

Town of Wilmington
Board of Appeals
Minutes – October 17, 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. Daniel Veerman, Anthony Barletta, Thomas Siracusa, Jacquelyn Santini and Raymond Lepore were present.

Continued

Requesting a continuance to December 12, 2018

Case 7-18

Bettering LLC

Map 89 Parcel 6A

To acquire a Special Permit in accordance with §3.4.6, 6.1.3 and 6.1.4 to construct a forty-eight (48) bed rehabilitation facility over the site of the razed building for property located on 362 Middlesex Avenue.

Paul Kneeland submitted a letter requesting a continuance to December 12, 2018. Anthony Barletta made a motion to continue to December 12, 2018, Jacquelyn Santini seconded, voted unanimously. Continued to December 12, 2018.

Case 13-18

Nouria Energy Retail Inc

Map 044 Parcel 178D

To acquire a Special Permit in accordance with §3.5.14 Car Wash for property located on 220 Main Street.

Case 17-18

Nouria Energy Retail Inc

Map 044 Parcel 178D

To acquire a Special Permit in accordance with §6.6.6.12 Ground Water Protection District for property located on 220 Main Street.

Daniel Veerman read into the record an overview of the memos from the Town Engineer regarding Site Plan Review and what changes he wanted and a memo to the Board of Appeals stating that the application references Sec. 6.6.6.12 when it should reference Sec. 6.6.7.7 which states that a Special Permit is required for use that will render impervious more than 15% of any lot unless a system for groundwater recharge is provided, and there was no documentation regarding groundwater recharge. Attorney Donald Conn stated that he just wanted to update the Board regarding questions that had come up at the last meeting. He submitted revised plans showing the queueing for the carwash, the dedicated lanes for the entrance/exit from the Daycare at the rear of the lot and a Traffic Report that was presented to the Planning Board. Anthony Barletta was concerned

about the right turn only exit onto Route 38 and if it could be improved upon. He also wondered if the snow storage was adequate. Felix Taranto felt that the Traffic Study might not be accurate as to volume of traffic because of the dates samplings were made and he again brought up the sound decibels., Anthony Barletta asked at normal speed how many cars could be done. 100 cars an hour. Jacquelyn Santini made a motion to continue both cases to December 12, 2018, Thomas Siracusa seconded. Voted unanimously.

Case 18-18 Robin Marciello c/o M. Newhouse Esq. Map 040 Parcel 168A

To acquire a variance from Standard Dimensional Regulations Table II, §5.2.4 to demolish a nonconforming barn and construct a single family dwelling 30 feet from the front lot line when 40 feet is required for property located on 11 Commonwealth Avenue.

Attorney Michael Newhouse was present along with Robin Marciello. He stated that he had originally requested a Special Permit under Section 6.1.4 but the Building Inspector felt it should be a variance request as stated in his letter of April 11, 2016, but he would entertain any argument by Mr. Newhouse that would demonstrate that the requested relief should be in the form of a Special Permit. He further explained that all the supporting documentation that he submitted with his application was further support of a Special Permit application. He stated that the existing barn was built and used continuously for over six decades as a horse stable and was permitted by the Board of Health. Constructing a new dwelling on this lot would not be more detrimental to the neighborhood. Abutter Bob Vocella was concerned about the landfill and groundwater. An infiltrator was being proposed and would take care of the groundwater. Barbara Stanley stated that all the lots in the area are nonconforming. Thomas Siracusa was concerned about the merging of the lots and wanted the issue evaluated by Town Counsel. Thomas Siracusa made a motion to continue and have the applicant submit an application requesting a Special Permit to the Planning Board for comments and to Town Counsel to evaluate the issue of merger with regard to the Special Permit application, Jacquelyn Santini seconded. Voted 4-1 (Daniel Veerman/no) to continue to November 14, 2018.

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

Motion to adjourn at 8:55 by Raymond Lepore, seconded by Jacquelyn Santini.
Voted unanimously.



Recording: Toni La Rivee, Secretary
Board of Appeals