

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

ON THE APPLICATION OF

800 Federal St

For a Modification to Special Permit (SP12-05) Major Non-Residential Project Section 9.4.8 of  
the Zoning By-Law.

Decision: SP13-01

YES (with conditions)

A public meeting of the Planning Board was held  
on March 27, 2013, at the Public Safety Center conference  
Room. Present and voting in the affirmative on the matter were  
members Joan Duff, Vincent Chiozzi, James Doherty,  
Eric Macaux, Lelani Loder and Zachary Bergeron.

Pursuant to public notice in the Andover Townsman, a newspaper of general circulation in the  
Town of Andover, published on February 7 and February 14, 2013, 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 February 26, 2013 on the application of  
Schneider Electric for a Modification of Special Permit for a Major Non-Residential Project.  
The hearing was closed on March 27, 2013, with the aforementioned members of the Board  
present throughout.

The modification is to expand the building at 800 Federal Street from 237,974 gsf to 240,884 gsf  
by adding a 2,910 sf lab and associated site work.

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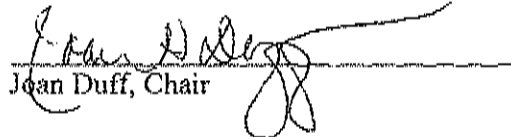
On a vote of 5 to 0, the Board finds that the proposal to expand the existing building at 800 Federal Street and associated site work as requested will not be unreasonably detrimental to the established or future character of the neighborhood and town and that such proposed use with appropriate conditions is in harmony with the general purpose and intent of the bylaw. The Board approves with conditions the application of Schneider Electric on property owned by LMP GF III 600 Federal LLC for a Modification of a Major Non-Residential Special Permit subject to the following conditions:

1. The plan sheets previously approved with SP12-05 shall be updated to include the following sheets prepared by John G. Crowe Associates, Inc, which are considered the final plans for the addition of the 2,910 sf lab addition and associated site work and may be found in the Planning Division:
  - a. Site Preparation and Demolition Plan L-1 last revised 2-25-13;
  - b. Site Grading and Erosion Control Plan L-2 last revised 2-25-13;
  - c. Site Utilities Plan L-3 last revised 2-25-13;
  - d. Layout and Materials Plan L-4 last revised 2-25-13
2. This special permit shall expire two (2) years from the date that this decision has been recorded in the North Essex County 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.
3. 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.
4. All other conditions of SP12-05 shall remain in full force and effect.

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 March 27, 2013, at a regularly scheduled public meeting, the Andover Planning Board voted (5-0) to issue the foregoing Modification of Special Permit for New Multi-Family Dwelling Construction-Attached Cluster.

Date: 4-3-13

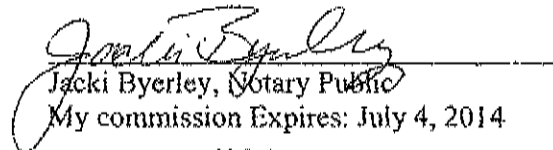
  
Joan Duff, Chair

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

On this 3<sup>rd</sup> day of April, 2013, 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 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,

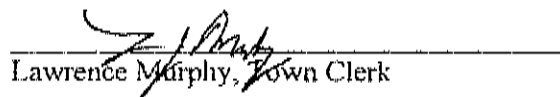
  
Jacki Byerley, Notary Public  
My commission Expires: July 4, 2014

JACKI A. BYERLEY  
NOTARY PUBLIC  
My commission expires July 4, 2014

CERTIFICATION

I, Lawrence 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 3, 2013 and no appeal against said decision has been filed.

Date: April 24, 2013

  
Lawrence Murphy, Town Clerk