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07-15-2019 @ 10:50a  
Essex North Registry

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

**ON THE APPLICATION OF  
400 Federal Street**

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

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2019 JUN 13 A 8:38  
TOWN OF ANDOVER, MASS

Decision: SP19-01

**YES (with conditions)**

A public meeting of the Planning Board was held on June 11, 2019 in the Third Floor Conference Room of the Town Office Building, Bartlet Street, Andover, MA. Present and voting on this matter were Zachary Bergeron, Vincent Chiozzi, Joan Duff, Ann Knowles and Neil Magenheim.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on February 21, 2019 and February 28, 2019 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 12, 2019, for an application filed on February 13, 2019, by Vicor Corporation on property owned by Vicor Corporation, a Special Permit for Major Non-Residential Project. The property is more specifically identified as Lots 4 on Assessors Map 144. The public hearing was closed on May 28, 2019. The aforementioned members present throughout.

The application submitted by Vicor Corporation is to expand the existing building at 400 Federal Street with a 2 story addition of 90,616 square feet is proposed for automated manufacturing and will add 50 employees; 25 for the first shift and 25 for the second shift. The zoning bylaw parking requires 792 parking spaces; 514 are proposed on site with a reserve area of a 2 story parking structure for 357 parking spaces.

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 (SP19-02), which was also reviewed during concurrent public hearings and approved by the Board on June 11, 2019. The Board approves with conditions the application of Vicor Corporation 400 Federal Street 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 400 Federal Street, more specifically shown on Assessor's Map 144 Lot 4. The developer is identified and shall be defined as Vicor Corporation or its assigns. 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 Meridian Associates:
  - a. C-0 Cover Sheet/Locus Map last revised May 17, 2019;
  - b. C-1 Record Conditions Plan last revised May 17, 2019;
  - c. C-2 Record Conditions Plan last revised May 17, 2019;
  - d. C-3 Layout and Materials Plan last revised May 17, 2019;
  - e. C-4 Grading, Drainage, & Utilities Plan last revised May 17, 2019;
  - f. C-5 Enlargement Plan & Parking Detail last revised May 17, 2019;
  - g. C-6 Landscape and Lighting Plan last revised May 17, 2019;
  - h. C-7 Site Details last revised May 17, 2019;
  - i. C-8 Site Details last revised May 17, 2019;
  - j. C-9 Site Details last revised May 17, 2019;
  - k. C-10 Site Details last revised May 17, 2019;
  - l. C-11 Utility Profile Plan last revised May 17, 2019;
  - m. C-12 Utility Profile Plan last revised May 17, 2019;
  - n. ES-1 Erosion & Sediment Control Plan dated May 9, 2019;
  - o. P-1 Parking Structure Exhibit last revised 5/3/19;
  - p. Photometric Plan dated March 12, 2019 prepared by GRLA;
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 North 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 four (4) set of plans that have incorporated the final comments received from the Department of Public Works which include the possible removal of a gate valve at the hydrant; installation of gate valves at each of the new water mains; the cut and capping of the sewer and the relocation of the water main at the east side of the building addition;
6. Prior to the recording of this permit, the applicant shall provide to the Planning Department a digital file containing the plan including the items listed in condition #5 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;

#### **Throughout and During Construction**

11. 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;

12. 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;
13. 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.
14. Burning or burial of trees, stumps, or construction debris of any kind is strictly prohibited anywhere on site;
15. 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**

16. 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;
17. 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);

#### **Specific to Permit**

18. A bi-directional amplifier will be incorporated into the existing building along with the addition as requested by Fire Rescue;

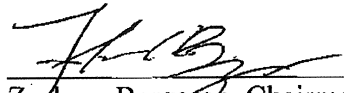
19. A separate special permit has been issued to allow for the reserve of parking (SP19-02), should the Inspector of Building determine that the reserve parking should be constructed the current property occupant and/or owner shall come to the Planning Board for a review of the site's parking needs, 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.

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.

The Planning Board deliberated on the application during public meeting on June 11, 2019, and subsequently voted (5-0) to issue the foregoing Special Permit with Conditions.

THE ANDOVER PLANNING BOARD

Date: June 13, 2019

  
\_\_\_\_\_  
Zachary Bergeron, Chairman

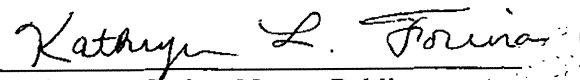
Essex, ss:

COMMONWEALTH OF MASSACHUSETTS

Date:

On this 13<sup>th</sup> day of June, 2019 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 her knowledge and belief and who acknowledged to me that she 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,

  
\_\_\_\_\_  
Kathryn L. Forina, Notary Public

My Commission Expires: May 8, 2020



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 \_\_\_\_\_ and no appeal has been filed with the Town Clerk.

Date: 7-3-2019

Austin Simko  
Town Clerk