

**Record of Decision  
Bristol-Myers Squibb (ER Squibb & Sons, LLC.)  
Cell Therapy Facility  
38 Jackson Road (9-4-200)  
Devens (Harvard), MA  
Unified Permit Amendment  
April 9, 2020**

**1. Applicant:**

The Applicant is Bristol-Myers Squibb Company (BMS) and landowner ER Squibb & Sons, LLC., 38 Jackson Road, Devens (Harvard), MA 01434 (Deed Reference: Bk 40684 pg. 172).

**2. Premises and Proposed Project:**

The Applicant is seeking a Level 2 Unified Permit application for Site Plan Approval to amend their Campus Master Site Plan and construct a new +/- 240,000 sf Cell Therapy Facility building, a +/- 44,850 sf expansion to the existing central warehouse building, a new 600 space, 3-story parking structure, and operational changes at the Queenstown Gate within their 89 acre campus. The project is located within the Innovation and Technology Business District, Viewshed Overlay District and Watershed Water Resources Protection Overlay District.

**3. Submission:**

The following is a list of exhibits included as part of the record for this Application:

1. Unified Permit Application - Level 2 Submittal package for Bristol-Myers Squibb Cell Therapy Facility, submitted to the Devens Enterprise Commission, prepared by Vanasse Hangen Brustlin, Inc., 101 Walnut Street, Watertown, MA 02472, including the following:
  - Completed Level 2 Unified Permit Application form (D20-019) dated 02,14,2020.
  - Administration and Peer Review Fee
  - List of Abutters
  - Drainage Calculations
  - Compliance with Industrial Performance Standards Checklist;
  - Existing Easements, Covenants, Restrictions and Institutional Controls
  - Soil Suitability Tests and Analysis
  - List of Waivers
  - Compliance with Reuse Plan and Bylaws
  - Construction Phasing Plan
  - Compliance with Devens Open Space and Recreation Plan and Devens Post Trail Report
  - Parking calculations
  - Vehicle Trip Generation
  - Erosion and Sedimentation Plan
  - Landscaping Maintenance and Water Management Plan
  - Construction Cost Estimate;
  - LEED Checklist
  - Building Elevations/Perspectives
  - Viewshed Analysis
2. Plan entitled BMS Devens Cell Therapy Facility, 38 Jackson Road, Devens, MA received February 14, 2020; prepared by Vanasse Hangen Brustlin, Inc., 101 Walnut Street, Watertown, MA 02472, for Property Owner/Applicant Bristol-Myers Squibb, 38 Jackson Road, Devens, MA 01434; including the following sheets:
  - C-1.0 Legend and General Notes;
  - C-2.0 Updated Campus Site Plan;
  - C-3.1 Layout and Materials Plan 1;
  - C-3.2 Layout and Materials Plan 2;

- C-4.1 Grading and Drainage Plan 1;
  - C-4.2 Grading and Drainage Plan 2;
  - C-5.1 Utility Plan 1;
  - C-5.2 Utility Plan 2;
  - C-6.1 Erosion and Sedimentation Control Plan 1;
  - C-6.2 Erosion and Sedimentation Control Plan 2;
  - C-7.1 Site Details 1;
  - C-7.2 Site Details 2;
  - C-7.3 Site Details 3;
  - C-7.4 Site Details 4;
  - L-1.1 Planting Plan 1;
  - L-1.2 Planting Plan 2;
  - L-2.0 Planting Details;
  - PH-1.1 Photometric Plan 1;
  - PH-1.2 Photometric Plan 2;
  - PH-2.0 Lighting Cut Sheets;
  - Cell Therapy Facility Exterior Elevations 1
  - Cell Therapy Facility Exterior Elevations 2
  - Parking Garage Exterior Elevations 1
  - Parking Garage Exterior Elevations 2
  - Warehouse Expansion Exterior Elevations
3. Determination of Completeness Issued February 21, 2020;
  4. Public Hearing Notice Memo to Town Clerks of Ayer, Harvard, Shirley, Lancaster and MassDevelopment, from Peter Lowitt, dated February 25, 2020, Subject: Level 2 Unified Permit Application – Bristol-Myers Squibb;
  5. Public Hearing Legal Notice e-mail to Nashoba Publications, from Peter Lowitt, dated February 25, 2020 – to be published March 6 and 13, 2020;
  6. Copies of Legal notices from March 6 and 13, 2020 from Nashoba Valley Voice;
  7. Public Hearing Notice emailed to Community Service Cable Committee, from Peter Lowitt/Kate Clisham, dated March 2, 2020;
  8. Memo dated February 25, 2020 from Peter Lowitt to Towns of Ayer, Harvard and Shirley Board of Selectman and Planning Board; Subject: Level 2 Unified Permit Application – BMS 38 Jackson Road (notification of Public Hearing on March 24, 2020 at 6:45PM – continued to April 9, 2020 at 7:30AM), including return receipts;
  9. Memo dated February 28, 2020 from Peter Lowitt to Abutters and Interested Parties; Subject: Level 2 Unified Permit Application – Bristol-Myers Squibb, including return receipts;
  10. Public Hearing Notice to Secretary of State, from Peter Lowitt, dated March 2, 2020;
  11. BMS Phase 3 CTF Plan Circulation memo dated 2-21-2020 from Neil Angus to MassDevelopment, Nitsch Engineering.
  12. Exploration Location Plan prepared by GZA GeoEnvironmental Inc., Engineers and Scientists, prepared for BMS for their Cell Therapy Development dated 11-22-2019 showing soil boring locations and accompanying report entitled Bristol-Myers Squibb Proposed Cell Therapy Development; Devens, MA, GZA File No. 171754.70; 11/21/2019 Preliminary Geotechnical Findings and Design Recommendations.
  13. Staff Report dated March 20, 2020 Re: Level 2 Unified Permit –Cell Therapy Facility- Phase 3– Unified Permit–Review, prepared by Neil Angus and Peter Lowitt (7 pages);
  14. Certified List of Abutters from Devens Board of Assessors, dated January 27, 2020;
  15. Plan Circulation memo from Neil Angus to MassDevelopment, dated 2-25-20;
  16. Level 1 Permit Application and Utility Drawing LVL1 from Brian Brickley DPR Construction on behalf of Bristol-Myers Squibb to relocate utilities from the interior road

adjacent to the CTF dated February 18, 2020 and DEC Record of Decision with 8 conditions for this project also dated 2-18-2020.

17. Stormwater Pollution Protection Plan prepared by DPR Construction, 150 Cambridgepark Drive Suite 102, Cambridge, MA 02140 for Bristol-Myers Squibb Cell Therapy Project, 38 Jackson Road, Devens, MA 01434 and EPA Construction General Permit received by the DEC on February 28, 2020 along with EPA NPDES ID: MAR1002ID.
18. Peer Review letter from Adina Alpert, PE; Nitsch Engineering to Neil Angus, DEC regarding analysis of traffic study dated March 9, 2020.
19. Peer Review letter from Paige Simmons, PE; Nitsch Engineering to Neil Angus, DEC regarding stormwater and general review comments dated March 9, 2020.
20. MassDevelopment Design Review Approval letter to Peter Lowitt from Ed Starzec, MassDevelopment dated March 5, 2020.
21. Review Comments to Applicant dated 3-12-2020 from Neil Angus to Curtis Quitzau, VHB.
22. BMS DOC CTF Final Responses dated 3-20-2020 from Curtis Quitzau to Peter Lowitt.
23. Review Comments to Applicant Responses BMS CTF dated 3-20-2020 from Curtis Quitzau to Neil Angus and Peter Lowitt.
24. Review comments from Mark Cohen, Devens Utilities dated 3-2-2020.
25. Map showing construction entrances for project on erosion and sedimentation plan for project dated 3/14/20 prepared by VHB for BMS CTF.
26. Stormwater Revision Memo Compiled with cover letter dated 3-18-2020 from Eric O'Brien and Curtis Quitzau of VHB to Neil Angus and Peter Lowitt of DEC received 3-2020.
27. Synchro Reports All Update from VHB for CTF project stormwater received 3/23/2020.
28. Curtis Quitzau of VHB's powerpoint presentation on the project recorded as part of the Zoom public hearing of March 24, 2020.
29. Memo from Matt Keally, VHB to John Marc-Aurelle (MD) dated 4-2-2020 RE: BMS Cell Therapy Facility Traffic Comments.
30. Proposed Stockpile B Constraints map dated 3/30/20 and Proposed Stockpile Volume map also prepared by VHB for BMS CTF and dated 3/31/2020.
31. Meeting notes from BMS CTF call with Curtis Quitzau and Neil Angus dated 1-28-20.
32. BMS Meeting Notes CTF 2-12-2- Peter Lowitt, Neil Angus, Jessica Strunkin, John Roland and Dave Gilbride.
33. BMS Meeting notes dated 3/26/20 Neil Angus, Peter Lowitt
34. E-mail correspondence as follows:

Date	From	To	Subject
3/2/20	Mark Cohen	Peter Lowitt	BMS Cell Therapy Facility Utility Dept comments and map
3/3/20	Curtis Quitzau	Ed Starzec	Need to follow up with Harvard BOS on Viewshed?
3/3/20	Curtis Quitzau	Peter Lowitt	RE: Draft Landscape Maintenance Plan
3/4/20	Ed Starzec	Curtis Quitzau	RE: BMS viewshed process
3/5/20	Ed Starzec	Peter Lowitt	BMS Design Review Approval letter
3/9/20	Neil Angus	Curtis Quitzau	BMS CTF DOC
3/10/20	Neil Angus	Curtis Quitzau	BMS CTF Parking Garage access question
3/10/20	Curtis Quitzau	Neil Angus	BMS CTF Parking Garage access response
3/10/20	Curtis Quitzau	Peter Lowitt	Response to BMS CTF DOC comments
3/10/20	Neil Angus	Brian Brickley	CTF SWPPP Review and comments
3/10/20	Neil Angus	Anthony Haskell	CTF Limits of Clearing
3/10/20	Anthony Haskell	Neil Angus	Response to CTF limits of clearing
3/9/2020	Jennifer Johnson	Neil Angus	Nitsch Peer Review Letters
11/4/2019	Curtis Quitzau	Neil Angus	BMS CTF premeeting
3/11/2020	Brian Brickley	Peter Lowitt	NIPDES NOI permit issued by EPA for BMS CTF
3/11/2020	Brian Brickley	Neil Angus	PDF maps showing track pads and addressing SWPPP comments
3/20/2020	Curtis Quitzau	Neil Angus	BMS Level II Green Roof and Wall concerns
3/20/2020	Curtis Quitzau	Neil Angus	BMS Level II two questions GR/GW
3/20/2020	Neil Angus	Curtis Quitzau	BMS Level II two question responses
3/23/2020	Peter Lowitt	John Marc-Aurele	Transmission of BMS response to comments

<i>E-mail correspondence cont...</i>			
Date	From	To	Subject
3/24/2020	Curtis Quitzau	Neil Angus	BMS position on Green Roof
3/23/2020	Curtis Quitzau	Peter Lowitt	Response to DEC comments 2
3/20/2020	Neil Angus	Adina Alpert	Forward BMS response to Comments to JNEI
3/23/2020	Curtis Quitzau	Neil Angus	Synchro Updates transmission
3/30/20	Jennifer Johnson	Neil Angus	JNEI comments
3/31/2020	Neil Angus	Jim Moore	Schedule discussion BMS solar on garage
4/1/2020	Jim Moore	Neil Angus	Scheduling meeting for 4/6
4/1/2020	Anthony Haskell	Neil Angus	Scheduling Solar discussion
4/2/2020	Neil Angus	Curtis Quitzau	Comments on landscape screening on access drive/Givry
4/2/2020	Curtis Quitzau	Deven C.	Security concerns with landscape on property boundary
4/2/2020	John Marc-Aurele	Neil Angus	Site distance issues
4/7/2020	Curtis Quitzau	Neil Angus	BMS excess soil stockpile on site options
4/7/2020	Neil Angus	Roy Herzig	BMS soil issues
4/6/2020	Roy Herzig	Peter Lowitt, et al	Invitation to discuss BMS excess soil issues.
4/6/2020	Curtis Quitzau	Peter Lowitt and Neil Angus	BMS parking garage external landscaping
4/7/20	Curtis Quitzau	Neil Angus	RE: [External] BMS CTF Open Items
4/7/20	Curtis Quitzau	Neil Angus	Planting enlargement BMS
4/8/20	Curtis Quitzau	Neil Angus	RE: [External] BMS CTF Open Items
4/8/20	Curtis Quitzau	Neil Angus	RE External Staff Report and ROD
4/9/20	Curtis Quitzau	Neil Angus	FW: [External] Staff Report and ROD ( <i>FDA supporting info for waiver request</i> )

35. BMS-CTF Planting Plan Updates, Devens, MA - Plant Schedule Figure 1, dated 4/6/20, by VHB, Inc. (1 sheet);
36. Letter from Curtis Quitzau to Peter Lowitt, re:Bristol-Myers Squibb Cell Therapy Facility Resolution of Level II Application Comments (5 pages), dated April 7, 2020.
37. Mullin Rule Affidavits from Commissioners DeZutter and Markley submitted on April 9, 2020.

#### 4. Unified Permit Components and Actions:

The Unified Permit request includes Site Plan Approval to amend the BMS Campus Master Site Plan and construct a new +/- 240,000 sf Cell Therapy Facility building, a +/- 44,850 sf expansion to the existing central warehouse building, a new 600 space, 3-story parking structure, and operational changes at the Queenstown Gate within an existing +/- 89 acre parcel located at 38 Jackson Road in Devens (Harvard), MA.

#### 5. Process:

The application was submitted on February 14, 2020 and a Determination of Completeness was issued on February 21, 2020. Copies of the application were received by the surrounding Towns on February 27, 2020. Legal notices were placed in Nashoba Publications on March 6, and 13, 2020. All abutting property owners were duly notified by certified mail. The 30-day Town comment period expired on March 30, 2020. No comments were received. The Public Hearing opened on March 24, 2020 and was continued to April 9, 2020 and closed at that same meeting.

#### 6. Waivers

The following waivers were requested as part of this Unified Permit Amendment:

- 974 CMR 3.04(6)(a)3f Site Improvements – Lighting to allow lights to be illuminated during night operations for security and staff safety.
- 974 CMR 3.04 (6)(a)3b Site Improvements – Lighting to allow a 1' reduction in the post height for pedestrian post top lighting proposed along pedestrian walkways on the Project Site. The reduction will allow 14' posts, which are more appropriately scaled to pedestrian areas, and for consistency with the existing pedestrian lighting posts throughout the BMS campus.

- 974 CMR 3.04(7)(d) Utilities to be placed underground To allow use of an aboveground utility pipe rack to deliver certain utilities to CTF, including soft water, compressed air, steam condensate, process wastewater, chilled water, and electric power. The utility pipe rack will bridge the existing pipe rack to the building on the south side.
- 974 CMR 3.04(8)(i) 5 Green Walls and Vegetated Roofs required within the Viewshed Overlay district. To not place vegetated roofs and walls in areas where FDA manufacturing best practices guidance suggests contamination concerns. 24,000 sf over the office component of the CTF shall be installed.

The Commission voted unanimously to grant all requested waivers.

## 7. Findings

The DEC made the following findings:

1. The proposed construction of a Cell Therapy Facility, expansion of the materials storage warehouse, attendant site changes and parking garage are allowed uses and the existing lot size and frontage are in accordance with the minimum requirements for development within the Innovation and Technology Business District.
2. The height, location and situation of the new Cell Therapy Facility and associated site improvements conforms to the viewshed requirements as set forth in the MA Legislature: Chapter 173 Section 7(b) of the Acts of 2006 and the by-laws and rules and regulations with the conditions of approval addressing color and use of non-reflective materials.
3. A substantial canopy of trees exists between Prospect Hill and the buildings. The height, location and situation of the new buildings and structures, with the deployment of a vegetated roof and conditions, will conform to the viewshed requirements as set forth in the by-laws and rules and regulations.
4. The existing natural vegetation, landscaping and proposed landscaping on the lot effectively blocks views of internal roads, parking lots, loading areas, refuse collection facilities and other potentially unattractive areas from adjacent public ways. Therefore, the internal roadways are not required to be treated as public ways for the purposes of landscaping and screening [974 CMR 3.04(8)(j)].
5. MassDevelopment Devens Engineering has agreed to factor in the additional traffic volumes into the next round of Devens traffic counts and make any necessary adjustments to the signal timing at the Jackson/Patton Road intersection.
6. Regarding the approval criteria listed in 974 CMR 3.03(2):
  - (a) The Site Plan, with conditions, complies with 974 CMR 3.00 and with the applicable provisions of the By-Laws.
  - (b) The development lies on a lot that is recorded at the Registry of Deeds;
  - (c) The application is Complete.
  - (d) All drives, parking lots, loading areas, paths, sidewalks, and streets are designed to provide for safe vehicular and pedestrian travel.
  - (e) Access and site circulation will enable prompt fire, police, and emergency response.
  - (f) Adequate capture, treatment, infiltration and discharge of stormwater and surface water runoff and compliance with applicable portions of the "Devens Stormwater Pollution Prevention Plan", has been included in the design.



- (g) Connections with utility, power and communication systems available in the abutting infrastructure currently exist and were approved by Devens Utilities.
- (h) Facilities required under the Water Resources Protection Bylaw and the related Design Standards have been included.
- (i) The plans, with conditions, are in compliance with the Landscaping Design Standards 974 CMR 3.04(8).
- (j) A Wetlands Order of Conditions is not required for this project.
- (k) Industrial Performance Standards will be adhered to as per the final plans.
- (l) Sufficient parking for current needs will be provided with the new parking garage.
- (m) Traffic control measures are adequate for this project.
- (n) The proposed development is required to participate in the Devens traffic management association.
- (o) Adequate water supply exists in terms of quantity, quality, and water pressure for domestic needs and fire protection.
- (p) Connection to sanitary sewers has been authorized by Devens Utilities.
- (q) The new facilities meet the design standards as established by Mass Development for the district in which the lot is located.
- (r) Soil investigations indicate that the soils are capable of supporting proposed development.
- (s) The development has been designed with due consideration for public health.
- (t) Adequate climate change mitigation, adaptation and greenhouse gas emissions mitigation measures have been incorporated in accordance with 974 CMR 4.11 with the condition of approval providing for a new vegetated roof.

## 8. **Conditions:**

The DEC voted to impose the following conditions:

1. Wherever "Applicant" is referenced in the Conditions set forth herein, it refers to the Applicant, its successors and assigns. Wherever "DEC" is referenced, it shall refer to the Devens Enterprise Commission, its successors and assigns.
2. In accordance with the Devens By-Laws, Article III, Section K 1. a., no soil, loam, sand, gravel, or other earth materials shall be permanently removed from any lot within Devens, except in accordance with the Devens Soil Management Policy and approval from the DEC.
3. Prior to commencing any intrusive earth work within Devens (due diligence, construction of otherwise) all personnel to be on site shall view an Unexploded Ordinance/Munitions of Explosive Concern (UXO/MEC) video briefing provided by the Devens Fire Department.
4. Once the appeal period has expired, the Applicant shall submit final approved plans to the DEC for endorsement. The Applicant shall file the endorsed plans with the Registry of Deeds and proof of recordation shall be submitted to the DEC prior to the issuance of a building permit. Plans shall conform to Worcester Registry recording requirements.

5. All applicable federal, state, and local permits necessary for the construction and operation of the facility must be obtained prior to completion of the project. Copies of permits issued by those other than the DEC must be filed with the DEC.
6. The Applicant shall provide As-Built Plans and accompanying information for all site improvements in accordance with the DEC As Built Policy, prior to issuance of a final Certificate of Occupancy.
7. The facility shall continue to comply with the Massachusetts Anti-Idling law (5-minute restriction). The Applicant shall post signage at all loading docks and drop-off areas notifying drivers of this requirement.
8. The Applicant shall demonstrate compliance with EcoStar Standard 24- Climate Change Mitigation per 974 CMR 4.11(2) by continuing to track and document Greenhouse Gas Reductions at the Devens Facility towards their 2025 goal of 15% reduction.
9. The Applicant has committed to 30% green roof coverage equating to 53,700sf of new vegetated green roof in order to comply with the DEC's Vegetated Roof and Greenhouse Gas Mitigation requirements. This amount will be reduced to 24,000 sf of vegetated roof by waiver upon receipt of the FDA manufacturing best practices guidance/citation dealing with contamination concerns. The actual location of the green roof will be determined in coordination with BMS and DEC staff. Installation shall comply with Devens Vegetated Roof Policy and Green roof Inspection Report checklist. The Applicant shall explore solar PV installation options for the parking garage to help further reduce Greenhouse Gas Emissions. This includes, but is not limited to, direct PV connection to the Devens utility grid, electric charging station direct supply, and/or on-site battery storage.
10. The Applicant shall prepare a Level 1 soil relocation plan in accordance with the requirements of 974 CMR 4.07 for any material that is to be stockpiled elsewhere on the BMS campus. Such plan shall adhere to the Devens soil management policy and be submitted, reviewed and approved by the DEC Director prior to any relocation.
11. Applicant shall provide full details for the warehouse and parking garage at the time of building permit application. Parking garage plans shall include the number of ADA accessible spaces, carpool spaces, electric and fuel efficient vehicle spaces proposed. Any changes from the plan will be handled administratively as Level 1 site plans. Separate Level II Unified Permit applications will be required for any expansion of the parking garage beyond 3 stories and for the cooling towers needed to support the CTF.
12. All building finishes on the CTF and parking garage shall not contain any reflective materials, including but not limited to metal flashing, mechanical enclosures, window frames/treatments, doors, roofing material or building trim. Any roof top mechanicals that are not able to be non-reflective will need to be shielded with a non-reflective barrier that matches the color of the building. All elements shall match the approved colors of the existing building to avoid any potential impact to the viewshed sensitive receptors. Roofs shall not be lit and lighting for the top level of the parking garage shall be minimized and screened so as not to be visible from the Viewshed Sensitive receptors. Any recommendations from the Harvard Viewshed Committee shall be taken into consideration when selecting building color.
13. The Applicant shall implement lighting conservation measures where feasible to reduce campus lighting levels in campus areas that are not regularly occupied (motion-sensor, timing, photometric, etc...).

14. A copy of the final geotechnical report shall be submitted prior to issuance of a building permit.
15. The existing Hazardous Material Spill Response Plan and Stormwater Management Plan for the campus shall be updated to ensure compliance with MS4 requirements and long-term protection of groundwater resources. A complete listing of all chemicals to be used and accompanying MSDS reports shall be included. These updated plans shall be submitted to the DEC and the Devens Fire Chief prior to issuance of a Certificate of Occupancy.
16. Applicant shall submit a stamped and completed MA DEP Stormwater Reporting Form and Illicit Discharge statement prior to issuance of a building permit.
17. The Applicant shall be required to install a half-screen along the existing water tower access road portion of their property on their property in accordance with 974 CMR 3.04(8) in the event the adjacent forested property to the west is ever developed.
18. Prior to DEC endorsement, the final plans shall be revised to include the following:
  - Applicant shall modify the landscaping plan to include either (a) drought-tolerant landscaping that does not require permanent irrigation, or (b) a cistern system that is sized to capture and supply irrigation water demand for this Phase. Any temporary irrigation for initial plant establishment shall be removed within 2 years of planting. Any permanent irrigation system will require a separate Level 1 permit. Landscape plan shall also be modified to include additional perimeter screening at the corner of the parking garage closest to Givry Street.
  - All lighting fixtures shall be no greater than 3000K, dark, earthtone colored, dark-sky compliant and properly shielded as per 974 CMR 4.04.
  - Erosion and sediment control details on Sheet C-7.3 should be relocated to the erosion and sediment control plan sheets (C-6.1 and C-6.2). Ensure Erosion and Sediment Control Plan notes include all notes as listed in 974 CMR 3.02(3)(e).
  - Include Jacobs and BMS address on all elevation plans (5) as well as designer stamp on all final plans.
  - Include space for the DEC chairperson endorsement signature and date on all final Jacobs elevation plans.
  - Ensure all final site plans that depict property lines (except for master plans) show bearings and distances for all property lines.
  - Details for the accessible walkway route from the parking garage into the employee entrance on the north side of the CTF.
  - Typical Green Roof detail to be added.
  - The proposed cooling tower shall be removed from the final plan set.

**9. Decision:**

The public hearing was opened on March 24, 2020 and continued to April 9, 2020. The DEC closed the hearing on April 9, 2020 and voted to issue findings, including that the application complied with Approval Criteria in 974 CMR 3.03(2), to impose conditions, and to approve the site plan and amendment to the BMS campus master plan to include the new Cell Therapy Facility, parking garage, central warehouse expansion and associated improvements at 38 Jackson Road, Devens (Harvard), MA (9-4-200).

**10. Building Permit**

The Building Commissioner, along with the Electrical and Plumbing Inspectors, must review architectural/structural drawings and specifications and approve them in writing, prior to issuance of



a building permit. All requirements in the Massachusetts Building Code, the Massachusetts Sanitary Code, and those of the State Fire Marshalls office and the Devens Fire Chief must be met. When these approvals are obtained, the building permit may then be integrated with this Site Plan Record of Decision. Together they will constitute this Unified Permit Amendment, which will in turn, allow construction to commence.

**11. Permit Duration**

In accordance with 974 CMR 1.10, unified permits shall remain in effect so long as the approved activities are commenced within six months of the date of the DEC's written decision and completed within two years. It is further noted that a thirty-day "reconsideration period" during which an applicant, a Town, or an aggrieved person may request the DEC reconsider its action (By-Laws, Article IV, Sections C through F). Work performed during this period, which begins on April 9, 2020 and terminates May 11, 2020, is "at risk". Final plans must be submitted to the Commission for endorsement by October 12, 2020.

Date: 4-10-2020

Approved by:

Peter C. Lowitt  
Peter C. Lowitt, FAICP, Director  
Devens Enterprise Commission

***Certification***

***Middlesex, SS***

I certify the above is a true action and record of the Devens Enterprise Commission and that Peter C. Lowitt, Devens Land Use Administrator/Director, is empowered by the Devens Enterprise Commission to sign this Record of Decision on its behalf.

4/10/2020  
Date

Kathryn Clisham  
Kathryn Clisham, Notary  
My Commission expires 2/28/2025

