

**CITY OF METHUEN
COMMUNITY DEVELOPMENT BOARD**

NOTICE OF DECISION - Site Plan Approval

501 & 600 Griffin Brook Drive

Case No: 2024-8
Date of Application: 09-04-2024
Date of Hearing: 10-09-2024, 11-13-2024
Date of Decision: 11-18-2024

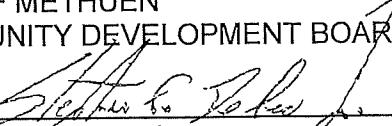
Petition of: Griffin Brook Owner LLC
55 Cambridge Street
Burlington, MA 01803

Premises Affected: 501 & 600 Griffin Brook Drive
Assessor's Map 220-165A-9D and 220-165A-9E
Limited Industrial (IL) Zoning District

Referring to the above petition for Site Plan Approval from the requirements of Section XII of the City of Methuen Comprehensive Zoning Ordinance to allow the construction of **95,700 SF industrial warehouse building, and associated site upgrades** in the Limited Industrial (IL) Zoning District.

At a public hearing held on November 13, 2024, the Community Development Board voted **UNANIMOUSLY (6-0)** to **APPROVE WITH CONDITIONS** this Site Plan Approval.

This is to certify that the above action was taken in compliance with the statutory requirements as set forth in Chapter 40A of the General Laws, and that a copy of this decision was filed with the City Clerk on **November 18, 2024**.

**CITY OF METHUEN
COMMUNITY DEVELOPMENT BOARD**
by: 
Stephen F. DeFeo, Jr.
Chairman, Community Development Board

Any appeal of this decision shall be made pursuant to the requirements of Massachusetts General Laws and shall be filed within twenty (20) days after the date the notice of decision was filed with the Methuen City Clerk.

I hereby certify that no appeal has been filed in the Methuen City Clerk's Office, within the twenty (20) day appeal period.

Anne J. Drouin, Methuen City Clerk

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FINDINGS OF FACT:

Griffin Brook Owner LLC filed an application for Site Plan Approval on September 4, 2024. The applicant submitted a complete application, which was noticed and reviewed in accordance with Section XII Site Plan Approval of the City of Methuen Comprehensive Zoning Ordinance and MGL Chapter 40A, Section 9.

The Applicant proposes to develop the property located on two parcels at 501 & 600 Griffin Brook Drive to an allowed industrial use in the Limited Industrial Zoning District. The site consists of approximately 22.27 acres of land and has 212.15±feet of frontage along Griffin Brook Drive. The existing 59,917 ± SF building at 501 Griffin Brook Drive extends across the lot line to 600 Griffin Brook Drive. The developed areas consist of the existing building, paved driveways, parking areas, loading zones, and landscaped areas which consist of lawn and trees. The rear portion of the lot consists of undeveloped, wooded land.

Applicant proposes to construct a new 95,700± SF industrial warehouse building. Access to the site will be provided by way of the driveway that serves 501 Griffin Brook Drive.

The project site is shown on a plan entitled: Site Development Plans, 501 & 600 Griffin Brook Drive, Methuen, Massachusetts (Assessor's Map 220, Lot 9D & 9E); prepared for Griffin Brook Drive Owner LLC; prepared by The Morin-Cameron Group, Inc.; dated September 3, 2024, revised through 10/22/2024, as may be further revised by this decision.

The public hearing was opened by the Community Development Board on October 9, 2024, and continued to November 13, 2024. Representatives from The Morin-Cameron Group, Inc., Dacon Corp., Radner Design Associates, Inc., and Fuss & O'Neil/Bayside Engineering appeared on behalf of the Applicant.

The Community Development Board reviewed the Technical Report in Support of Site Plan Approval and the Traffic Impact and Access Study, The Board also reviewed the site plans including the lighting and landscape plans.

On November 13, 2024, on a motion by Mr. Comei and seconded by Mr. Hunter, the Board voted to close the public hearing. Upon a motion by Mr. Comei seconded by Mr. Hunter the Board voted unanimously (6-0) to GRANT Site Plan Approval with Conditions. Board members Stephen DeFeo, Michael Comei, Neal Hunter, Ronald Hatem, Shadi Kasis, and Heather Plunkett were in attendance and voted.

This approval is granted subject to the accuracy of the information, reports and data presented. In the instance where the Board is of the belief that this material was inaccurate as presented or has subsequently become unreliable the Board may conduct a determination hearing to consider requiring further review or mandating current and reliable data and information for subsequent approval.

As required by the City of Methuen Comprehensive Zoning Ordinance Effective July 28, 2008, Section XII-C (3), based upon the applicant's testimony, plans submitted and information provided, the Community Development Board has determined that this project meets the requirements of this section.

SPECIAL CONDITIONS:

The Community Development Board finds that this project generally complies with the City of Methuen Zoning Ordinance requirements as listed in Section XII but requires conditions to be fully in compliance. The Community Development Board hereby grants an approval to the applicant provided the following conditions are met:

1) Traffic Impacts:

a) MassDOT District 4 reviewed the request for determination and determined that, based on the trip generation in the traffic study provided, the traffic impact is not substantial. As long as the Land Use Code for this development doesn't change no access permit will be required. Note that Land Use Code (LUC) 150 – Warehousing was used for this review. This Land Use Code is appropriate for most warehouses except for warehouse and distribution centers. **If there is a distribution aspect to this facility the trip generation MUST be revisited and a new request for determination requested from MassDOT.**

2) **Prior to the endorsement of the plans** by the Community Development Board, the Project Owner the final plans must be reviewed and approved for accuracy and conformance with the terms of this Approval by the City's Engineering Department, the City's Peer Review consultant (as may be required by the Board), and the Community Development Department. The final plans must be revised in accordance with comments received by the City of Methuen staff members and peer review agents.

a) **The Fire Truck Wheel Path Analysis Sketch shows that Methuen Fire ladder trucks can narrowly access and circulate through the parking lots and driveways. As such the westbound approach on Griffin Brook Drive should be under stop control. An all-way stop control can provide safer conditions for trucks entering the parking lots located west and south of the existing building.**

b) **DMH-7 must be included in the Drainage Schedule.**

c) **The Applicant must demonstrate that sufficient vehicular access around the entire Retention Basin P2 has been provided.**

d) **The Applicant must provide proper separation or barrier to prevent a hydraulic connection between the drainage stone behind the**

retaining wall and the crushed stone surrounding the subsurface infiltration chamber P3.

e) The design discharge for HW-1 and HW-2 must be designed based on peak runoff from the 10-year storm.

3) Prior to the start of any site work and Building Permit issuance:

a) The Community Development Board must endorse the final site plan mylars and a copy of the signed, recorded plans must be delivered to the Community Development Office.

b) One certified copy of the recorded decision must be submitted to the Community Development Office.

c) A bond in the amount of **five thousand (\$5,000) dollars** shall be posted for the purpose of insuring that the site is constructed in accordance with the approved plan and that a final as-built plan is provided showing the location of all on-site structures.

d) Prior to any construction activity of any kind associated with the project, the Project Owner shall submit to the Community Development Department a proposed phased construction sequence schedule (timetable/bar chart), said schedule to be used as a guide to activities within the development including construction of roadways, utilities, drainage system, stabilization, earth removal and stockpiling. This schedule once established shall not be deviated from and may only be modified by agreement between the Project Owner and the Community Development Department.

e) A pre-construction meeting must be held with the developer, their construction employees, Community Development Department, and other applicable departments to discuss scheduling of inspections to be conducted on the project and the construction schedule.

f) The Project Owner will provide supervisory contact personnel along with emergency telephone numbers that are answered on a 24-hour basis (answering machines or voice mail are not acceptable).

g) A **Construction Monitor may be required** and will be designated by the Community Development Board to inspect the site on a regular basis to ensure conformance with the approved plans. A schedule for inspection will be determined at the preconstruction meeting and created based upon the phased construction sequence schedule.

h) The Applicant must provide documentation demonstrating each of the two sewer pumping stations on Griffin Brook Drive have sufficient capacity to

support the proposed project. Note that failure to address this issue will prevent approval of a sewer connection permit which will in turn prevent approval of a building permit.

- i) Soil testing must be provided within the footprint of Pond 2, in accordance with Mass DEP Stormwater Manual for review and approval by the Engineering Department or peer review consultant.**
- 4) During Construction:**
 - a) Construction activities on the site shall conform to the City of Methuen's Ordinances relating to such work.**
 - b) Construction activities shall be conducted in a workmanlike manner at all times. Blowing dust or debris shall be controlled by the Applicant through stabilization, wetting down, or other proper storage and disposal methods.**
 - c) It shall be the responsibility of the Applicant to assure that no erosion from the construction site shall occur which will cause deposition of soil or sediment upon adjacent properties or public ways, except as normally ancillary to off-site construction. Off-site erosion will be a basis for the Community Development Board making a finding that the project is not in compliance with the plan; provided however, that the Community Development Board shall give the Applicant written notice of any such finding and ten days to cure said condition.**
- 5) Prior to the Issuance of the Certificate of Occupancy:**
 - a) The owner must submit a tenant operation plan and a subsequent monitoring plan once the project is substantially occupied. This plan shall include details on the anticipated employees and truck volumes, hours of operation, queuing and waiting areas, and other mitigation strategies to reduce peak hour impacts on nearby roadways not included as part of the TDM Plan. This will provide the city with the opportunity to review the projected operations in comparison to ITE data.**
 - b) The Owner must confirm that this is not a last-mile delivery facility.**
 - c) The owner must confirm that the Transportation Demand Management (TDM) plan outlined in the original TIAS has been followed.**
 - d) Once a tenant has been identified, appropriate signage must be added at the entrance to the facility directing visitors and employees to the appropriate parking areas.**

- e) The owner will work with the tenants to install EV charging stations, as needed.**
- f) The Project Owner must submit a letter from the project engineer stating that the building, landscaping, lighting, and site layout substantially comply with the plans referenced in this decision as endorsed by the Community Development Board.**
- g) A final as-built plan showing final topography, the location of all on-site utilities, structures, curb cuts, parking spaces and drainage facilities, including invert elevation of all storm water structures shall be submitted to the Community Development Department and the Engineering Department for review and approval.**
- h) If all site related issues, including landscaping, have not been completed at the time the building itself is ready for occupancy, the Community Development Board may authorize the Project Owner to post a security sufficient in the opinion of the Community Development Board, to cover the cost of the City of completing the remaining site items.**
- i) The Applicant must assign a transportation coordinator to coordinate and promote Transportation Demand Management (TDM) as per the Traffic Impact Assessment (TIA)**

6) Prior to the final release of all funds: The Community Development Board must, by majority vote, make a finding that the site is in conformance with the approved plan and decision.

7) Other Conditions:

- a) The Owner must maintain site vegetation and snowbanks so as not to impede the sight triangles for on-site intersections and the intersection of the site access with Griffin Brook Drive.**
- b) To reduce noise levels the Project Owner shall keep in optimum working order, through regular maintenance, all equipment that shall emanate sounds from the structures or site.**
- c) Any plants, trees, or shrubs that have been incorporated into the Landscaping Plan approved in this decision that die within two years from the date of planting shall be replaced by the owner. All plantings and screening depicted on the approved plans shall remain in perpetuity over the life of the project.**
- d) Within five (5) days of the transfer of ownership of this site in whole or in part, the Project Owner shall notify the Community Development**

Department of the name and address of the new owner(s). The Project Owner shall provide the new owner(s) with a copy of these conditions.

- 8) The Community Development Board hereby reserves the right to serve notice to the Applicant of a cease-and-desist work order should a violation of the endorsement, the approval, the conditions, or the restrictions be found to exist. Such cease-and-desist work order, when served in writing, directing itself to the violation occurring, shall act to prohibit all work on the areas as mentioned in such order.
- 9) This Site Plan Approval shall be deemed to have lapsed two years after the date of the grant of this approval if a substantial use thereof has not sooner commenced, except for good cause. Such approval may, for good cause, be extended in writing by the Community Development Board upon the written request of the applicant.
- 10) The following documents and plans shall be deemed part of the decision:
 - a) Site Development Plans, 501 & 600 Griffin Brook Drive, Methuen, Massachusetts (Assessor's Map 220, Lot 9D & 9E); prepared for Griffin Brook Drive Owner LLC; prepared by The Morin-Cameron Group, Inc.; dated September 3, 2024, revised October 3, 2024 as may be further revised by this decision; including the following sheets:
 - i) Cover Sheet CS-1
 - ii) General Notes, Legend & Abbreviation C-1
 - iii) Sheet Index & Erosion Control C-2
 - iv) Existing Conditions Plan C-3
 - v) Existing Conditions Plan C-4
 - vi) Site Layout Plan C-5
 - vii) Grading and Drainage Plan C-6
 - viii) Drainage Schedule C-7
 - ix) Utility Plan C-8
 - x) Erosion Control Details C-9
 - xi) Site Details C-10
 - xii) Utility Details C-11
 - xiii) Drainage Details C-12
 - xiv) Drainage Details C-13
 - xv) Drainage Detail C-14
 - xvi) Test Hole Logs C-15
 - xvii) Tree and Seeding Plan L1.0
 - xviii) Landscape Plan Enlargement 1 L1.1
 - xix) Landscape Plan Enlargement 2 L1.2
 - xx) Landscape Plan Enlargement 3 L1.3
 - xxi) Landscape Details, Planting Notes and Planting Schedule L1.4
 - xxii) Lighting Plan L2.0
 - xxiii) Proposed Warehouse Sd200 Schematic Elevations

- b) Technical Report in Support of Site Plan Approval, 501 & 600 Griffin Brook Drive, Methuen, Massachusetts; prepared by The Morin-Cameron Group, Inc.; dated September 3, 2024, rev. October 22, 2024
- c) Traffic Impact Assessment, Proposed Warehouse Development, 600 Griffin Brook Drive, Methuen, MA; prepared for RJ Kelly Co., Inc, prepared by Fuss & O'Neil/Bayside Engineering, dated August 15, 2024