

350 Lowell St. Andover MA

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

ON THE APPLICATION OF

Raytheon Company

For a Special Permit for a Major-Non Residential Project under Section 9.4.8 of the Zoning By-Law.

Decision: SP17-01

YES (with conditions)

A public meeting of the Planning Board was held on April 11, 2017, in the Third floor conference Room of the Town Office Building. Present and voting in the affirmative on the matter were members Joan Duff, Vincent Chiozzi, Austin Simko, Ann Knowles and Zachary Bergeron.

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TOWN OF ANDOVER, MASS.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the Town of Andover, published on March 23, 2017 and March 30, 2017, and notice sent by mail, postage prepaid, to all interested parties pursuant to the provisions of Massachusetts General Laws, Chapter 40A, a public hearing was convened on April 11, 2017 on the application of Raytheon Company for a Special Permit for a Major-Non Residential Project. The hearing was closed on April 11, 2017, with the aforementioned members of the Board present throughout.

Premises affected is property owned by Raytheon Company located at 350 Lowell Street and shown on Assessor's Map 155 Lots 3 and Map 176 Lot 2, hereinafter referred to as the "site", on which an additions would take place. The application proposes a 39,302 gross square footage with a height of 60 feet addition to the Bristol Building. The addition will be an expansion of the existing manufacturing and testing space. The campus of Raytheon consists of approximately 169.88 acres located within the IA Zoning District.

In considering a special permit for a Major-Non Residential Project the Planning Board must find that the proposal will not be unreasonably detrimental to the established or future character of the neighborhood and town and that such is in harmony with the general purpose and intent of this by-law. In considering a special permit the Board can, and will, impose such conditions or safeguards, as it deems reasonably necessary.

In the opinion of the Board, the proposal as a whole, makes the best feasible use of the existing topography; the area of the building; and the roadway profiles which will not involve major cuts or removal of earth materials from the site. The development is being constructed in an established industrial area and is in keeping with the surrounding uses.

In the opinion of the Board the issuance of the special permit (with appropriate conditions) will not result in unreasonable detriment to the neighborhood or the Town.

In consideration of all of the foregoing, including the plans, documents, and testimony given during the public hearing, the Planning Board hereby approves and issues a Special Permit for a Major-Non Residential Project for Raytheon Company, applicable to the property earlier described, and subject to the following conditions:

Conditions

1. For purposes of this special permit the project shall encompass and be defined as the structures, parking areas, access, utilities, drainage, street improvements (if any), signage, landscaping and all other details as shown on the approved plans. The site is identified as a parcel of land situated at 350 Lowell Street, more specifically shown on Assessor's Map 155 Lots 3 and Map 176 Lot 2. The "developer" is identified and shall be defined as Raytheon Company 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 architecture and landscaping, shall be in conformance with the following plans, drawings and reports, which are considered the final plans and reports and may be found at the Planning Division
 - a. Cover Sheet, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc. and Nitsch Engineering revised through April 6, 2017;

- b. Sheet L-0.0, Project Locus, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., revised through April 6, 2017;
- c. Sheet L-1.0, Existing Conditions Plan, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., dated revised through April 6, 2017;
- d. Sheet L-1.1, Site Preparation and Demo Plan, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., dated April 6, 2017;
- e. Sheet L-2.0, Site Plan, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc. dated revised through April 6, 2017;
- f. Sheet L-3.0, Grading Plan, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc. dated revised through April 6, 2017;
- g. Sheet L-4.0, Utilities Enlargement Plan, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., revised through April 6, 2017;
- h. Sheet L-5.0, Front Lawn Enlargement Plan, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., revised through April 6, 2017;
- i. Sheet L-6.0, Details #1, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., dated revised through April 6, 2017;
- j. Sheet L-6.1, Details #2, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., dated revised through April 6, 2017;
- k. Sheet L-6.2, Details #3, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., revised through April 6, 2017;
- l. Sheet L-6.3, Details #4, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., revised through April 6, 2017;
- m. Sheet L-6.4, Details #5, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., dated April 6, 2017;
- n. Sheet A-3.0, Exterior Elevations, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., revised through April 6, 2017;
- o. Sheet A-3.1, Exterior Elevations, prepared by Architect GMA Architects and Engineers, P.C.; Landscape Architect Paul Finger Associates, Inc., revised through April 6, 2017;

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 Planning Division;
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 provided that such request has been received and a public hearing noticed prior to the expiration of the original permit. In considering a request for extension the Board may take into account conditions on the site and in the neighborhood at the time the request is made, including traffic, access, and pedestrian safety, and may impose such additional conditions deemed appropriate to mitigate any adverse impacts of the development;
5. 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

6. The hauling route for the import and/or export of materials and 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 such activities;

Throughout and During Construction

7. 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 sidewalks, the parking lot, and adjacent properties from dust and other windblown debris during site preparation and construction;

8. All earthmoving activities associated with the project shall be regulated by the Inspector of Buildings pursuant to the requirements of the zoning by-law and as may otherwise be covered under this permit, and such activities shall commence only after issuance of a building permit.
9. All lighting on the site (parking areas and buildings) shall be arranged so as to prevent spillover or glare into adjacent properties;
10. Construction of the project, once begun, shall continue through to completion as expeditiously and continuously as possible;

Prior to Occupancy

11. A set of as-built plans for utilities (water, sewer and drainage) shall be submitted to and approved by the Department of Public Works after all installations are complete;
12. Prior to occupancy, the applicant shall submit to the Planning Department digital files of as-built plans of the features listed above, including utilities and buildings, following the format described in #6 above;

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 11, 2017 at a regularly scheduled public meeting, the Andover Planning Board voted (5-0) to issue the foregoing Special Permit for a Major Non-Residential Project.

Date: 4/18/17

Joan Duff
Joan Duff, Chair

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

Date: April 18, 2017

On this 18th day of April, 2017, by Joan Duff, 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
Kathryn Forina, Notary Public

My commission Expires:



CERTIFICATION

I, LAWRENCE J. MURPHY 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 16, 2017 and no appeal against said decision has been filed.

Date: MAY 9, 2017



Town Clerk

R E C E I P T
Printed: June 2, 2017 @ 11:26:33
Essex North Registry
M. Paul Iannuccillo
Register

Trans#: 9839 Oper:KAIF
TOWN OF ANDOVER

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Book: 15102 Page: 258 Inst#: 13727
Ctl#: 97 Rec:6-02-2017 @ 11:26:28a
AND 350 LOWELL ST

DOC	DESCRIPTION	TRANS AMT
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	DECISION	
	Surcharge CPA \$20.00	20.00
	50.00 recording fee	50.00
	5.00 TECH FEE	5.00

	Total fees:	75.00
	*** Total charges:	75.00
	CHECK PM 1508	75.00