



12/23/82

TOWN OF BOXBOROUGH, MASSACHUSETTS
PLANNING BOARD

SPECIAL PERMIT FOR SITE PLAN APPROVAL FOR: Gerald Hines Development Boston, Ltd.
DECISION #82-3 27 State Street
Boston, Massachusetts 02109

IN BEHALF OF: Nippon Electric Company

Pursuant to notice published in the September 9 and 14, 1982 editions of the Assabet Valley Beacon, a public hearing was held on September 28, 1982 to consider the application of Gerald Hines Development Boston, Ltd. (buyer under purchase agreement) for a special permit for site plan approval under Section 7.3.1.4. and 7.4 of the Zoning By-Law of the Town of Boxborough for business and industrial/commercial use within the industrial/commercial zoning district for a proposed building containing approximately 160,000 square feet of area and having approximately 445 parking spaces.

Pursuant to notice published in the November 4 and 11, 1982 editions of the Assabet Valley Beacon, a re-hearing was held on November 22, 1982 to consider all plans and information previously submitted and updated documentation of the proposed project, and for review by the Planning Board as then constituted with a new member sitting as well as for the purpose of affording further opportunity for public review and comment. In the instance of each, the premises on which the proposed building and parking area will be constructed is shown as Lots 132 and 133, Group 2 of the Assessor's Map. The building will be connected over Lots T-136, 113 and 115 as shown on Assessor's Map #1, Group 2 to a subsurface sewage disposal system on land shown as Lot 116 on Assessor's Map #1, Group 2, located at the north-westerly end of Hazard Lane.

Present at the September 28, 1982 hearing were Planning Board Members: Kathleen Vorce, Joan Huntley, Denise Stuart and Secretary Patricia White.

Present on behalf of the applicant were: John Thomas of Boston Survey and Engineering Co.; Attorneys John Griffin and Marty Healy of Rackemann, Sawyer and Brewster; Paul Messina of Gerald Hines Development Boston, Ltd.; Bruce Tyson of John Crowe Associates; Thomas Grimes, Project Manager of Nippon Electric Co.; Charles Kalasuskas of John Crowe Associates.

Present at the November 22, 1982 hearing were Planning Board Members: Kathleen Vorce, Denise Stuart, Joan Huntley and Ann Brandon.

Present on behalf of the applicant were: Thomas Grimes, Project Manager of Nippon Electric Company; Paul Messina of Gerald Hines Development Boston, Ltd.; Bruce Tyson of John Crowe Associates; John Thomas of Boston Survey and Engineering Co.; Marty Healy, Esq. of Rackemann, Sawyer and Brewster.

The record of proceedings and submissions upon which this permit is based are in the office of the Town Clerk, filed under Gerald Hines Development Boston, Ltd. in behalf of Nippon Electric Company, Planning Board Decision #82-3.

The record compiled for this special permit upon which the deliberations of the Planning Board were based is contained in a 6-page index and filed in the office of the Town Clerk with Decision #82-3.

After due consideration of the application, the record of the proceedings and the exhibits, the Board makes the following findings of fact:

1. That Gerald Hines Development Boston, Ltd. is developing the site for use and occupancy by Nippon Electric Company Information Systems, Inc.
2. That the building will house the corporate headquarters of Nippon Electric Company Information Systems, Inc. as permitted by the Board of Appeals Decision dated September 23, 1982.
3. That the proposed uses of the 2-story building will be approximately 60,240 square feet of office space, approximately 58,068 square feet of manufacturing and approximately 40,776 square feet of warehousing. The manufacturing will consist solely of light assembling and there will be no toxic effluents.
4. That there will be approximately 420 employees on the site (280 employees in the office area, 133 employees in manufacturing and 7 employees in the warehouse).
5. That there will be a second shift of 35 employees predominantly working in manufacturing.
6. That most of the traffic will utilize the Sheraton Road and the Route 495/Route 111 interchange.
7. That various departments will have different work hours creating the following staggered traffic patterns: 7:00 a.m. to 3:30 p.m.-manufacturing & warehouse employees; 8:30 a.m. to 5:00 p.m.-office employees; 3:30 p.m. to 11:30 p.m.-night shift.
8. That the 445 parking spaces required by the Board of Appeals Decision (Exhibit C) to be constructed in accordance with the Zoning By-Law are not adequately represented in the site plan presentation of the applicant, specifically: an additional 122 spaces as required by the By-Law are lacking. However, the 20-foot turning aisle shown on the existing plans is "adequate" for traffic (Zoning By-Law Section 6.3.5.) as presented by the applicant.
9. That the proposed "Y" intersection accessing Sheraton Road where that road turns west approximately 200 feet south of Route 111, is not satisfactory for traffic flow and safety considerations.
10. That the proposed septic system shall be installed according to Engineered Plan #22359-A, drawn by Dana Perkins & Associates, as referenced on the Board of Health permit signed November 20, 1982.

11. That drainage and storm water collection will be handled by means of a 0.6+ acre pond constructed with a surface baffle at the discharge point from the pond to the wetland. That drainage from the parking lots, driveways and loading dock will be handled by hooded catch basins as shown on Plan L-4 as revised November 1, 1982, hoods to be installed as detailed on Plan L-6 as revised November 1, 1982.

Planning Board Member James Wheeler absenting himself, after careful consideration on December 14, 1982 the remaining four members of the Planning Board VOTED UNANIMOUSLY to approve a special permit for the site plan subject to the following conditions:

1. That the applicant post a performance bond with sureties in a form acceptable to the Planning Board in the amount of \$100,000 payable to the Town of Boxborough. Such bond shall be released upon issuance of an occupancy permit, provided in Zoning By-Law Section 7.4.6.
2. That the Planning Board approve the landscaping plans in the Spring of 1983.
3. That to ensure the health and safety of occupants and the public, activities using or generating noxious and/or toxic chemicals are prohibited. The financial burden and responsibility for care and immediate clean-up of any pollutant spills shall be jointly and severally the responsibility of the occupant and the owner (if different).
4. That the hooded catch basins be cleaned annually in April and proof of same be forwarded promptly to the Conservation Commission.
5. That de-icing chemicals shall be utilized to the minimum degree possible and specifically prohibited from use is sodium chloride.
6. That the applicant in the interests of the health, safety and welfare of both the occupants of the premises and the public, shall hereafter comply with such requests as from time to time may be delivered to it by:
 - a) the Chief of Police concerning the provision of lighting for security surveillance of the property and concerning measures for traffic supervision both on the premises and entering and exiting the premises;
 - b) the Fire Chief concerning the maintenance of access for and provision of fire protection;
 - c) the Zoning Officer concerning the continued provision of adequate parking for use of the premises, and
 - d) the Board of Health concerning maintenance of the sewage and drainage systems;

Provided that any requests intended to be enforceable under the authority of this special permit shall be filed with the Town Clerk as a part of the record of this Decision.

7. That the applicant reimburse the Town for the cost of compensating an officer to direct traffic for those hours of peak traffic generated by the applicant and as determined by the Chief of Police of Boxborough.
8. That the applicant secure required permissions for a direct entrance onto Route 111 prior to occupancy of the premises and in accordance with the layout attached unless otherwise agreed in writing with the Planning Board.
9. That "as built" plans and/or a certificate of compliance as appropriate, certified by a registered surveyor or professional engineer setting forth status of construction and noting compliance with Exhibit A, B, C, D inclusive from the September 28, 1982 hearing and Exhibits A, B, C, C2, D2, E and F from the November 22, 1982 hearing, and the conditions of this permit, be submitted to the Planning Board before an occupancy permit shall be issued by the Inspector of Buildings. "As Built" shall include the location, area and depth at which are buried any stumps, debris or boulders.
10. That the applicant prepare and submit for review and final approval by this Planning Board a proposal for the additional 122 parking spaces, complete with engineering plans, drainage notations, run-off calculations, lighting, circulation and landscaping details. After final approval the parking area shall be marked in accordance with the Zoning By-Laws.
11. That any future alteration to or change in use of the site, irrespective of any provision exempting the same from site plan review, be submitted for review by and receive the written approval of the Planning Board and the Conservation Commission before commencement of such alteration, work or use.

The applicant by acceptance of this Special Permit and recording hereof acknowledges the binding effect of the conditions of this permit.

This special permit shall be personal to the applicant, Gerald Hines Development Boston, Ltd., for the use of Nippon Electric Company Information Systems, Inc. and to the entity that may acquire the property and lease it to Nippon Electric Company Information Systems, Inc. HOWEVER, this special permit shall NOT run with the land.

The foregoing conditions have been spelled out for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Boxborough Zoning By-Laws.

Under the provisions of the Boxborough Zoning By-Law, Section 7.4.5., the Board shall have the power to modify, amend or rescind the terms and conditions of this Special Permit.

WITNESS our hands this 23RD day of DECEMBER, 1982.

PLANNING BOARD:

Kathleen H. Vorce
KATHLEEN VORCE, Chairperson
Joan Huntley
JOAN HUNTLEY

Denise M. Stuart
DENISE STUART

Ann Brandon
ANN BRANDON

Attachment: "Attachment 82-3"

Received: December 24, 1982
Virginia B. Richardson
Virginia B. Richardson, Town Clerk

Appeals, if any, shall be made pursuant to Section 17 of MGL, Ch. 40A, and shall be filed within twenty days after the date of filing of the above-referenced decision with the Town Clerk.

REFERENCE INDEX

DECISION 82-3

APPLICATION: A packet of information, submitted at the August 31, 1982 meeting of the Planning Board under cover letter of Boston Survey Consultants-Robinson & Fox dated August 18, 1982 (2 packages) marked for the record as "APPLICATION" and containing:

Proposed form of hearing notice	82 - 3/1
Special Permit Application (2 packages)	82 - 3/2
Owner's authorization	82 - 3/3
Two (2) Form A - Subdivision Approval Not Required (Note: linens not submitted)	82 - 3/4A
1 print: "Key Sheet" Plan of Land in Boxborough, MA (Middlesex County) by Miller & Nylander Co. dated 8/16/82 Sheet 1 of 8	82 - 3/5A
1 print (same as preceding, but) Sheet 2 of 8	82 - 3/5B
Board of Appeals submission including:	
Cover letter dated 8/18/82 (2 pages)	82 - 3/6
Proposed form of hearing notice	82 - 3/7
Application for special permit (3 pages)	82 - 3/8
Site Development Plans - Miller & Nylander as above Sheet 3 of 8	82 - 3/9
" 4 of 8	82 - 3/10
" 5 of 8	82 - 3/11
Plan: Site Grading & Drainage Plan, John Crowe Assoc. dated 18 August 1982, #WL-1	82 - 3/12
Plan: Existing Conditions, John Crowe Assoc. dated 18 August 1982, #WL-2	82 - 3/13
First Floor Plan, Drummey Rosanne Anderson, Inc. dated 17 August 1982, #A-1	82 - 3/14
Second Floor Plan, Drummey Rosanne Anderson, Inc. dated 17 August 1982, #A-2	82 - 3/15
"Evaluation of Impact on Existing Water Resources" (11 pages) Boston Survey Consultants	82 - 3/16
"Evaluation of Impact on Landscape" (5 pages) Boston Survey Consultants	82 - 3/17
Traffic Impact Report for the Nippon Electric Company Site (21 pages missing Page 3) Boston Survey Consultants Engineering dated August 1982	82 - 3/18
(Abutters) Exhibit compiled Plan of Land in Boxborough Board of Health Submission including: cover letter of Dana F. Perkins & Assoc. Inc. dated August 18, 1982	82 - 3/20
Application	82 - 3/21

Plans: Dana F. Perkins & Assoc., Inc.
 "Gerald Hines Development, Inc.

August 18, 1982	Sheet 1 of 14	82 - 3/22
"	2 of 14	82 - 3/23
"	3 of 14	82 - 3/24
"	4 of 14	82 - 3/25
"	5 of 15	82 - 3/26
"	6 of 14	82 - 3/27
"	7 of 14	82 - 3/28
"	8 of 14	82 - 3/29

"Hydrogeologic Assessment for..." (10 pages)
 by Boston Survey Consultants 82 - 3/30

Conservation Commission Submission, including:

cover letter of Boston Survey Consultants dated August 17, 1982 (5 pages)	82 - 3/31
Proposed form of hearing notice	82 - 3/32
Form 3 - Notice of Intent (9 pages)	82 - 3/33
Owner's authorization	82 - 3/34
"Locus Map of NEC Site..."	82 - 3/35
Inflow - storage - outflow calculations	82 - 3/36
Envirofence (2 pages)	82 - 3/37
Boston Survey Consultants - Field Summary	82 - 3/38
" " " - Test Pit Log Pit #A	82 - 3/39
" " " #B	82 - 3/40
" " " #C	82 - 3/41
" " " #D	82 - 3/42
" " " #E	82 - 3/43
" " " #F	82 - 3/44
" " " #G	82 - 3/45
" " " #I	82 - 3/46
" " " #J	82 - 3/47
" " " #K	82 - 3/48
" " " #L	82 - 3/49
" " " #M	82 - 3/50
" " " #N	82 - 3/51
" " " #O	82 - 3/52
" " " #P	82 - 3/53
" " " #Q	82 - 3/54
" " " #R	82 - 3/55
" " " #S	82 - 3/56
" " " #T	82 - 3/57

Percolation Tests: Boston Survey Consultants

Test Pit #1 & 2	82 - 3/58
" " #3 & 4	82 - 3/59
" " #11 & 12	82 - 3/60
" " #13 & 14	82 - 3/61
" " #15 & 16	82 - 3/62
" " #17 & 18	82 - 3/63
" " #19 & 20	82 - 3/64
" " #23 & 24	82 - 3/65
" " #25 & 26	82 - 3/66
" " #27 & 28	82 - 3/67
" " #29 & 30	82 - 3/68
" " #35 & 36	82 - 3/69
" " #39 & 40	82 - 3/70
" " #87 & 88	82 - 3/71
" " #89	82 - 3/72

Boston Survey Consultants Test Pit Log	Test Pit #0-W-A	82 - 3/73
	" " #0-W-B	82 - 3/74
	" " #0-W-C	82 - 3/75
Boring Report - John J. Boyle, Hole	#B-1	82 - 3/76
	" #B-2	82 - 3/77
	" #B-3	82 - 3/78
	" #B-4	82 - 3/79
	" #B-5	82 - 3/80
	" #B-6	82 - 3/81
	" #B-7	82 - 3/82
	" #B-8	82 - 3/83
	" #B-9	82 - 3/84
	" #B-10	82 - 3/85
	" #B-11 & 11A	82 - 3/86
Stabilized Water Elevations		82 - 3/87
Haley & Aldrich cover letter dated August 11, 1982		82 - 3/88
Field Permeability Test Report Boring #B11		82 - 3/89
	#B11A	82 - 3/90
Department of Environmental Quality Engineering determination letter dated April 12, 1982 (2 pages)		82 - 3/91
(Site Grading & Drainage Plans) Miller & Nylander Co. dated August 16, 1982 - Sheet #6 of 8		82 - 3/92
	#7 of 8	82 - 3/93
	#8 of 8	82 - 3/94
Planning Board letter dated September 15, 1982 regarding pre- liminary review and request for supplemental data (2 pages)		82 - 3/95
Hearing notice-dated-September 28, 1982 hearing		82 - 3/96
Minutes of September 28, 1982 Hearing (8 pages)		82 - 3/97

EXHIBITS:

Exhibit A: A packet so labeled, including cover letter of Boston Survey & Engineering Co. dated September 27, 1982 (5 pages)		82 - 3/A1
"Supplemental Wetlands Calculations - August 30, 1982" J. G. Crowe, Inc." (6 pages)		82 - 3/A2
"Site Drainage Plan", Drummey Rosanne Anderson, Inc. dated September 24, 1982, Plan #L-4		82 - 3/A3
"Drainage Details" Drummey Rosanne Anderson, Inc. dated September 24, 1982, Plan #L-6		82 - 3/A4
"Site Details", Drummey Rosanne Anderson, Inc. dated September 24, 1982, Plan #L-7		82 - 3/A5
"Lighting Information" Robinson & Fox (6 pages)		82 - 3/A6
LIGHTING PLAN, Drummey Rosanne Anderson, Inc. dated September 16, 1982, Plan #E-2		82 - 3/A7
"Site Grading Plan" Drummey Rosanne Anderson, Inc./John Crowe Associates, dated September 24, 1982, Plan #L-3		82 - 3/A8

"Site Layout - Traffic Volumes, Signs & Pavement Markings"
Boston Survey Consultants - September 23, 1982 82 - 3/A9

"Site Plan Water" Drummey Rosanne Anderson, Inc.
dated September 24, 1982 #U-1 82 - 3/A10

"Pump House Sketch Plan" Robinson and Fox (2 Pages) 82 - 3/A11

"Site Layout Plan with Parking Lot Paint Striping"
Drummey Rosanne Anderson, Inc. dated September 24, 1982 #L-5 82 - 3/A12

"Site Layout-Signs and Pavement Markings"
Drummey Rosanne Anderson, Inc., dated September 24, 1982 82 - 3/A13

Letter from Charles Kalauskas, Traffic Engineer
Boston Survey Consultants (7 Pages) 82 - 3/A14

(Geotechnical Report) "Report on Subsurface Investigations..."
Haley & Aldrich, Inc. dated August 30, 1982
(21 Pages with tables, figures and appendices A-f inclusive) 82 - 3/A15

"Site Clearing Plan" Drummey Rosanne Anderson, Inc./John Crowe
Assoc. (no date) #L-10 82 - 3/A16

"Technical Specifications" Robinson and Fox (19 Pages) 82 - 3/A17

"First Floor Plan" Drummey Rosanne Anderson, Inc. 82 - 3/A18

"Second Floor Plan" Drummey Rosanne Anderson, Inc. 82 - 3/A19

(Building Elevation Plan) Untitled-
Drummey Rosanne Anderson, Inc. 82 - 3/A20

List dated September 30, 1982 as requested 82 - 3/A21

Exhibit B - so marked (3 Pages), Conservation Commission Order of
Conditions 82 - 3/B

Exhibit C - so marked (4 Pages), Board of Appeals Decision 82 - 3/C

Exhibit D - so marked (2 Pages), Letter of Charles A. Perkins Co.,
Inc. Dated September 28, 1982 82 - 3/D

Letter of John G. Crowe Associates, Inc.
Dated October 12, 1982 (2 Pages with 25 page-Attachment) 82 - 3/D1

Report of Charles A. Perkins Co., Inc.
"NEC Boxborough Site" Dated October 15, 1982 82 - 3/D2

Letter of Boston Survey Consultants Dated October 21, 1982 (5 Pages) 82 - 3/D3

Letter of Boston Survey Consultants Dated October 28, 1982
(1 Page with 4-Page Attachment) 82 - 3/D4

NOVEMBER 22, 1982 HEARING:

Hearing Notice - November 22, 1982	82 - 3/98
Minutes (2 pages)	82 - 3/99
Letter of Rackeman, Sawyer & Brewster, P.C. dated November 29, 1982 as requested at hearing	82 - 3/100
Letter of John G. Crowe Associates, Inc. dated November 23, 1982 as requested	82 - 3/101

EXHIBITS:

Exhibit A from September 28, 1982 Hearing (so marked)	82 - 3/A
Exhibit B from September 28, 1982 Hearing (so marked)	82 - 3/B
Exhibit C from September 28, 1982 Hearing (so marked)	82 - 3/C
Exhibit C from November 22, 1982 Hearing (marked Exhibit 2C) "Drawing of Sanitary System Dated October 30, 1982"	82 - 3/2C
Exhibit D from September 28, 1982 Hearing (so marked with further submissions marked "82-3/Dn")	82 - 3/D
Exhibit E from November 22, 1982 Hearing (marked Revised Plan L-6)	82 - 3/E
"Site Clearing Plan", Drummey Rosanne Anderson, Inc. Dated November 1, 1982, L-0	82 - 3/E1
"Site Grading", Drummey Rosanne Anderson, Inc. Dated November 1, 1982, L-3	82 - 3/E2
"Site Drainage Plan", Drummey Rosanne Anderson, Inc. Dated November 1, 1982, L-4	82 - 3/E3
"Site Layout Plan with Parking Lot" Drummey Rosanne Anderson, Inc. Dated November 1, 1982, L-5	82 - 3/E4
"Site Drainage Details" "Paint Striping", L-6	82 - 3/E5
"Site Details", L-7	82 - 3/E6

Exhibit F marked as follows:

A-1 First Floor Plan, Drummey Rosanne Anderson, Inc. Dated November 15, 1982	82 - 3/F1
A-2 Second Floor Plan, Drummey Rosanne Anderson, Inc. Dated November 15, 1982	82 - 3/F2
A-3 Exterior Elevations, Drummey Rosanne Anderson, Inc. Dated November 15, 1982	82 - 3/F3
P-1 First Floor Plumbing, Drummey Rosanne Anderson, Inc. Dated November 15, 1982	82 - 3/F4
P-2 Second Floor Plumbing, Drummey Rosanne Anderson, Inc. Dated November 15, 1982	82 - 3/F5
P-3 Roof Plan Plumbing, Drummey Rosanne Anderson, Inc. Dated November 15, 1982	82 - 3/F6
Site Layout, Signs & Pavement Markings, Dated September 24, 1982, Drummey, Rosanne Anderson, Inc.	

U1 Site Plan Water with Pump House, Drummev Rosanne Anderson Dated November 15, 1982	82 - 3/F7
S1 Typical Details, Dated November 1, 1982	82 - 3/F8
S2 Foundation & First Floor Plan, Dated November 1, 1982	82 - 3/F9
S3 Second Floor Framing Plan, Dated November 1, 1982	82 - 3/F10
S4 Roof Framing Plan	82 - 3/F11
S5 Column Schedule	82 - 3/F12
S6 Sections, Dated November 1, 1982	82 - 3/F13
S7 Sections, Dated November 1, 1982	82 - 3/F14
S8 Pump House	82 - 3/F15
MU-1 Dated	82 - 3/F16



TOWN CLERK

BOXBOROUGH, MASSACHUSETTS

February 2, 1983

I, Virginia B. Richardson, Clerk of the Town of Boxborough, hereby do certify that twenty (20) days have elapsed since the Planning Board filed their decision on a Special Permit Granting Authority for Site Plan Approval with me in the name of *Herald Finis Development Boston* on December 24, 1982 and no appeals have been recieved. *Ltd.*

Virginia B. Richardson
Virginia B. Richardson
Town Clerk of Boxborough