



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 www.wilmingtonma.gov (978) 658-8238

Planning Board Minutes September 5, 2023

The Planning Board met on Tuesday September 5, 2023 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Terence Boland, Chair, Randi Holland, Sean Hennigan, Angela Marcolina and Peter Moser. Valerie Gingrich, Director of Planning & Conservation and Jayne Wierzbicki, Planner/Economic Development Coordinator were also present.

Minutes

The Planning Board reviewed the June and July 2023 minutes.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the June and July 2023 minutes as written.

Form A

None

Matters of Appointment

**Continued Public Hearing - 203 Lowell Street – Map 48 Parcel 73 – Site Plan Review #23-11
Stormwater Management Permit #23-09 and Multi-Family Special Permit #23-02
David Roache for 203 Lowell St. Owner LLC, Applicant**

PRESENT IN INTEREST: David Roache, Procopio Companies
Mike Modoono, Procopio Companies

MATERIALS CONSIDERED:

PLAN "Wilmington Retail Special Permit" dated August 22, 2023, "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" dated October 18, 2018 and last revised August 21, 2023, "Proposed Drive-Thru" received August 22, 2023, "Wilmington Fire truck Turning Plan – Path 1" dated August 21, 2023

TRIP GENERATION MEMO dated July 27, 2023

RESPONSE TO COMMENTS dated July 28, 2023

BUILDING RENDERING dated August 22, 2023

D. Roache told the Board that they received comments from the CDTR meeting from various departments that they incorporated into their revised plan. They increased the drive aisle to the coffee shop and they removed some trees in back of building B and added some windows along the back façade. For building A they added more brick to the facade. They changed the one-story bank to a coffee shop. He described the building material they are proposing to use. D. Roache said the retail design hasn't changed. He said they would like to create a land condominium for the residential and commercial buildings. He said they are residential developers, not commercial. He said this is important because they will probably sell the retail and retain the residential. He said they are still looking at a potential restaurant to occupy one of the spaces.

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TOWN OF WILMINGTON, MA

T. Boland asked how the condominium process works. V. Gingrich said there was a condition in the previous decision that if they were considering that, they would have to submit the documents prior to building permit for the Planning Department to review the maintenance aspects but it would go back to the Board unless it was conditioned that way. T. Boland asked if it is their intent to split out the parcels and D. Roache said the land itself would have to remain one parcel. P. Moser asked how it would work if the applicant sells the commercial buildings and D. Roache said it's the same as any other condo, you own the unit but it's part of the association. He said they would sell the building and the rights to use the land. V. Gingrich reviewed the draft decision. She jumped to condition 20 (The Applicant shall provide an updated sewer demand memorandum for the proposed coffee shop, 50-unit residential building, and proposed retail/office space) and said that's just for what's being proposed, not a restaurant. She said with condition 21 there was a need for an easement but now they have one. She said condition 23 references the condominium documents and if the Board is ok it can be moved under prior to occupancy. V. Gingrich said condition 24 is new (The Applicant shall coordinate proposed work (grading, sidewalk, and landscaping) within the existing utility easement with the Reading Municipal Light Department and provide written acknowledgement that the proposed work will not interfere with their use of the easement).

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Stormwater Management Permit #23-09, Multi-Family Special Permit #23-02 and Site Plan Review #23-11 for 203 Lowell Street.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Multi-Family Special Permit #23-02 and Site Plan Review #23-11 for 203 Lowell Street, as shown on plan entitled "Wilmington Retail Special Permit, 203 Lowell Street, Wilmington, MA 01887", dated August 22, 2023, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879, Michael D'Angelo, R.L.A., MDLA, 840 Summer Street, Suite 201A, Boston, MA 02127, and Alberto Cabre, R.A., Joe The Architect, LLC, 343 Medford Street, Suite 4C, Sommerville, MA 02145. Said property is located at 203 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 48 Parcel 73. Approval is as follows:

A public hearing was advertised and held on July 11, 2023 at 8:35 p.m. at Town Hall, 121 Glen Road, Wilmington. The public hearing was continued to August 1, 2023, and September 5, 2023.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on July 11, 2023 and closing on September 5, 2023, by a motion duly made and seconded, it was voted:

We the Wilmington Planning Board, as requested by 203 Lowell St Owner LLC (Bk. 36737, Pg. 184), under the provisions of Section 3.8.15 and Section 6.5 of the Zoning Bylaws of the Town of Wilmington and Board's Special Permit Rules and Regulations and Site Plan Review Rules and Regulations, to consider the contemplated mixed-use site plan development including a 2,486 square foot drive-thru coffee shop, a 7,630 square foot commercial building with retail and restaurant space, and 50 residential units for property addressed 203 Lowell Street (Assessor's Map 48 Parcel 73), as shown on the plan entitled "Wilmington Retail Special

Permit, 203 Lowell Street, Wilmington, MA 01887", dated August 22, 2023, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879, Michael D'Angelo, R.L.A., MDLA, 840 Summer Street, Suite 201A, Boston, MA 02127, and Alberto Cabre, R.A., Joe The Architect, LLC, 343 Medford Street, Suite 4C, Sommerville, MA 02145, (the "Plan") (the "Project"), do hereby vote to **APPROVE** the Special Permit Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

The following materials in addition to the Site Plan referenced above are made part of this Decision:

Description

Transportation Impact Assessment dated May 2019 and the Response to Traffic Engineering Peer Review letter from Vanasse & Associates, Inc. dated August 2, 2019

"Stormwater Management & Erosion Control Plan" dated October 18, 2018, last revised June 14, 2023

Renderings dated June 15, 2023, last revised August 22, 2023, prepared by JTA

"Trip-Generation Summary and Comparison" memorandum dated July 27, 2023, prepared by Jeffrey S. Dirk, Vanasse & Associates, Inc.

Response to Comments letter dated July 28, 2023, prepared by David Roache, The Procopio Companies

"Proposed Drive-Thru" queuing plan, received July 28, 2023, prepared by The Procopio Companies

"Wilmington Fire Truck Turning Path" dated August 21, 2023, prepared by The Procopio Companies

PROCEDURAL HISTORY

1. The original Multi-Family Special Permit #18-02 and Site Plan Review #18-16 decision was issued on November 8, 2019 following a public hearing with the Planning Board that opened on November 13, 2018 and closed on October 1, 2019.
2. An amendment was approved for Multi-Family Special Permit #23-01 and Site Plan Review #23-02 and the decision was issued on April 27, 2023 following a public hearing with the Planning Board that opened on February 7, 2023 and closed on April 4, 2023.
3. An application to further amend the Multi-Family Special Permit and Site Plan Review to construct a mixed-use development that includes a retail building and a drive-thru coffee shop pursuant to Section 3.8.15 of the Wilmington Zoning Bylaws was made by the above-referenced owners and applicant and filed with the Planning Board on June 16, 2023
4. A public hearing was held on July 11, 2023, August 1, 2023 and closed on September 5, 2023.
5. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and

their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS

1. The Project site is shown on Map 48 Parcel 73 and contains a 2,486 square foot drive-thru coffee shop, a 7,630 square foot retail/commercial building, and a 50-unit three-story multi-family building.
2. The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw and complies with the requirements of the Bylaw.
3. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards and guidelines of Section 6.5 and Section 3.8.15 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations.
4. The Site Plan and ancillary materials submitted by the Applicant comply with the provisions, requirements, standards and guidelines of Section 6.5 and Section 3.8.15 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations.
5. 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.
6. No signage is approved with this decision.
7. The project may be phased to allow for occupancy of each building separately as detailed in the conditions that follow.

AMENDMENTS TO PLANS AND DECISION ISSUED NOVEMBER 8, 2019

Amendments to the project included phasing the occupancy of the three buildings with safeguards to ensure that all components of the mixed-use development are constructed. The footprint, garage parking layout and elevations of the residential building were revised. Landscaping was also revised.

AMENDMENTS TO PLANS AND DECISION ISSUED APRIL 27, 2023

Amendments to the project include the reduction of the footprint and change of use of the retail/office building (23,788 square feet) to a 7,630 square foot one-story retail/commercial building as well as a reduction of the footprint and change of use of the bank (3,100 square feet) to a 2,486 square foot drive-thru coffee shop.

AMENDED DECISION

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be developed under Section 3.8.15 and Section 6.5 of the Wilmington Zoning Bylaws. It is therefore decided to grant a Special Permit for the development of a 2,486 square foot drive-thru coffee shop, a 7,630 square foot retail/commercial building, and fifty (50) residential units in accordance with the Site Plan entitled "Wilmington Retail Special Permit, 203 Lowell Street, Wilmington, MA 01887", dated August 22, 2023, prepared by Douglas E. Lees, P.E., P.L.S., Michael D'Angelo, R.L.A., MDLA, Suite 201A, and Alberto Cabre, R.A., and the terms and conditions stated below. The following shall be required at the Applicant's sole expense, unless otherwise noted:

1. The Project shall be constructed and operated in accordance with the approved Site Plan.
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. The provisions of this conditional approval shall apply to and be binding upon the Applicant, its employees and all successors and assigns in interest or contract.
4. The Project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
5. Notwithstanding any future amendment to the Wilmington Zoning Bylaw, Massachusetts G.L. c. 40A, or any other legislative act:
 - a The maximum number of dwelling units to be constructed under this Special Permit shall be fifty (50).
 - b The tract of land on which the structures are to be located shall not be altered or used except
 - i as granted by this Special Permit;
 - ii as shown on the Site Plan entitled: "Wilmington Retail Special Permit, 203 Lowell Street, Wilmington, MA 01887", dated August 22, 2023, prepared by Douglas E. Lees, P.E., P.L.S., Michael D'Angelo, R.L.A., MDLA, Suite 201A, and Alberto Cabre, R.A., as referenced above; and
 - iii as in accordance with subsequent amendments to the Special Permit.
 - c The entire tract of land, or any portion thereof, and buildings to be constructed shall not be used, sold, transferred or leased except in conformity with this Special Permit. If applicant petitions for amendment to this Special Permit, he must submit all plans and information to the change as required by applicable rules.
6. If no substantial construction has commenced within two (2) years of approval, approval shall lapse and a new application, fees and a public hearing shall be required.
7. Any substantial changes to the Site Plan shall be subject to the Special Permit review process. Minor field adjustments may be allowed with review and approval of the Director of Planning & Conservation.
8. Within five (5) days of transfer of ownership of the property, the Planning Board shall be notified in writing of the new property owner's name and addresses.
9. Maintenance of the premises, including but not limited to roadway maintenance and repair, snow plowing and removal, landscaping, trash removal/recycling, and any other amenities associated with the Project shall remain the responsibility of the Owner.
10. The Project's stormwater management system shall be inspected, operated, and maintained in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair, and replacement of all drainage structures constructed pursuant to the project shall be the Owner's responsibility.
11. All domestic water mains and services constructed for the project on the project site shall meet the requirements of the Town's Water and Sewer Division and shall remain private. The operation, maintenance, repair, and replacement of all water pipes, mains, fittings, and appurtenances on the property shall be the owner's responsibility.
12. All landscaping, fencing, and lighting shall be maintained by the Owner for the duration of the use. The Owner shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
13. The site shall be maintained in a clean and tidy condition, clear of debris and trash. Dumpsters shall remain closed and enclosures locked.
14. Deliveries to the commercial buildings shall be made only during non-business hours.

15. Transportation Demand Measures (TDM) shall be implemented as described in the Transportation Impact Assessment dated May 2019 and the Response to Traffic Engineering Peer Review letter from Vanasse & Associates, Inc. dated August 2, 2019, which are attached hereto and incorporated herein by reference.
16. The Owner shall maintain the required sight distance triangle areas at the site entrances as noted on the approved plans.
17. Snow shall be stored in designated areas only. Any snow exceeding on-site capacity shall be removed from the site within five (5) days of a snow event. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.

PRIOR TO ENDORSEMENT:

18. Prior to endorsement, these conditions of approval of the Special Permit shall be listed on the cover page of the Site Plan set.
19. Following the 20-day appeal period, the Planning Board will sign the plans, which shall be recorded the Middlesex North Registry of Deeds.
20. The Applicant shall provide an updated sewer demand memorandum for the proposed coffee shop, 50-unit residential building, and proposed retail/office space.
21. The plan shall be revised to show the alteration of layout for Lowell Street and related easements as existing.

PRIOR TO ISSUANCE OF BUILDING PERMIT:

22. The Wilmington Fire Department shall review and approve all building plans.
23. The Applicant shall coordinate proposed work (grading, sidewalk, and landscaping) within the existing utility easement with the Reading Municipal Light Department and other utility companies as applicable and provide written acknowledgement that the proposed work will not interfere with their use of the easement.

PRIOR TO START OF CONSTRUCTION/DURING CONSTRUCTION:

24. At least one (1) week prior to the start of work, a pre-construction conference shall be scheduled with the Department of Planning & Conservation and Engineering Division to review the construction schedule, permitted drawings, and permit conditions.
25. At the time of the pre-construction conference, the developer will be required to submit a schedule of work, project contacts, soil erosion and sedimentation control plan, information on plans for stockpiling of earth materials and/or any plans for hauling of earth materials (if approved under the Earth Removal Bylaw) for review by the Department of Planning & Conservation and Engineering Division.
26. At the time of the pre-construction conference, the developer shall provide evidence that all required local, state, and federal permits and approvals have been obtained.
27. Prior to the start of construction, if applicable, the Applicant shall demonstrate compliance with NPDES Construction General Permit filing requirements and shall submit a copy of the Stormwater Pollution Prevention Plan to the Department of Planning & Conservation and Engineering Division.
28. Prior to construction, the applicant shall install erosion controls to be inspected by the Department of Planning & Conservation and Engineering Division at least two (2) business days prior to the start of construction.
29. Notice of start of construction shall be distributed to abutting properties two (2) weeks prior to the commencement of construction.

30. During construction work will not start before 7:00 a.m. and will be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment will not be started before 7:00 a.m.
31. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Lowell Street and Woburn Street. Street sweeping and replacement of the stones for the construction entrance may be needed from time to time throughout the phases of construction. The Applicant will be responsible for immediate removal of any sediment tracked onto Lowell Street and Woburn Street during the course of construction, as directed by Town staff.
32. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system, sewer, water, or installation of any other critical design components.

PRIOR TO ISSUANCE OF OCCUPANCY:

33. The Applicant has agreed to and shall provide a fair share traffic mitigation contribution to the Lowell Street Corridor in the amount of \$49,000 prior to issuance of the first Certificate of Occupancy.
34. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall perform a radio signal strength survey at each facility to ensure proper Emergency Responder Radio Coverage.
35. Condominium documents, if applicable, shall be submitted for review prior to the issuance of the first Certificate of Occupancy. The documents shall include details regarding maintenance (i.e., refuse pick-up, upkeep, snow plowing) and the stormwater management Operation and Maintenance Plan.
36. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall submit a progress as-built plan for the project. All site work within Area 1 shall be completed prior to occupancy of the residential building. All site work within Area 2 and Area 3 shall be completed prior to occupancy of either the retail/commercial building or coffee shop building, whichever is first.
37. Prior to the issuance of the first Certificate of Occupancy, all stormwater management systems for all phases of the project shall be completed and the Project Engineer shall confirm that the systems were constructed in accordance with the approved design. The progress as-built plan shall include all systems with a table of as-built storage volumes and as-built outlet control structure schedule(s). The progress as-built shall be certified by a Professional Engineer and/or Professional Land Surveyor.
38. Prior to issuance of the first Certificate of Occupancy, a construction management and interim traffic control plan shall be submitted to the Department of Planning & Conservation for review and approval.
39. Prior to the issuance of the first Certificate of Occupancy, the Operation and Maintenance Plan shall be recorded.
40. Prior to the issuance of the first Certificate of Occupancy, binder pavement shall be installed throughout all phases.
41. To ensure the project is constructed as a mixed-use development, prior to issuance of a Certificate of Occupancy for the residential building, the applicant has agreed that a building permit for the retail/commercial building and coffee-shop building shall be obtained and construction of those buildings shall have begun.

42. Prior to the issuance of the last Certificate of Occupancy for the property, final As-Built Plans for the project, in form(s) and format(s) acceptable to the Town Engineer, shall be submitted to the Engineering Division and Department of Planning & Conservation. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of the last Certificate of Occupancy. In the event that winter season conditions prohibit final landscaping and/or finish paving course from being installed prior to tenant occupancy, the Applicant may post a bond, in a form and amount acceptable to the Director of Planning & Conservation and Town Engineer, covering the cost of completion. This will be considered on a case-by-case basis. The Applicant must have received all other required Department sign-offs on Occupancy prior to eligibility.

Upon motion duly made and seconded it was unanimously

VOTED: To issue the Stormwater Management Permit #23-09 as follows:

**DECISION OF THE WILMINGTON PLANNING BOARD
AS PERMIT GRANTING AUTHORITY FOR STORMWATER MANAGEMENT PERMITS
UNDER SECTION 51 OF THE BYLAWS OF THE INHABITANTS OF THE TOWN OF
WILMINGTON**

September 20, 2023

ISSUED for Property located at 203 Lowell Street, Wilmington, Massachusetts (Map 48 Parcel 73)

Case No.: Stormwater Management Permit #23-09

Applicant: Michael Modoono, 203 Lowell St Owner LLC, 35 Village Road, Suite 702, Middleton, MA 01949

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and plan entitled, "Wilmington Retail Special Permit, 203 Lowell Street, Wilmington, MA 01887", dated August 22, 2023, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879, Michael D'Angelo, R.L.A., MDLA, 840 Summer Street, Suite 201A, Boston, MA 02127, and Alberto Cabre, R.A., Joe The Architect, LLC, 343 Medford Street, Suite 4C, Somerville, MA 02145. Said property is located at 203 Lowell Street, Wilmington, MA, and shown on Assessor's Map 48 Parcel 73; material submitted on June 16, 2023, subject to the conditions below.

MATERIALS:

The following materials in addition to the Site Plan were submitted into the public record:

Description

Transportation Impact Assessment dated May 2019 and the Response to Traffic Engineering Peer Review letter from Vanasse & Associates, Inc. dated August 2, 2019

"Stormwater Management & Erosion Control Plan" dated October 18, 2018, last revised June 14, 2023

Renderings dated June 15, 2023, last revised August 22, 2023, prepared by JTA

"Trip-Generation Summary and Comparison" memorandum dated July 27, 2023, prepared by Jeffrey S. Dirk, Vanasse & Associates, Inc.

Response to Comments letter dated July 28, 2023, prepared by David Roache, The Procopio Companies

"Proposed Drive-Thru" queuing plan, received July 28, 2023, prepared by The Procopio Companies

"Wilmington Fire Truck Turning Path" dated August 21, 2023, prepared by The Procopio Companies

STANDARD CONDITIONS

1. Waivers granted: None
2. The development shall not alter the flow of stormwater runoff leaving the site, nor shall it alter the stormwater flow to any adjoining properties, public ways or wetland resource areas.
3. The development shall comply with the performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Handbook.
4. The Applicant shall provide and maintain erosion and sedimentation controls until the site is permanently stabilized.
5. The Applicant shall inspect and maintain the site and stormwater management systems. Maintenance requirements for the site shall remain in perpetuity with the parcel.
6. To the maximum extent practicable, the development shall provide on-site infiltration and meet the Recharge Additional Performance Standards as specified in Appendix E of the Town of Wilmington Comprehensive Stormwater Management Regulations adopted February 2, 2010 and last amended on June 2, 2020.

SPECIAL CONDITIONS

1. If applicable, a Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.
2. Erosion controls shall be placed around all areas of disturbance and shall be inspected by the Department of Planning & Conservation two (2) business days prior to the start of any land disturbing or land altering activity.
3. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to installing any stormwater management system or any other critical design components.
4. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.

5. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

Continued Public Hearing – Lee Avenue – Map 58 Parcel 25 - 81G Roadway Improvement Plan Application #23-01 and Stormwater Management Permit #23-10 – Joseph Shamon, Applicant

PRESENT IN INTEREST: Luke Roy, LJR Engineering
Joseph Shammon

MATERIALS CONSIDERED:

PLAN: "Roadway Improvement Plan, Lee Avenue, Town of Wilmington" dated April 1, 2023 and last revised August 18, 2023

STORMWATRE ANALYSYS dated April 2023 and last revised August 2023

PLANNING REVIEW LETTER dated July 31, 2023

LETTER from Luke Roy dated August 18, 2023

ENGINEERING MEMO dated September 5, 2023

LETTER from resident James Webber received September 5, 2023

LETTER for residents James & Krystyna Webber dated August 29, 2023 received September 5, 2023

L. Roy told the Board they revised the plan based on the comments and feedback they received. He said they lessened the house footprint and shifted it south and narrowed the driveway area. They are keeping the stormwater structure within the property. L. Roy said they made some other improvements by adding a snow storage area and updated some monuments. He said they received a memo with details about the stormwater designs so they would like to request a continuance. He said he may like to meet with the Town Engineer. There were no questions from the Board. P. Moser said he would like to see the berm on Perry Avenue based on the Town Engineer's comments. T. Boland said there are a couple of letters from the abutters, and the Board has received them, and they will continue.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action to October 31, 2023 for 81G Roadway Improvement Plan Application #23-01 and Stormwater Management Permit #23-10.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for 81G Roadway Improvement Plan Application #23-01 and Stormwater Management Permit #23-10 to October 3, 2023 at 7:35 p.m. in the Town Hall Auditorium.

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 August 30, 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 October 31, 2023.

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 October 3, 2023 at 7:40 p.m. in the Town Hall Auditorium.

Continued Public Hearing – 190 Main Street – Map 44 Parcel 178 Site Plan Review #23-10 Stormwater Management Permit #23-08 - Groundwater Protection District Special Permit #23-02 and Parking Relief Special Permit #23-03 – Richard Gallant for Gallant Memorial Arena LLC, Applicant

PRESENT IN INTEREST: Richard Gallant
Chris Lovett, VHB
Dan Keiches, VHB
Kevin Dandrade, TEC

MATERIALS CONSIDERED:

PLAN: "Ristuccia Memorial Arena Expansion, 190 Main Street, Wilmington, MA 01887" dated June 12, 2023 and last revised July 18, 2023

SEWER CONNECTION AND SEWER CAPACITY ANALYSIS dated August 31, 2023

TEC TRAFFIC PEER REVIEW dated August 29, 2023

D. Keiches told the Board they haven't submitted any revised plans or new materials. He said they received comments from the peer review. He said the water review is also in process and they are before the Conservation Commission as well. He said they are present to listen to the peer reviewer. T. Boland asked if the Board has comments.

K. Dandrade referenced a letter from August. He talked about the traffic impact. He said there was some data that was collected during peak hours last November and December which he thought was low that maybe it was times when there were no games or other activities. He said with a second sheet of ice that will bring other opportunities that aren't seen today. He said there should be more data collection. He also said there is the understanding of some of the abutting parcels that is not clear. He said the Learning Experience is the parcel in front there are some landmines in which you need an SUV to navigate the informal driveway but it is clearly used and there might be some off-site parking during peak events. K. Dandrade said with supplemental data collection there would be a clearer picture. He said it would not be what

the normal would be as in a traditional evening. He said looking at a count when there might be games would give a clear picture for the Board. He said if there are two games closely spaced, that time in between would be that peak demand as people may be lingering and people from the second game may arrive early. He said trying to get something to work at 208 Main Street for shared access but unfortunately that does not seem like an opportunity anymore. He said there may be High School games where the police detail occurs but those events are not documented as to how often they occur. He said if the applicant could collect some additional data, different access points, different peak parking demand based on events as well as research another facility that already has two or more rinks it would make it clearer for the expected traffic that will be there. He said the data from ITE is limited. He said better signing and striping on the site plan, identifying some no parking areas, looking at utilizing some parking behind the arena and show dumpster locations and make sure there is a fire access that can show flow in and around the property.

T. Boland said the parking situation didn't make sense in the fact that it is not enough. He said there is a lot of opportunity for people that can't find a spot on the site to park on someone else's property and make it their problem. He said when it's tournament time and there are 8 teams, there doesn't seem to be enough parking. R. Gallant said no. T. Boland asked if it is going to be blocked off between the Learning Experience and their parking lot and the roadway being proposed looks as though it goes to the property line. He asked if there is a break. D. Keiches said they are not proposing a formal connection. He said it is laid out so emergency access can be accommodated. T. Boland asked if there will be curbing, and D. Keiches said yes. T. Boland said he would like to see more data as TEC recommends with respect to other places that have a similar setup and what will the impact actually be. He said there can be a lot going on at one time with 2 ice rinks. C. Lovett said they picked times when there would be typical activity and some overlap based on the actual hockey schedules, not peak hours. S. Hennigan asked if the Board can get a copy of the actual schedule so they can see what it's like. He said there is a designated area for the travel buses asked where that is and D. Keiches said there is bus parking in the rear. T. Boland said there is enough parking for 2 buses. S. Hennigan said that's one game and asked what happens if there is another game. R. Gallant said in the rink business, with an event it's a catch 22. He said if teams come from afar, less people attend generally. He said you lose as much as you gain. He said if the Boston Bruins were to come back it would be different. He said the Board needs to be more educated on how rinks work and how a multi-sheet facility works day to day. He said there will be a lot of extra parking spaces. He said this is more a community event rink, not a tournament event rink. He said Austin plays Wilmington and prep schools don't attract big crowds. R. Gallant said he believes it can be managed and some of the Board's observations are good. He said he will need to educate the Board on the velocity of what happens at a rink. He said there will be a lot of empty spaces during the nighttime and on weekends. A. Marcolina asked if the town will look at similar rinks and reach out themselves or does TEC do that? T. Boland said the Board would like the applicant's team to demonstrate what is happening when the data is collected. R. Gallant said they will not continue with the process. He got up from the table and was about to leave when T. Boland explained that the public hearing was not finished, however he is not chained to his chair and if he wished to leave, he may. T. Boland asked if there were comments from the audience or the Board and there were none.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action to October 31, 2023 for Site Plan Review #23-10, Stormwater Management Permit #23-08.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-10, Stormwater Management Permit #23-08, Groundwater Protection District Special Permit #23-02 and Parking Relief Special Permit #23-03 for 190 Main Street to October 3, 2023 at 7:45 p.m. in the Town Hall Auditorium

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 August 30, 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 October 3, 2023 at 8:05 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:

PLAN "Definitive Subdivision Plan, Eagleview Subdivision, Marion Street, Wilmington, Massachusetts" dated December 8, 2021 and last revised August 14, 2023, Pre Development Water Shed Map dated April 14, 2022 and last revised August 14, 2023
STORMWATER MANAGEMENT REPORT dated December 8, 2021 and last revised August 21, 2023
RESPONSE LETTER from C.S. Newhouse Builders dated August 21, 2023
ENGINEERING MEMO dated September 5, 2023
E-MAIL from Kristen Costa dated September 5, 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 October 31, 2023.

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 October 3, 2023 at 8:15 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

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

MATERIALS CONSIDERED:

TRAFFIC PEER REVIEW dated August 29, 2023

RESPONSE LETTER from Joshua Kline dated August 23, 2023

E-MAIL from Chris Pozzi dated August 17, 2023

REQUEST TO EXTEND DEADLINE AND CONTINUE HEARING dated August 29, 2023

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 October 31, 2023.

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 October 3, 2023 at 8:20 p.m. in the Town Auditorium.

Public Hearing – Site Plan Review #23-12, Stormwater Management Permit #23-11 and Parking Relief Special Permit #23-04 for 250 Ballardvale Street - Map R2 Parcel 23B James McManus, Applicant

PRESENT IN INTEREST: James McManus, Howland Development
William R. Bergeron, Hayes Engineering, Inc.
Kenny Tyler, Eversource

MATERIALS CONSIDERED:

PLAN "Site Layout Plan, Wilmington, Mass." dated August 8, 2023

STORMWATER MANAGEMENT REPORT dated May 2023

OPERATION AND MAINTENANCE PLAN AND LONG-TERM POLLUTION PREVENTION PLAN dated August 2, 2023

EVERSOURCE NARRATIVE dated August 30, 2023

PLANNING REVIEW LETTER dated August 31, 2023

FIRE DEPARTMENT MEMO dated August 18, 2023

RESPONSE TO WFD COMMENTS from James McManus dated August 30, 2023

ENGINEERING MEMO dated September 5, 2023

J. McManus introduced the team and W. Bergeron told the Board the original tenant of Building 1 moved and MBTA took eminent domain through the site which impacted the original parking lot layout. One of the site plans is a replacement for parking that will conform to the requirements. He said they repaved the rear portion of the property. He said the parking lot layout now only has a few spaces marked on the ground. W. Bergeron said the second site plan requests a waiver for Building 1 which Eversource is going to occupy. They require storing materials. He said they will require outdoor storage where parking would normally be. He said Eversource does not think there will be more than 10 people on the site at one time. He said 24 spaces were provided for them. He said Building 2 maintains all the parking required and complies with zoning. Eversource

needs a security gate to enclose their outside storage. There is a code activated sliding gate. He said he reviewed this plan with the Fire Department and they discussed the turning plan. The plan shows that tractor trailers can maneuver around the site. W. Bergeron told the Board, because the work doesn't require any excavation, a Stormwater Management Permit is not required based on his understanding of what the Town Engineer said. W. Bergeron said they want that approved in case Eversource moves out because they don't want another tenant being restricted. He said more than once they want both plans approved in case Eversource moves out. V. Gingrich said they are asking for approval of a site plan and parking special permit. She asked if those areas are going to be striped. She explained to the Board that it sounds as though they want the plan approved for Eversource to do their outdoor storage and for the other plan to be approved in case Eversource moves out. W. Bergeron said they don't want to have to come before the Board again if Eversource moves out. He said multiple times he wanted both plans approved in case Eversource moves out. T. Boland said the applicant is expecting Eversource to move out so when they move out the other plan is already approved. V. Gingrich explained when the Board issues a parking relief special permit it is for a specific tenant and when the tenant moves out the applicant will come back to the Board. W. Bergeron said they are trying to prevent a zoning violation. T. Boland said the Special Permit provides relief from a violation. W. Bergeron argued that it seems unnecessary and wanted the Board to approve two separate site plans. R. Holland said when there is a new tenant, the applicant can come back. W. Bergeron said the attorney doesn't want that because the Board could say they don't want it. T. Boland said the Board would need to review a plan for a new tenant. There was a discussion on how the Board cannot give approval for two different site plans. T. Boland said the Board needs the opportunity to review what a new tenant's requirements would be. They went back and forth. W. Bergeron said when Eversource moves out they want the other plan in place. They discussed Building 2 and T. Boland said if the site were cut in half, Building 2 would be in compliance. V. Gingrich said the Town Engineer said what was submitted is in keeping with what is required and the Stormwater Management Permit would still be issued. W. Bergeron said it is clear it does not apply and it is exempt. He said there is no need for it. V. Gingrich said she will ask the Town Engineer if it is exempt or it meets what the town typically requires. W. Bergeron said if the Town Engineer decides it's something he wants they don't want to have to come back to the Board. T. Boland said the Board is not voting or issuing a decision. He said everything can be done next month. W. Bergeron still insisted the Town Engineer said Stormwater Permit was not needed and V. Gingrich said she would ask him. She said the Planning Department never received the gate details. J. McManus said he thought W. Bergeron forwarded it. He said he will make sure the Planning Department receives that plan.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-12, Stormwater Management Permit #23-11 and Special Permit for Parking Relief #23-04 for 250 Ballardvale Street, Map R2 Parcel 23B to October 3, 2023, at 7:55 p.m. in the Town Hall Auditorium.

Public Hearing – 250 Andover Street – Site Plan Review #23-13 and Stormwater Management Permit #23-12 – Stephen Albano, Applicant

PRESENT IN INTEREST: Matthew Costa, Beals & Associates
Cristopher Scott

MATERIALS CONSIDERED:

PLAN "Plans to Accompany Permit Documents for Building Addition, 250 Andover Street, Wilmington, Massachusetts, Original Issue Date: August 8, 2023

STORMWATER MANAGEMTN REPORT dated August 2023

OPERATION AND MAINTENANCE CONTROL PLAN dated August 2023

MEMO FROM FIRE DEPARTMENT dated August 18, 2023

PLANNING REVIEW LETTER dated August 31, 2023

ENGINEERING MEMO dated September 5, 2023

M. Costa told the Board there are a lot of manufacturing uses in the area with residential in the back, but they are not direct abutters to the site. He said the existing building has 2 tenants now with a footprint of a little over 15,000 s.f. He said it is a two-story building with most tenants on the bottom with two separate entrances on either side. He said there are 122 existing parking spaces. M. Costa said he was at the site around 12:00 p.m. and only saw 12 cars on the lot today. He said when it was built it was primarily for office use. He said there is a 100' resource area buffer to a wetland across the street. M. Costa said the proposed project is for a 6,000 sf addition with no additional parking spaces. It will be a mix of manufacturing/supporting office use/ warehouse/storage space and a few other uses. He said even with the additional 6,000 s.f. they still remain compliant with parking. He showed the Board how they intend to juggle spaces. He said they will put the wire harness for the cars in the storage area and then they get shipped out. He talked about changing the entrances to be ADA compliant. He said ADA ramps will be added to each entrance and striping and updated ADA spaces. He said there will be a second story box truck loading operations. There are no changes for the utility infrastructure. He said they will be relocating a transformer. Water and sewer will remain the same and there is an existing septic system in the back. There will be no changes to grading. He said there is a relocation of a catch basin. They are adding a water quality unit and he said everything is compliant. He said they are upgrading the existing stormwater management system since all the catch basins out there are older. He said every catch basin will be updated to a deep sump with a hood. He brought some pictures to show the Board and went over the changes that will be made to the site. M. Costa said the comments are minor. He talked about CCTV drainage pipe that connects to the existing system. He said he would like to have that as a condition of approval under prior to certificate of occupancy. V. Gingrich said the Town Engineer would be more comfortable if it were prior to a building permit. M. Costa agreed. He asked if they could eliminate contacting Kleinfelder. He said the buildings are going to have fire protection. He addressed the Engineering memo. He said the plan will be updated to add some landscaping to the green areas. Snow storage areas will be added but if it impacts the areas, it will be removed.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-13, Stormwater Management Permit #23-12 for 250 Andover Street, Map R1 Parcel 302 to October 3, 2023, at 8:00 p.m. in the Town Hall Auditorium.

Board of Appeals

At its meeting on September 5, 2023, the Planning Board (Board) voted to recommend as follows:

Case 15-23: 3 Oak Street – Map 84 Parcel 27

MATERIALS CONSIDERED:

PLOT PLAN dated June 2, 2023

PORCH RENDERING dated May 9, 2023

J. Wierzbicki said the parcel has 2 front yards and a nonconformity and they are proposing to add a porch which increases the nonconformity. They are in a R10 zone. T. Boland asked if they could move their existing porch down 1' they will not increase their nonconformity.

Upon motion duly made and seconded, it was by a vote of 5-0

VOTED: To recommend the Board of Appeals require the Applicant to shift the porch a foot towards the Salem Street front yard in order to not increase (match) the existing non-conformity in the Oak Street front yard.

Case 16-23: 13 Ella Avenue – Map A90 Parcel 43

MATERIALS CONSIDERED:

BUILDING PLANS dated April 18, 2023

ENGINEERING MEMO dated August 11, 2023

J. Wierzbicki told the Board the applicant is proposing to construct 603sq. ft. garage and 360 sq. ft. addition which adds to the impervious area in the groundwater protection district at 17.6%.

Upon motion duly made and seconded, it was by a vote of 5-0

VOTED: To recommend approval since infiltration is adequately provided. The Applicant will need to file for a Simple Stormwater Management Permit (SSMP) through the Department of Planning & Conservation prior to issuance of a Building Permit.

Case 17-23: 11 Ella Avenue – Map A90 Parcel 42

MATERIALS CONSIDERED:

PLAN "Plot Plan of Land" dated June 29, 2023

BUILDING PLAN date March 1, 2023

ENGINEERING MEMO dated August 16, 2023

J. Wierzbicki told the Board they are proposing a 2116 sf. addition with proposed driveway of 884 sf. The applicant is increasing the impervious area 14.9%. The Town Engineer reviewed it. He said they will need revised plans to show the existing water service and on-site sewage disposal system location to demonstrate there are no conflicts with existing utilities and all setbacks are met.

Upon motion duly made and seconded, it was by a vote of 5-0

VOTED: To recommend approval. The proposed infiltration systems have already been reviewed through the Department of Planning & Conservation with a Simple Stormwater Management Permit (SSMP) and are adequate for the proposed work.

Case 18-23: 773 Salem Street – Map R1 Parcel 23

MATERIALS CONSIDERED:

PLAN “T-Mobile Northeast LLC, Site Number: 4BN0651A, Site Name: K2 Concrete, T-Mobile Replacement Installation, Design 67D5A998E” undated

J. Wierzbicki told the Board the applicant is proposing to add antennas and other equipment. There is a maximum height limit of 120' and the applicant is proposing this equipment at 132'. She said the structural analysis must be updated to the existing conditions. She said they need to file with the Planning Board. T. Boland asked what the other equipment is and J. Wierzbicki said radio heads. The Board does not want equipment going beyond 120'.

Upon motion duly made and seconded, it was by a vote of 5-0

VOTED: To recommend the Board of Appeals request additional information as follows:

- Address why the additional height is necessary and essential for the proper functioning of the wireless communications facility per Section 6.8.5.1 of the Wilmington Zoning Bylaws. The Planning Board is not in favor of increasing the height of the tower unless absolutely necessary.
- How the Applicant is meeting the design criteria (including setbacks) in Section 6.8.5 of the Wilmington Zoning Bylaws.
- The Applicant should provide important information such as full and updated Structural and Mount Analysis Reports, as well as any other missing required materials per Section 6.8.6 of the Wilmington Zoning Bylaws.

Depending on the existing and proposed tower capacity, the Planning Board may also recommend that a peer review of the Structural Analysis Report be conducted.

The Applicant will need to file for Site Plan Review with the Planning Board due to the addition of equipment onto the tower, Site Plan is only waived if the proposal is for a 1:1 equipment swap out.

Old Business

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

V. Gingrich said there are no updates. They are going before the Board of Appeals September 13th.

New Business

**Endorse plan for 15 Nickerson Avenue – Map 72 Parcel 20
Northeastern Development Corp., Applicant**

MATERIALS CONSIDERED:

PLAN “Special Permit Plan, 15 Nickerson Avenue, Wilmington, Massachusetts, Map 72 Parcel 20” dated May 4, 2023 and last revised May 31, 2023

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled, “Special Permit Plan, 15 Nickerson Avenue, Wilmington, Massachusetts, Map 72 – Parcel 20” dated May 4, 2023, last revised May 31, 2023, prepared by Douglas E. Lees, P.L.S., Land Engineering & Environmental Services, Inc., 1 Bridgeview Circle, Tyngsboro, MA 01879. The application was filed with the Planning Board on May 12, 2023. Said property is located at 15 Nickerson Avenue and shown on Assessor’s Map 72 Parcel 20.

Endorse plan for 100-110 Fordham Road - Map 91 Parcel 121 – Fordham Park LLC, Applicant

MATERIALS CONSIDERED:

PLAN “Amended Non-Residential Site Plan”, dated April 3, 2023, last revised July 18, 2023

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled “Amended Non-Residential Site Plan”, dated April 3, 2023, last revised July 18, 2023, prepared by Brenton Cole, P.E., Granite Engineering, 150 Dow Street, Tower 2, Suite 421, Manchester, NH 03101. Said property is located at 100-110 Fordham Road, Wilmington, MA 01887 and shown on Assessor’s Map 91 Parcel 121.

**Site Plan Review Waiver Request #23-07 – 251 Ballardvale Street – Map R2 Parcel 25
Pete Troco, Charles River Laboratories, Applicant**

PRESENT IN INTEREST: Shawn Cormier

MATERIALS CONSIDERED:

PLAN “Charles River, Building 12 Interior Renovations, 251 Ballardvale St, Wilmington, MA” dated August 16, 2023

FIRE DEPARTMENT E-MAIL dated August 22, 2023

S. Cormier told the Board they are just bumping out the existing building 19’ x 20’ for a storage room. R. Holland asked what building it is for and S. Cormier said Building 12. S. Hennigan asked if parking is affected, and S. Cormier said no. V. Gingrich said there was a similar waiver a few years ago for pallet storage to Building 8. T. Boland asked if it is open and S. Cormier said there is a rollup door.

Upon motion duly made and seconded it was unanimously

VOTED: To waive Site Plan Review for the construction of a 470 sq.ft. storage area in accordance with plan entitled “251 Ballardvale Street, Existing Site Plan” dated August 16, 2023.

**Site Plan Review Waiver Request #23-08 – 400 Research Drive – Map R3 Parcel 403
Jim Patierno, Jr., AJ & Sons Inc., Applicant**

PRESENT IN INTEREST: Jim Patierno

MATERIALS CONSIDERED:

PLAN "Chestnut Realty Partners, 400 Research Drive, Wilmington, Massachusetts" dated November 5, 2023"

NARRATIVE received August 24, 2023

J. Patierno told the Board the tenant is a light manufacturing facility and wants to expand their storage and have an 18'X 20' concrete equipment pad placed adjacent to an existing loading dock door and the pad will be surrounded by fence. V. Gingrich told the Board the parking requirements are met. She said they are removing two loading dock spaces and there were no comments from Fire or Engineering.

Upon motion duly made and seconded it was unanimously

VOTED: To waive Site Plan Review for the installation of a concrete pad (18'x22') as shown on plan entitled, "ALTA/ACSM Land Title Survey Plan" dated November 5, 2013.

Discussion

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

V Gingrich said there were over 500 responses to the survey. She said which areas should multi-family housing added to it, Commercial and Mixed-Use were most popular and Industrial made a strong showing. She said half the district has to be within a half mile of the commuter rail. She said the details of the pros and cons could not be mentioned in the survey. T. Boland asked where the Main Street/West Street finished, and V. Gingrich said she included Metro up to the Hunyadi dealership. She said for Jefferson Road she showed parcels that are part of Princeton development and for outside the half mile, 175 Lowell Street and West Street were the top picks. She said for West Street she showed the corner to where the 40B was approved up to Grace Chapel. V. Gingrich said not everyone loves this because it's hard to love something that is forced upon you. She said the survey asked for suggestive locations and there were 87 responses, not all helpful. Anderson/Woburn was one but there is nothing within the half mile circle. Ballardvale was another and she looked at it near Target and the industrial area is potential but the lower area is all in the Ground Water Protection District. The Board looked at a parcel that would be on the other side of where Tewksbury was looking to put theirs. The parcel is currently zoned Highway Industrial. Others that came up were Deming Way, which is a 6-acre parcel, someone suggested Olin, Hathaway Acres came up and 2 people suggested Sciarappa Farm. P. Moser asked for the history of that, and V. Gingrich said a development company that has the property under agreement made a proposal to the Select Board about a couple years ago. They proposed a lot of units, and their thought was it could be outside transit and it wasn't popular. V. Gingrich said another suggestion was Concord and Fordham which has highway access. She talked about parking. The majority of people said two spaces and she showed areas that are currently less. She said it looks like it can be 1 ½ within the half mile but you need to think who will vote at Town Meeting and who goes to Town Meeting. She said the height preferred is no more than 3-stories and a couple of people say higher, like 4 plus. For the commercial ground use with residential above it was overwhelmingly yes. The state allows 25% of the district having ground floor commercial use. She said the

catch is you can't have a parking requirement for the commercial units. P. Moser asked if the district has to be as of right housing and there is a commercial component, is that as of right as well. V, Gingrich said it would have to be as of right. For the question on affordable housing most say 10% is fine. For Site Plan Review they said yes, and design standards were overwhelmingly yes.

Update on Construction Projects

V. Gingrich said she has not received an update from the North Wilmington Estates developer.

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

VOTED: To adjourn the meeting at 10:20 p.m.

NEXT PLANNING BOARD MEETING: October 7, 2023

Respectfully submitted,


Cheryl Licciardi
Recording Clerk

