations involving the import and export of earth materials and removal of all debris associated with 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, hauling on Saturdays can take place with prior approval from the Inspector of Buildings, 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;

17. 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, hauling on Saturdays can take place with prior approval from the Inspector of Buildings. Interior finish work on the building once fully enclosed (doors and windows) is not subject to this condition;
18. Burning or burial of trees, stumps, or construction debris of any kind is strictly prohibited anywhere on site;
19. Construction of the project, once begun, shall continue through to completion as expeditiously and continuously as possible under the applicable circumstances, including force majeure events;

Prior to Occupancy:

20. The building as shown on the plans referenced in Condition #2, all parking areas, access driveways, utilities and stormwater facilities shall have been completed and made fully operational;
21. A set of as-built plans for utilities (water, sewer and drainage) both on and off the site shall be submitted to and approved by the Department of Public Works after all installations are complete, and before the issuance of a Certificate of Occupancy;
22. Prior to occupancy, where the proposed wastewater flow exceeds 5,000 gallons per day, the developer is required to provide mitigation for the added flow by virtue of the removal of four (4) gallons of infiltration and/or inflow from the sanitary sewer system for each gallon of new wastewater flow to be generated by the new or reused sewer connection or extension as required by the Andover Board of Health Rules and Regulations for Design, Construction, and Use of Sanitary Sewer dated April 1, 2023; the developer shall be responsible for repair of structural deficiency in the sewer mains, upsizing of existing mains and improving the capacity of the existing sewer by either removing infiltration and inflow (I/I) in an amount equal to four (4) times the amount of design flow to be added to the system by this proposal, repairing of sewer mains or upsizing of existing mains, or a combination thereof. The developer shall propose repairs, upsizing and I/I improvements to mitigate the deficiencies in the system. The Department of Public Works will review such proposals and will communicate approval to the Planning Division once all concerns are addressed satisfactorily. The requirements of this condition can be satisfied by payment made to the Town for repair or through a

combination of I/I removal work and payment to the Town at a rate allowed within the Andover Board of Health Rules and Regulations for Design, Construction, and Use of Sanitary Sewer dated April 1, 2023;

24. Within one year of issuance of a Certificate of Occupancy, the developer shall conduct a post-occupancy parking study to assess the adequacy of the available parking supply to accommodate peak parking demand on the site. The study shall be conducted on a peak day between 7:00 AM and 6:00 PM. The results of the study shall be submitted to the Planning Department and Planning Board for review. The Town reserves the right to hire a third-party consultant to review the findings of the post-occupancy parking study;
25. Planting of the landscaping within the site shall remain throughout the life of the project. Should any of the landscaping trees die they shall be replaced during the next available planting season;

Specific Conditions:

26. Prior to the issuance of a building permit, the Applicant shall provide a monetary contribution to the Town of Andover in the amount of \$280,000.00 to be utilized for the design and construction of improvements at the Andover Street/River Street intersection, as well as installation of Rectangular Rapid Flash Beacons (RRFBs) at one location of the Town's choosing along Andover Street and to place all pavement markings and signage necessary to implement an All-Way STOP condition at the Lowell Junction Road/Connector Road intersection. These funds shall remain in a Town account until utilized by the Town to advance a project at the subject locations. The account is to be created by the Town and controlled by the Department of Public Works to be used for the necessary traffic improvements outlined in the Traffic Impact Assessment prepared by Vanasse & Associates, Inc. dated April 2024 and last revised September 17, 2024;
27. Electrical vehicles comprise an increasing share on the Town's streets and providing for them is an important employee benefit. The applicant shall provide electric vehicle (EV) charging stations within the project site;
28. The applicant will continue to provide secure bicycle parking which should include exterior bicycle racks and weather protected bicycle parking;
29. Lighting fixtures in the parking area shall be shielded and directed inward toward the site. Due to the nature of the business to be conducted on the site, a certain amount of lighting may be required at all times for security purposes;

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 November 12, 2024, at a public meeting, the Planning Board voted (5-0) to issue the foregoing Special Permit with conditions.

Date: November 13, 2024



Neil Magenheim, Chair
ANDOVER PLANNING BOARD

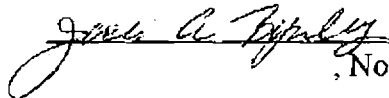
Essex, ss:

COMMONWEALTH OF MASSACHUSETTS

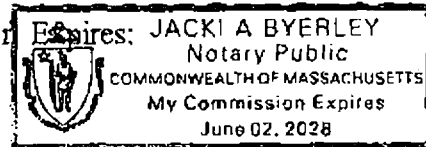
Date: November 13, 2024

On this 13 day of November, 2024, by Neil Magenheim, 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, Austin Simko, 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 the Office of the Town Clerk on November 13, 2024 and no appeal has been filed with the Town Clerk.

Date: 12-3-2024



Town Clerk

A TRUE COPY
TEST: Austin Simko
Town Clerk