

**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 to Reduce the Number of Parking Spaces
under Section 5.1.9 of the Andover Zoning Bylaw**

Decision: SP24-02

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 Prella 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 to Reduce the Number of Parking Spaces as associated with the Special Permit for a Major Non-Residential Project (SP24-01), 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. The parking requirement for the whole site along with the addition using the parking requirements voted on at the 2024 Town Meeting would be 965. The applicant will be providing 667 spaces. Landscaping has been integrated into the plan; walkways from parking areas are provided with an internal bike storage area. As associated with the Special Permit for a Major Non-Residential Project (SP24-01), which 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.

The Special Permit is approved subject to the following conditions:

1. A special permit has been issued to allow for the construction of the addition (SP24-01). 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 in whole or in phases or an alternative parking plan can be proposed;
2. Should a determination be made that the parking structure as shown on Plan titled Special Permit Reserve Parking Area prepared by Fennick McCredie Architecture dated April 16, 2024 (3 Sheets) or an alternate design needs to be constructed, it will be the current property occupants and/or owners responsibility to obtain all necessary permits;
3. 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, well in excess of the current requirements of the Bylaw. 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.

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
Neil Magenheim, Chair
ANDOVER PLANNING BOARD

Essex, ss:

COMMONWEALTH OF MASSACHUSETTS

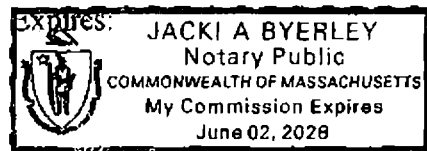
Date: November 13, 2024

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,

Jacki A Byerley
, Notary Public

My Commission



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

ATTEST: Austin Simko

Town Clerk