



## TOWN of WILMINGTON

### DEPARTMENT OF PLANNING & CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 [www.wilmingtonma.gov](http://www.wilmingtonma.gov) (978) 658-8238

### Planning Board Minutes

January 2, 2024

The Planning Board met on Wednesday January 2, 2024 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Terence Boland, Chair, Randi Holland, Sean Hennigan, and Peter Moser. Jayne Wierzbicki, Planner/Economic Development Coordinator was present. Valerie Gingrich, Director of Planning & Conservation and Angela Marcolina were absent.

#### Minutes

There were no minutes for the Planning Board to review.

#### Form A

**230, 234, & 240 Ballardvale Street - Map R2 Parcels 23E, 23F & 23G – “230 Ballardvale Street, (Assessors Map R2 Parcels 23E) 234 Ballardvale Street (Assessors Ma R2 Parcel 23F) 240 Ballardvale Street (Assessors Map R2 Parcel 23G), Wilmington, MA” – Atlantic Oliver Ballardvale, LLC, Jonathan O'Donnell, Applicant**

#### MATERIALS CONSIDERED:

PLAN “230 Ballardvale Street, (Assessors Map R2 Parcels 23E) 234 Ballardvale Street (Assessors Ma R2 Parcel 23F) 240 Ballardvale Street (Assessors Map R2 Parcel 23G), Wilmington, MA”

T. Boland said they are merging 3 lots into a single lot. He said this was just recently approved for Site Plan Review. R. Holland complained that the signature block was on the far-right corner. J. Wierzbicki said the plan was reviewed by both Planning and Engineering and meets the requirements for endorsement.

Upon motion duly made and seconded it was unanimously

VOTED: To receive the ANR Plan and Application #23-06 for 230 Ballardvale Street, (Assessors Map R2 Parcels 23E) 234 Ballardvale Street (Assessors Ma R2 Parcel 23F) 240 Ballardvale Street (Assessors Map R2 Parcel 23G), Wilmington, MA dated July 11, 2023 and last revised December 14, 2023.

Upon motion duly made and seconded it was unanimously

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #23-06 for 230 Ballardvale Street, (Assessors Map R2 Parcels 23E) 234 Ballardvale Street (Assessors Ma R2 Parcel 23F) 240 Ballardvale Street (Assessors Map R2 Parcel 23G), Wilmington, MA dated July 11, 2023 and last revised December 14, 2023.

RECEIVED  
TOWN CLERK  
2024 FEB - 8 PM  
TOWN OF WILMINGTON, MA

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled, "230 Ballardvale Street, (Assessors Map R2 Parcels 23E) 234 Ballardvale Street (Assessors Ma R2 Parcel 23F) 240 Ballardvale Street (Assessors Map R2 Parcel 23G), Wilmington, MA dated July 11, 2023 and last revised December 14, 2023.

**Matters of Appointment**

**Continued Public Hearing – Sign Special Permit #23-05 for 211 Lowell Street - Map 57 Parcel 52, Jenn Robichaud, Barlo Sign, Applicant**

PRESENT IN INTEREST: John Lucci

MATERIALS CONSIDERED:

RENDERING dated February 1, 2023

J. Lucci told the Board they are proposing a sign for Lucci Realty Trust and it's at 211 Lowell Street. He said this proposal is because the Town of Wilmington and DOT are doing work at the intersection and they will be adding sidewalks and one of the requirements is that the existing pylon sign be moved further from Lowell Street. He said due to the age of the existing sign, he can't move it. He believes it's from the 70's. He told the Board that the Town was nice enough to offer so much to move the sign and Barlo Sign came up with the design. J. Lucci said the present sign is 177 sq.ft. and the proposed sign is 95 sq.ft. and there is two colors instead of the present 10. T. Boland asked if there would be a formal entrance. J. Lucci stated it will be one-way in front of the little stores and angle parking along Lowell Street. T. Boland asked if the new sign is lit and J. Lucci said it is and it's LED. He told the Board he has until May 1<sup>st</sup> to get it permitted. He said there is a memorandum of understanding with the town that Attorney Robert Peterson is drawing up for the temporary Town Manager to sign.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Sign Special Permit #23-05 for 211 Lowell Street.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the Sign Special Permit #23-05 for the removal of the existing 25' tall (177.08 sq. ft.) freestanding sign and the installation of a new 17' tall (95 sq. ft.) freestanding sign, to be located on the Lowell Street side of the property, as shown on plan entitled "Lucci Realty, 211 Lowell Street, Wilmington, MA 01887"; dated February 1, 2023, prepared by Barlo International, 158 Greeley Street, Hudson, NH 03051, and Site Plan Sketch, entitled "SK#3 – Lucci Properties". The application was filed with the Planning Board on November 9, 2023. Said property is located at 211 Lowell Street and shown on Assessor's Map 57 Parcel 52 (Bk 25135, Pg 1).

The public hearing was opened on December 5, 2023 and closed on January 2, 2024. By a motion duly made and seconded, the Board voted to approve the Special Permit, as presented, under the provisions of Section 6.3.2 of the Zoning Bylaws of the Town of Wilmington. Approval is subject to the following Findings and Conditions.

**FINDINGS:**

1. The signage to be erected is on a parcel on Map 57 Parcel 52 on the Town of Wilmington's Assessor's Map.
1. The Planning Board determined that the sign should be permitted in the public interest.
3. The application materials comply with the requirements of Section 6.3 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.

**CONDITIONS:**

The following Conditions shall be required at the Applicant's sole expense, unless otherwise noted:

1. This Special Permit shall be valid for this proposed sign only. Any change in use or change in signage shall be reviewed by the Planning Board.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
3. If the sign has not been erected within two (2) years of a Special Permit approval, the approval shall lapse and then a new application, fees and public hearing will be required, provided that if there is an appeal to the Land Court within twenty (20) days after the decision has been filed in of the office of the Town Clerk, and/or the two-year period shall run from the date of the final decision on the appeal.
4. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees, and all tenants.
5. Bylaw Exceptions: (Section 6.3.6.3.a) "Granted" one freestanding sign 17' tall where 15' is the maximum height and granted 95 sq. ft. where 50 sq. ft. is the maximum total freestanding sign size.
6. All provisions of the Wilmington Zoning Bylaw pertaining to signage (Section 6.3) will be met unless an exception is specifically provided in this decision.

**Continued Public Hearing – Birch Street Definitive Subdivision #22-01 and Stormwater Management Permit #22-12 – Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 Haralambos Katsikis, Applicant**

A request to extend the deadline for action and continue the public hearing was received.

**MATERIALS CONSIDERED:**

LETTER from Attorney Michael J. Newhouse dated December 28, 2023

Upon motion duly made and seconded it was unanimously

**VOTED:** To extend the deadline for action for Definitive Subdivision Application #22-01 and Stormwater Management Permit #22-12 for Birch Street, Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 to February 29, 2024.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision Application #22-01 and Stormwater Management Permit #22-12 for Birch Street, Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 to February 6, 2024 at 7:30 p.m. in the Town Hall Auditorium.

**Continued Public Hearing - Site Plan Review #22-16, Stormwater Management Permit #22-13 and Ground Water Protection District Special Permit #22-05 for 208 Main Street - Map 44 Parcel 178B Gabriel Schuchman, Alrig USA Development, LLC, Applicant**

PRESENT IN INTEREST: Jill Elmstrom Mann, Esq.  
Josh Kline, Stonefield

**MATERIALS CONSIDERED:**

PLAN "ALRIG USA, Proposed Multi-Tenant Development" dated August 30, 2022 and last revise November 21, 2023, "Soil Movement Exhibit" dated November 20, 2023

STORMWATER POLLUTION PREVENTION PLAN dated August 4, 2022 and last revised November 21, 2023

EXISTING FORCE MAIN INSPECTION MEMORANDUM dated November 21, 2023

SANITARY SEWER CCTV FOOTAGE November 21, 2023

TEC TRAFFIC PEER REVIEW APPROVAL LETTER dated October 30, 2023

ENGINEERING MEMO dated December 19, 2023

Attorney J. Elmstrom Mann told the Board she was hired to assist in the final stage of the acquisition. She said that there was a lot of work that needed to be done with MassDOT and they agreed there won't be any issues. Attorney J. Elmstrom Mann told the Board they received a lengthy memo from the Town Engineer and because of the holidays they just couldn't address them prior to this meeting. She said the closing is supposed to happen in March so she is hopeful that a draft decision could be drafted for the next meeting. J. Kline told the Board one of the reasons they needed to continue so much is there is an ICE study with MassDOT which can be traumatic for a project. He said they received approval for their ICE study which allows them to move through the typical MassDOT process. J. Kline told the Board they received a positive recommendation from TEC from a traffic standpoint. He said they shifted the whole site back and created substantial queueing at the intersection and pushed McDonald's cross access back. He said TEC and Arcadis have signed off on it. Attorney J. Elmstrom Mann said the Town Engineer did as well but asks that when the Board forms a decision that if there is a change with MassDOT, the applicant will come back before the Board. T. Boland asked if MassDOT will get involved and Attorney J. Elmstrom Mann said they are allowed to give pre-comments and the applicant is not allowed to get its permit until it receives their approval. J. Kline quickly went through the Town Engineer's memo. He said they will make arrangements to meet with the Town Engineer to discuss #12 of his memo because they cannot comply with it at this time. He said they did borings throughout the whole site and test pits in the back where there is one stormwater facility with a second proposed facility in the front. He said there are too many utilities so they are asking the Town Engineer if they can do that test pit closer to construction when the proposed property owner actually owns it. He said there is too much risk to dig more holes because of where the building is located. He said the soil is all consistent and great. Attorney J. Elmstrom Mann told the Board they are willing to do this at risk and they understand it will be at risk. T. Boland said the Town Engineer is looking for locations to be provided on the site. J. Kline said the Town Engineer is looking for one additional test pit to be located in the front but it can't be done now because it's under the existing building. T. Boland said it sounds

like the Town Engineer would be satisfied if the applicant said once the building is gone a test pit will be dug in that area. Attorney J. Elmstrom Mann said their intent is to discuss that with the Town Engineer at their meeting. T. Boland said he believes the Town Engineer would be satisfied if they added it to the plan and J. Kline went through the remainder of the items saying their client will have no issue complying as most items are minor. He said #25 is a phasing question so they will discuss that with the Town Engineer during their meeting. R. Holland asked how the folks leaving McDonald's would get out to Main Street. J. Kline said they will work with McDonald's to do some temporary access such as early in the morning or middle of the day do a little with work with some down times for them to potentially happen. They will try to preserve that entrance.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline for Site Plan Review #22-16 and Stormwater Management Permit #22-13 for 208 Main Street to February 29, 2024.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-16, Stormwater Management Permit #22-13 and Ground Water Protection District Special Permit #22-05 for 208 Main Street, Map 44 Parcel 178B to February 6, 2024 at 7:35

**Continued Public Hearing – 708R Woburn Street – Map 57 Parcel 54E - Conservation Subdivision Special Permit #23-01 – S&K Associates, Applicant**

A request to continue the public hearing was received.

**MATERIALS CONSIDERED:**

LETTER from Attorney Michael J. Newhouse, dated December 28, 2023

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Conservation Subdivision Design Special Permit #23-01 for 708R Woburn Street to February 6, 2024 at 7:45 p.m. in the Town Hall Auditorium.

**Continued Public Hearing – Definitive Subdivision #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive off Marion Street - Map 5 Parcels 2J, 3, 3A, 3C, 3D, & 3E - Craig Newhouse, Applicant**

A request to extend the action deadline and continue the public hearing was received.

**MATERIALS CONSIDERED:**

E-MAIL from C.S. Newhouse Builders dated December 21, 2023

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Definitive Subdivision Plan #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive off Marion Street to February 29, 2024.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision Plan #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive to February 6, 2024 at 7:50 p.m. in the Town Hall Auditorium

**Public Hearing - Site Plan Review #23-14 for 773 Salem Street - Map R1 Parcel 23  
T-Mobile Northeast LLC, Applicant**

A request to open the public hearing and continue it to the February 6, 2024 meeting was received.

**MATERIALS CONSIDERED:**

PLAN "T-Mobile Northeast LLC, Site Number: 4BN0651A, Site Name: K2 Concrete, T-Mobile Replacement Installation, Design 67D5A998E" dated April 3, 2023  
LETTERS from Adam F. Braillard dated December 5, 2023 and January 2, 2024

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-14, for 773 Salem Street, Map R1 Parcel 23 to February 6, 2024 at 7:55 p.m. in the Town Auditorium.

**Board of Appeals**

**Case 20-23 for Lee Avenue - Map 58 Parcel 25 – Joseph Shamon, Applicant**

J. Wierzbicki told the Board the applicant filed with Zoning Board of Appeals for relief of the official map to construct a new single-family dwelling. She reminded the Board the applicant was before them for a 81G Application (Roadway Improvement) and was approved by the Planning Board and Conservation Commission. T. Boland said since they approved the 81G application, they would be in favor of this. S. Hennigan asked if the applicant needed to describe how large the house will be and T. Boland said that is up to the Board of Appeals. T. Boland said they need to comply with the Bylaws. P. Moser pointed out their drainage restricts them.

Upon motion duly made and seconded it was unanimously

VOTED: To recommend approval. The project has received an 81G Roadway Improvement Plan approval from the Planning Board as well as an Order of Conditions from the Conservation Commission.

**Old Business**

**Board of Appeals Case 4-23 for 79 Nichols Street – Map 35 Parcel 29  
Golden Realty Trust, Applicant**

J. Wierzbicki told the Board this is being continued. T. Boland asked if Attorney J. Elmstrom Mann was still involved and J. Wierzbicki told the Board Attorney M. Newhouse is working with the applicant. She told the Board the applicant requested to continue to the Zoning Board of Appeals February meeting.

**Board of Appeals Case 19-23 for 409 Salem Street – Map 95 Parcel 17J  
Angelo Ciano, Applicant**

J. Wierzbicki told the Board this is in the Ground Water Protection District. They submitted revised plans which the Town Engineer reviewed it and the drainage is adequate. T. Boland asked if they never did anything. J. Wierzbicki said they didn't do the calculations. P. Moser asked if it was a really big addition. R. Holland said because it's in the Ground Water Protection District, it needs to be handled correctly.

Upon motion duly made and seconded it was unanimously

VOTED: To recommend approval. The Town Engineer has confirmed that the Applicant has submitted a plan that demonstrates adequate infiltration best management practices. The Applicant will need to file a Simple Stormwater Management Permit application through the Planning Department.

**New Business**

**Request to initiate the procedure for street acceptance for Green Meadow Drive - Garden of Eden Definitive Subdivision #16-01 and Amendment #17-01 - Map 2 Parcels 201-206, 223-225; Map 3 Parcels 207-222, Joseph A. Langone, Applicant**

**MATERIALS CONSIDERED:**

PLAN "Street Acceptance Plan in Wilmington, Massachusetts, Green Meadow Drive" dated October 31, 2022, "As-Built Plan in Wilmington, Massachusetts, Garden of Eden" dated October 31, 2022 and last revised December 20, 2022

LETTER from Joseph Langone dated December 15, 2023

ENGINEERING MEMO dated January 2, 2024

C. Licciardi told the Board the Town Engineer made a site visit and confirmed that everything is satisfactory. She said the Board can vote to have the Board of Selectman initiate the street acceptance procedure.

Upon motion duly made and seconded it was unanimously

VOTED: To recommend the Select Board initiate the street acceptance process for Green Meadow Drive and lay out Green Meadow Drive as a public way once the applicant confirms fee ownership of the right-of-way was retained and the applicant provides the Planning Department with the title information to forward to the Select Board.

**Site Plan Review Waiver Request #23-10 – 269 Main Street – Map 43 Parcel 4C  
Wilmington Main Realty LP, Applicant**

**MATERIALS CONSIDERED:**

SITE LAYOUT PLAN submitted December 22, 2023

PARKING CALCULATIONS dated December 2023

LETTER from Michael Coffman dated December 21, 2023

C. Licciardi told the Board there is a dentist office on one side of the plaza and it will be moving into a larger space in the opposite corner of the plaza. J. Wierzbicki told the Board the applicant provided a parking calculation sheet. She said the Building Inspector is fine with this change. T.

Boland said with respect to signage, if they don't need a special permit, they do not need to go before the Board.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the request to waive Site Plan Review for 269 Main Street for the change of use of the former Mattress Firm retail store to a medical office so the Pediatric Dental Care of Wilmington can expand and move within the plaza. Parking requirements have been met.

**Discussion**

**As Of Right Multi-Family Zoning District - MBTA Communities Zoning Requirements (Section 3A)**

J. Wierzbicki said they will be doing a presentation to the Senior Center Men's Group and then just spread the word leading up to Town Meeting. She said V. Gingrich sent out notification to landowners within the districts.

**Update on Construction Projects**

No new updates.

There being no more business to come before the Board, it was unanimously

VOTED: To adjourn the meeting at 8:38 p.m.

NEXT PLANNING BOARD MEETING: February 6, 2024

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cheryl Licciardi".

Cheryl Licciardi  
Recording Clerk