

TOWN OF WILMINGTON

BOARD OF APPEALS

MINUTES JULY 12, 2023

The board of Appeals held a meeting in the auditorium at the Town Hall.

The meeting was called to order at 7:03 pm. Daniel Veerman, Jacquelyn Santini, Thomas Siracusa, Raymond Lepore and Tony Barletta were present.

CASE 11-2 AND 12-22 278 LOWELL STREET WRAP SOLUTIONS MAP 72 PARCEL 1B

-TO appeal the building Inspector's zoning decisions.

Applicant requested a continuance until August 23, 2023 meeting

Raymond Lepore makes a motion to continue

Jacquelyn Santini seconds

Vote is unanimous to continue cases until 8/23/23 meeting.

CASE 10-23 6 WALTHAM STREET JESSICA EUBANKS-TOWER ENGINEERING
MAP 79 PARCEL 31-D

-To acquire a special permit to install a telecommunications monopole

John Carney was there to represent 6 Waltham Street. They are seeking to put a 20 foot extension to existing pole. Will end up being 140 feet tall. This would be to provide additional coverage to another carrier.

To have enough room from service. Jacquelyn Santini was concerned on height and if it was to fall over and do damage to surrounding neighborhoods. Pole is next to an industrial building. Was not at liberty to say what carrier it would be needed for.

No objection or questions from audience Dan Veerman closes Public hearing

Board was given terms from planning board. Planning board was not in approval unless needed.

Frequency and traffic study has been complete. No further construction needed.

Raymond Lepore made a motion to approve under conditions it meets 140 feet.

Anthony Barletta seconds the motion to approve.

Vote is 4 to 1 for approval to extend monopole 20 more feet

CASE 11-23 1 ST PAUL STREET Matthew Davison MAP 53 PARCEL 31

-To acquire a variance to construct a front porch 26.1 feet from the front where 30 feet is required.

Matthew Davison who is the homeowner, was present.

Project does not meet hardship. Matthew says the functional setback is 35 feet including a utility pole.

Thomas Siracusa asks about hardship, applicant states reasons would be aesthetically pleasing, can watch his children play and the neighbors also have the same porches.

Public was asked if they had any questions or concerns

Dan Veerman closed the public hearing

Planning board voted 3 to 0 for disapproval, no hardship permitting to soil, shape, topography of the lot.

Jacquelyn Santini makes a motion to deny.

Tony Barletta seconds the motion to deny

Vote was 4 to 1 to disapprove of case 11-23 1 St Paul Street

CASE 4-23

GOLDEN REALTY TRUST

MAP 35 PARCEL 29

79 NICHOLS STREET

-To acquire a comprehensive permit Under MGL Chapter 40B (continued from 6/14)

Attorney Michael Newhouse representing for applicant, also present civil engineer

Steve Sawyer, Heather Monicap from GCI and Chris Costa the 40B consultant.

Since last meeting a NOI has been filed with the conservation commission, site visit has been scheduled, and peer review. Civil engineer submitted storm water report. TEC has reviewed and made their comments. Comments will be presented at a later time.

June 28th the Initial traffic study was submitted and TEC peer review has commented and a copy of that report was given to all board members day of meeting.

Discussion at today's meeting will discuss the traffic study that was done on March 8th 2023.

Results submitted to TEC and they agreed to study. They then did another traffic study June 27th for comparison. Changes made are now to construct 12 single family homes. Traffic studies were done on Nichols, Shawsheen, Brown and Whipple. Study revealed in the last 5 years, 4 accidents were reported at intersection of Nichols and Shawsheen, 5 accidents at intersection of Nichols and Brown, and 9 accidents at the Segment.

Traffic assessment was done for AM and PM trips from the site, 8 AM trips, 11 PM trips and 11 Saturday trips. 80% of traffic from south of Nichols, 20% of traffic from the North. All info of the study is on page 18 of report.

Since last meeting they have revised the sewer issues. They are proposing that each home will have their own sewer tank of 500 gallons which is a E1 system with a Low pressure gravity pipe. This will eliminate the pump station. Each home responsible for their own sewer system. Town will not have to be responsible for the sewer.

Thomas Siracusa asked if there was any discussion as to whether there could be a traffic light or police attendance for when school is released.

Steve Sawyer went over the new sewer that they are proposing.

Dan Veerman opens up public hearing

Patrick McInerney 98 Nichols street

Asked about the dates and times the traffic study was conducted. Wanted to make sure it wasn't during school vacation. Traffic study was done 4-13-23 which was a Thursday.

Hugh Van Der Mark 81 Nichols Street

Traffic from development 80% to and from the south, and 20% to and from the North.

Resident sat at Russell and Nichols 307 cars from the south and 26 from the north in a ½ hour period 7am to 7:25 am. Concerned about sewer and traffic because its 12 houses within 1 ½ acre lot. Generator for sewer back up, not required.

Norman Defilippo 83 Nichols Street

Was rear ended coming out of his driveway, Daily 4370 trips and Saturday 3550 trips. Issues with pulling out of driveway.

Derek Palmer 46 Swain Road

Asked if they are individual homes or condos

Charlie Bagley 12 Jacques Lane

Concerned about if one sewer system fails how does that affect the neighbors. Mike said no impact on any other homes will happen.

Dave Roberts 7 Middlesex Ave State Rep.

Traffic concerns, would cost \$400,000 for state to mitigate fire dept about traffic control

Renee Smith 12 Jacques Lane

Asked about septic option, would be deal breaker if septic was installed, Mike Newhouse stated it would not be viable.

Frank West 2 Richmond

Who owns stretch of sewer on Shawsheen, the resident or the town. Mike Stated the town owns it.

Tom O'Brien 124 Nichols Street

Wanted to know area where cables were placed to count cars for traffic study, concerned they were not placed in right spot to do an accurate study.

Gerard Brennan 28 Ohio Street

Does not approve of project

Tom Duffy 128 Nichols Street

Concerned about if there is a fire and water pressure. Peer review states there would be no more strain on water pressure.

Lawman Johnson 33 Fair meadow

Against traffic due to traffic. Sent letter to town Manager months ago about traffic concern already on Nichols, said they do not have enough personnel.

No more questions from the board, Public hearing continued until next meeting on August 23 2023.

Anthony Barletta makes motion to adjourn.

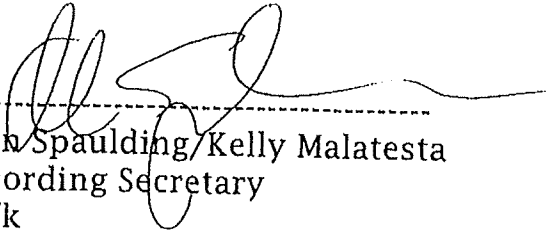
Jacquelyn Santini seconds the motion

Meeting adjourned at 9:25 pm

Tony Barletta makes a motion to approve the Mylar
Ray Lepore seconds the motion
Vote is 4-0 to approve

Approval of Minutes is tabled until October 11, 2023, meeting allowing time for members to review.

The vote was unanimous to adjourn at 7:35 PM



John Spaulding/Kelly Malatesta
Recording Secretary
AS/k