

Town of Wilmington
Board of Appeals
Minutes – January 17, 2017

The Board of Appeals held a meeting in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA. The meeting was called to order at: 7:02 p.m. Edward Loud, Daniel Veerman, Anthony Barletta, Thomas Siracusa and Jacquelyn Santini were present.

The next regularly scheduled Board of Appeals meeting will be February 8, 2017, at 7:00 p.m. in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA.

To acquire a Special Permit in accordance with §4.1.9 for a carnival to run from Thursday, June 29-Sunday, July 2, 2017 - Thurs/Fri - 12 p.m.-10 p.m., Sat. 12 p.m.-10 p.m. and Sun. 1 p.m.-10 p.m. (raindate-Mon. 5 p.m.-10 p.m.) on the Wilmington Common and Swain School parking lot - Church Street & Middlesex Avenue.

Scott Garrant was present. He stated that the times for the carnival were incorrect. It should read Thursday/Friday 5 p.m. to 9 p.m., Saturday 12-10 p.m., Sunday 1-10 p.m. with a rain date, if needed on Monday 5-10 p.m. All other safety measures would remain the same as last year. Non-profit organization booths would be on the Common, the carnival would be located on the Swain Parking Lot and the fireworks would be launched from the Wildwood Street side of the High School campus. Quiet generators would be used, the maximum number of rides would be 12-14, keeping the ratio of 50-50 between adult and kiddie rides, concession and games would also be 12-14 booths. Edward Loud asked if the number of hours for the carnival would be increased - yes, the slight two hour change to the overall time of the carnival is due solely to the change in days of the week this year. The application and details of the celebration would be the same as what the Town did last year. The Town Manager also stated he would endeavor to have the same number of police officers present at the times and in the same locations as last year. The final layout would be approved by the Fire Department. Abutter Kathy O'Donoghue was pleased with last year's celebration and hoped that the Police presence would remain the same. Scott Garrant stated that he expected the police presence would remain the same as last year. She asked that a snow fence be placed around the perimeter of her lot. Abutter Suzanne Crooker asked for a snow fence also. She also asked about the setup and breakdown times. Scott stated that it would remain the same 8:30am-8pm. The Planning Board recommended approval. Daniel Veerman made a motion to approve the Special Permit in accordance with §4.1.9 for a carnival to run from Thursday, June 29 - Sunday, July 2, 2017 - Thursday/Friday 5 p.m. to 9 p.m., Saturday 12-10 p.m., Sunday 1-10 p.m.(raindate Monday 5 p.m.-10 p.m.) for a total of 27 hours or less, Jacquelyn Santini seconded. Voted unanimously.

Case 1-17

Eco-Site Inc.

Map 79 Parcel 31D

To acquire a variance from the Zoning Bylaw Wireless Communications Facilities §6.8.5.2 - facilities shall be located a minimum of 500 feet from an existing residential dwelling or proposed dwelling...located within a residential district (the proposed facility is less than 500 feet from the residential zones on First Avenue and North Street) and §6.8.5.3 - monopoles shall be set back from the property lines of the lot on which it is located by a distance equal to the overall vertical height of the monopole and any attachments plus five feet (the proposed structure is 17 feet from the side lot line and 90 feet from the rear lot line abutting the railroad tracks) for property located on 4 Waltham Street.

Case 2-17

Eco-Site Inc.

Map 79 Parcel 31D

To acquire a Special Permit in accordance with §6.8 Wireless Communications Facility for property located on 4 Waltham Street.

Ricardo Sousa, Esq, Ryan Monte De Ramos and Tim Greene were present for the applicant. The wanted to construct a 120 foot cell tower at 4 Waltham Street. They need variances from §6.8.5.2 and 6.8.5.3, they are too close to the residential areas and too close to the side and rear lot lines. They went over the gaps in coverage that exist in the residential areas, green-in building coverage and yellow-in vehicle coverage. Edward Loud asked if they had checked into the pole in Tewksbury located at the Fire Station not far from the Wilmington line and it appeared that this might be the location to fill in the gap. They had not. Ricardo Sousa stated the ideal place would be the Town Hall location but the Town was not interested. This property is located in a General Industrial Zone where cell towers are allowed. The Planning Board recommended disapproval-did not meet setback requirements. Abutter Paul Kneeland submitted a memo stating his opposition. Abutters Peter Reinhart didn't see the need for a cell tower, Paul Logan's property didn't have a tree line to screen the tower from his view, and Barbara Fitzgerald was concerned about excavating or building anything more on this site. Paul Logan also brought up the proposal from a few years back about rezoning this area to a mixed residential/business zone. Years ago, a tannery was located on this property. She is strongly opposed to this proposal. Edward Loud agreed, it was too close to the railroad tracks, adjacent buildings, and residential abutters. He felt it was not safe. Anthony Barletta agreed. Thomas Siracusa wanted to know how this proposal benefitted the Town. Jacquelyn Santini agreed that this was not in the best interest of the Town or the residential abutters.

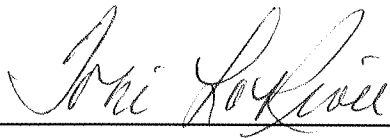
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Jacquelyn Santini made a motion to deny the variances for the reasons stated, too close to lot line, railroad tracks, abutting property, residential zone, Anthony Barletta seconded. Voted unanimously to deny.

Jacquelyn Santini made a motion to deny the Special Permit under S6.8, does not meet the criteria of the Bylaw, Anthony Barletta seconded. Voted unanimously to deny.

The Board reviewed and approved the minutes from November 9, and December 14, 2016.

Motion to adjourn at 8:50 by Edward Loud, seconded by Daniel Veerman. Voted unanimously.

A handwritten signature in cursive script, reading "Toni La Rivee", written over a horizontal line.

Recording: Toni La Rivee, Secretary
Board of Appeals