

Town of Wilmington
Board of Appeals
Minutes — January 10, 2018

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: 7:00 p.m. Anthony Barletta, Thomas Siracusa, Jacquelyn Santini and Raymond Lepore were present.

Continued from 12/20/2017 - Requesting continuance to February 14, 2018.

Case 28-17

Michael Welch

Map 54 Parcel 41

To acquire a Special Permit in accordance with §6.1.6.4 (to demolish a single story dwelling and construct a two-story dwelling, 8 feet from the side yard lot line, 7 feet from Glen Road and 12 feet from Rhodes Street) for property located on 95 Glen Road.

The Chairman informed all present that where only four (4) members were present to hear cases then any applicant had the option to request that their case be continued until such time as all five (5) members of the Board were present. The Chairman described the different voting and approval requirements for a four (4) member and a five (5) member Board.

Case 1-18

John F. Rees

Map 97 Parcel 23

To acquire a Special Permit in accordance with §6.1.6.4 (to construct a second floor addition to an existing nonconforming garage) for property located on 34 Andover Street.

Robin Rees was present. She stated that wanted to convert the one car garage into a family room. They would have to bring up the garage floor to the same level as the dwelling. Tony Barletta clarified that the resulting construction did not add a true second floor to the existing structure. It is only being raised approximately $\frac{1}{2}$ story. The applicant would be recording a two-bedroom deed restriction before applying for a building permit. The Planning Board recommended approval. No abutters made comment. Anthony Barletta closed the public hearing. Raymond Lepore made a motion to approve the Special Permit in accordance with §6.1.6.4 to convert the existing garage into a first floor living space, Jacquelyn Santini seconded. Voted unanimously.

Case 2-18

Mymy Tran

Map 30 Parcel 65A

To acquire a Special Permit in accordance with §6.6.7.7 Ground Water Protection District for property located on 7 Burt Road.

Mymy Tran was present and stated she wanted to construct a 25'x25' addition to the rear of the dwelling, meeting the setback requirements. This lot is in the Ground Water Protection District and the existing impervious is 23.4% and the proposed infiltrator will take care of the proposed addition impervious area. The Planning Board recommended approval. The Town Engineer stated that the proposed infiltration system was adequate to reduce the impact of runoff, but he suggested the applicant's engineer should evaluate if additional recharge/infiltration measures can be implemented to the maximum extent practicable to compensate for the impervious area which is in excess of the 15% threshold. He also suggested the engineer should include the location of the septic system on the plans. After reviewing the applicant's engineer's documents, it appeared that the capacity of the proposed infiltration system exceeded the added volume generated by the addition. Jacquelyn Santini made a motion to approve the Special Permit in accordance with §6.6.7.7 Ground Water Protection District with the condition the applicant's engineer provide additional mitigation to maximize the capacity of the proposed infiltration system by including portions of the existing dwelling roof and submit to the Town Engineer, Thomas Siracusa seconded. Voted unanimously.

Case 3-18

Wilm. 4th of July Committee

Map 52&66 Parcel 38&1

To acquire a Special Permit in accordance with §4.1.9 for a carnival to run from June 29 through July 3, 2018, for property located on 140-50 Middlesex Avenue.

Scott Garrant was present and stated that they were basically proposing the same as last year with the exception of the dates. The carnival will run Friday, 6/29/18 through July 2, 2018, Raindate 7/3/2018. Friday 5pm - 10pm, Saturday Noon - 10pm, Sunday 1-9pm, Monday 5-10pm, and Raindate 5-10pm. The same accommodations and precautions. Anthony Barletta asked if there were any issues last year. Scott responded that he was not aware of any issues. The Planning Board recommended approval. Abutter Suzanne Crooker asked that the carnival

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time on Friday be brought back to 9pm and Sunday to 8pm. She also asked that there be more kiddie rides than adult rides. It is a residential neighborhood and she wanted to see a smaller footprint and shorter hours. Kathleen O'Donoghue was in agreement. Anthony Barletta asked if there were any issues resulting from the event last year. She further stated that there were no issues last year and she stated it was a Town-oriented event. Anthony Barletta closed the public hearing. Scott Garrant stated that after last year, a few of the older kids asked for later hours, some worked and wanted some time at the carnival with their friends.

Thomas Siracusa felt that the hours were in the jurisdiction of the Board, but he felt that the proportion of rides, kiddie-adult was not something the Board should be getting into with the applicant. Jacquelyn Santini stated that keeping the rides at 12-14 and the Sunday hours 1-8pm was not unreasonable. Scott Garrant agreed to put 12-14 rides into the bid/whatever combo was available. Scott Garrant also indicated that he had no issue with a proposed change to the closing time on Sunday evening, one (1) hour earlier than proposed changing the total hours of operation to 27 hours which matched the previous year. Jacquelyn Santini made a motion to approve the Special Permit in accordance with §4.1.9, the carnival to run from June 29-July 2, 2018 with a raindate of July 3, 2018. Hours of operation Friday 5-10pm, Saturday 12-10pm, Sunday 1-8pm and Monday 5-10pm with a Raindate of Tuesday 5-10pm, Thomas Siracusa seconded. Voted unanimously.

The next regularly scheduled Board of Appeals meeting will be February 14, 2018, at 7:00 p.m. in Room 9 at the Town Hall, 121 Glen Road, Wilmington, MA.

Motion to adjourn at 8:35 p.m. by Anthony Barletta, seconded by Thomas Siracusa. Voted unanimously.


Recording: Toni La Rivee, Secretary
Board of Appeals