



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes November 7, 2017

The Planning Board met on Tuesday, November 7, 2017 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino Chair; Randi Holland; Terence Boland; Sean Hennigan; and David Shedd. Valerie Gingrich, Director of Planning & Conservation and Carolyn Cronin, Assistant Planner were also present.

Minutes

The Planning Board reviewed the October 3, 2017 minutes.

Upon motion duly made and seconded, it was

VOTED: To approve the October 3, 2017 minutes as written

Form A

There were no ANR plans to review.

Matters of Appointment

**Continue Public Hearing – Conservation Subdivision Design #17-01 - Highland Estates
Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 50, 51 & 52 – Lily Oak Hill, LLC, Applicant**

A request to continue the public hearing was received.

MATERIALS CONSIDERED:

PLANS "Highland Estates, Subdivision of Land in Wilmington, Massachusetts" dated May 16, 2017

LETTER from Jack Szemplinski dated June 9, 2017

Engineering memo dated July 10, 2017

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing to January 2, 2018 at 7:30 p.m. in Room 9 of the Town Hall.

Continued Public Hearing – Site Plan Review #17-14 & Stormwater Management Permit #17-12 for 1 Burlington Avenue – Map 30 Parcels 13 & 18, Eugene T. Sullivan for GFI/Big Joe LLC, Applicant

A request to continue the public hearing was received.

MATERIALS CONSIDERED:

PLANS “New Drive-in Door, 1 Burlington Avenue, Wilmington, MA 01887”, dated September 7, 2017, and “ALT/ACSM Land Title Survey” dated June 19, 2007
LETTER from Eugene T. Sullivan dated September 7, 2017
Engineering memo dated September 28, 2017

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline to January 31, 2018 for Site Plan Review #17-14 and SMP #17-12.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #17-14 and SMP #17-12 to January 2, 2018 at 7:45 p.m.

Continued Public Hearing – Site Plan Review #17-15 for 203 Lowell Street – Stormwater Management Permit #17-13 – Parking Relief Special Permit #17-05 – Pet Care Facility Special Permit #17-01 - Map 48 Parcel 73, Doug Lees for HDO, LLC and William A. Yetman, Applicant

PRESENT IN INTEREST: Doug Lees, Land Engineering
William Yetman
Jodi Rogers, Barking Dog
Mitch Rogers, Barking Dog
Matt Soper, Barking Dog

MATERIALS CONSIDERED:

PLANS “Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts” dated September 7, 2017 and last revised October 17, 2017
LANDSCAPE PLAN “Planting Plan in Wilmington, Massachusetts, 203 Lowell Street” dated August 22, 2017
ARCHITECTURAL PLANS “Proposed Diner, 203 Lowell Street, Wilmington, MA” dated April 2, 2014
LIGHTING PLAN “Lighting Proposal” dated September 6, 2017
STORMWATER MANAGEMENT & EROSION CONTROL PLAN dated September 7, 2017 and last revised October 17, 2017
LETTERS from Doug Lees dated September 7, 2017 and October 17, 2017
Engineering memo dated September 29, 2017

D. Lees told the Board the plans were revised to address all comments. He told the Board after receiving comments from TEC, a few changes were requested and those changes were also made and revised plans submitted.

D. Shedd pointed out the easement along Lowell Street should be twelve feet and V. Gingrich said the condition will be changed and D. Lees agreed. D. Shedd said the diner will go in back but asked what will happen during the period it is not constructed. D. Lees explained the phasing and said the applicant will come back before the Board with a rendering for the front building. D. Lees said they will loom and seed it for now.
Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #17-15 - Map 48 Parcel 73

Upon motion duly made and seconded, it was unanimously

VOTED: To approve Site Plan Review #17-15 for 203 Lowell Street as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on October 3, 2017 and closing on November 7, 2017, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by William A. Yetman, HDO, LLC, under the provisions of Section 6.5 of the Zoning By-Laws of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan development for property addressed at 203 Lowell Street (Assessors Map 48, Parcel 73, as shown on plan set entitled: "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" prepared by Douglas E. Lees, PE; Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879; dated September 7, 2017 and last revised October 31, 2017, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

- | | <u>Date submitted</u> | <u>Description</u> |
|----|-----------------------|--|
| 1. | September 12, 2017 | "Stormwater Management & Erosion Control Plan, Retail Site Development, 203 Lowell Street, Wilmington, MA" prepared by Douglas E. Lees, PE, of Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated September 7, 2017 and last revised October 17, 2017. |
| 2. | September 12, 2017 | "Planting Plan, 203 Lowell Street" prepared by Gary L. Larson, Registered Landscape Architect, of Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated August 22, 2017 and last revised October 31, 2017. |

3. September 12, 2017 "Lighting Proposal, The Barking Dog, Exeter, NH" dated September 6, 2017.
4. September 12, 2017 "Architectural Elevations, Proposed Plan, 203 Lowell Street" prepared by Cornerstone Architects, Inc., 8 Calista Terrace, Westford, MA, 01886 dated April 2, 2014.
5. October 18, 2017 "Parking Lot Landscaping Sketch, 203 Lowell Street" prepared by Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated October 3, 2017.
6. October 18, 2017 "Site Development Phasing Plan, 203 Lowell Street" prepared by Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated October 16, 2017.

FINDINGS:

1. The Project site is located at Map 48 Parcel 73.
2. 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 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review 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.
5. A Special Permit for Parking Relief is required. The Pet Care Facility requires 82 parking spaces per the Zoning Bylaw. The Project will provide 44 parking spaces.
6. A Special Permit for Pet Care Facility is required.
7. The project received approval from the Water & Sewer Commission to have a shared sewer connection from Lowell Street.

CONDITIONS:

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

GENERAL:

1. The Project shall be constructed and operated in accordance with the 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. If no substantial construction has commenced within two (2) years of a site plan approval, the approval shall lapse and a new application, fees and public hearing will be required. If there is an appeal, the two-year period shall run from the date of the final decision on the appeal.
4. The provisions of this approval shall apply to and be binding upon the applicant, its employees and all successors and assigns in interest or contract.
5. Any revisions shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the applicant must submit revised plans to the Planning Board for approval.

PRIOR TO ENDORSEMENT OF THE PLANS:

6. Plans shall be revised to include all conditions of Site Plan approval.
7. Sheet 5 shall be revised to include a note that states a construction entrance will be installed for the development of Parcel B (final location TBD).
8. The Special Permits required for Restaurant Use, Pet Care Facility Use, and Parking must be granted, recorded and added to the Site Plan.

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:

9. An ANR plan for the division of the parcel into three lots shall be submitted and recorded at the Middlesex North Registry of Deeds.
10. Hydrant locations shall be approved by the Wilmington Fire Department.
11. Floor plans and architectural elevations for Restaurant B shall be submitted to the Department of Planning & Conservation for review and approval prior to the issuance of a building permit for Restaurant B. The façade facing Lowell Street shall be designed in a way as to enhance the streetscape and avoid having a back of building facing the street.

PRIOR TO CONSTRUCTION:

12. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and shall be inspected by the Department of Planning & Conservation at least two business days prior to the start of construction.
13. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and the latest NPDES Construction General Permit and corresponding Stormwater Pollution Prevention Plan. A copy of the NPDES Stormwater Pollution Prevention Plan shall be kept on-site during construction activities and a copy submitted to the Department of Planning & Conservation.

DURING CONSTRUCTION:

14. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.

PRIOR TO THE ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:

15. The Applicant has agreed provide \$25,000 toward future roadway improvements to the intersection of Lowell Street and Woburn Street to mitigate the traffic impacts of the Project. Funds shall be placed in escrow prior to the issuance of the first Certificate of Occupancy.
16. The Applicant has agreed to provide a permanent twelve foot wide easement along the length of the Lowell Street frontage to the Town of Wilmington as an offset of the existing right of way line for future roadway improvements. An easement plan shall be approved by the Town and recorded prior to the issuance of the first Certificate of Occupancy. The Applicant has agreed to work cooperatively with the Town in facilitating future transportation improvements at the intersection of Lowell Street and Woburn Street.
17. As-Built Plans in form(s) and format(s) acceptable to the Town shall be submitted to the Engineering Director and Director of Planning and Conservation.
18. All site work shall be substantially completed in accordance with the approved site plans and phasing plan prior to issuance of a 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 Planning Board and Town Engineering Director, 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 off on Occupancy prior to eligibility.

POST OCCUPANCY:

19. The Owner of Lot C agrees to work with the Town on any necessary adjustments to the radius of the site entrance drive from Lowell Street during the reconstruction of the Lowell Street corridor.
20. The Owner shall maintain or replace landscaping as shown on the approved Site Plan for the duration of the use. The Owner shall use best practices to maintain the required landscaping in presentable and healthy condition.
21. The Owner shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
22. The Owner of Parcel B agrees to work with the Town on a sidewalk extension from the northwest corner of Restaurant "B" to the future sidewalk on Lowell Street during the reconstruction of the Lowell Street corridor.
23. The Owner shall use good housekeeping practices as outlined in the Operation and Maintenance Plan to maintain the site and keep it in good working condition. The Owner shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long term pollution prevention plan to the Department of Planning & Conservation.
24. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located within the site shall be the Owner's responsibility.
25. Snow in excess of the areas provided for snow storage on the Site Plan is to 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.

26. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located within the site shall be the Owner's responsibility in accordance with the Operation and Maintenance Plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Pet Care Facility Special Permit #17-01
Map 48 Parcel 73

Upon motion duly made and seconded, it was unanimously

VOTED: To approve Pet Care Facility Special Permit #17-01 for 203 Lowell Street as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on October 3, 2017 and closing on November 7, 2017, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by William A. Yetman, HDO, LLC, under the provisions of Section 3.5.19. (Pet Care Facility) of the Zoning By-Laws of the Town of Wilmington to consider Pet Care Facility Special Permit #17-01 as shown on plan entitled: "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" prepared by Douglas E. Lees, PE; Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879; dated September 7, 2017 and last revised October 31, 2017, and do hereby vote to GRANT the Special Permit, subject to the Findings and Conditions below.

MATERIALS:

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

- | | <u>Date submitted</u> | <u>Description</u> |
|----|-----------------------|--|
| 1. | September 12, 2017 | "Stormwater Management & Erosion Control Plan, Retail Site Development, 203 Lowell Street, Wilmington, MA" prepared by Douglas E. Lees, PE, of Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated September 7, 2017 and last revised October 17, 2017. |
| 2. | September 12, 2017 | "Planting Plan, 203 Lowell Street" prepared by Gary L. Larson, Registered Landscape Architect, of Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated August 22, 2017 and last revised October 31, 2017. |
| 3. | September 12, 2017 | "Lighting Proposal, The Barking Dog, Exeter, NH" dated September 6, 2017. |

4. September 12, 2017 "Architectural Elevations, Proposed Plan, 203 Lowell Street" prepared by Cornerstone Architects, Inc., 8 Calista Terrace, Westford, MA, 01886 dated April 2, 2014.
5. October 18, 2017 "Parking Lot Landscaping Sketch, 203 Lowell Street" prepared by Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated October 3, 2017.
6. October 18, 2017 "Site Development Phasing Plan, 203 Lowell Street" prepared by Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated October 16, 2017.

FINDINGS:

1. The proposed Pet Care Facility is located in the Neighborhood Mixed Use District.
2. The proposed Pet Care Facility will be a freestanding building consisting of over 20,000 square feet providing pet boarding, grooming and associated retail.
3. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington Departments.

CONDITIONS:

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

1. This Special Permit granted for Pet Care Facility for 203 Lowell Street shall be valid for this proposed use only (The Barking Dog). Any change in use in the building shall apply for a new Special Permit.
2. The project shall comply with all Rules and Regulations of the Board of Health at all times.
3. If a building permit is not issued 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. If there is an appeal to the Land Court within twenty (20) days after the decision has been filed with the Town Clerk, the two-year period shall run from the date of the final decision on the appeal.
4. This decision in no way invalidates any of the previous conditions required by the Planning Board on this property through Site Plan Review.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Parking Relief Special Permit #17-05
Map 48 Parcel 73

Upon motion duly made and seconded, it was unanimously

VOTED: To approve Parking Relief Special Permit #17-05 for 203 Lowell Street as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on October 3, 2017 and closing on November 7, 2017, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by William A. Yetman, HDO, LLC, under the provisions of Section 6.4.3.2 (Parking Relief) of the Zoning By-Laws of the Town of Wilmington to consider Parking Relief Special Permit #17-05 as shown on plan entitled: "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" prepared by Douglas E. Lees, PE; Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879; dated September 7, 2017 and last revised October 31, 2017, and do hereby vote to GRANT the Parking Relief as shown on the submitted plan, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
1. September 12, 2017	"Stormwater Management & Erosion Control Plan, Retail Site Development, 203 Lowell Street, Wilmington, MA" prepared by Douglas E. Lees, PE, of Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated September 7, 2017 and last revised October 17, 2017.
2. September 12, 2017	"Planting Plan, 203 Lowell Street" prepared by Gary L. Larson, Registered Landscape Architect, of Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated August 22, 2017 and last revised October 31, 2017.
3. September 12, 2017	"Lighting Proposal, The Barking Dog, Exeter, NH" dated September 6, 2017.
4. September 12, 2017	"Architectural Elevations, Proposed Plan, 203 Lowell Street" prepared by Cornerstone Architects, Inc., 8 Calista Terrace, Westford, MA, 01886 dated April 2, 2014.
5. October 18, 2017	"Parking Lot Landscaping Sketch, 203 Lowell Street" prepared by Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated October 3, 2017.

October 18, 2017 "Site Development Phasing Plan, 203 Lowell Street" prepared by Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879 dated October 16, 2017.

FINDINGS:

1. The proposed project includes construction of two new restaurants and a pet care facility on three new parcels. The proposed pet care facility use requires 82 parking spaces. The Applicant will provide 44 parking spaces.
2. The Planning Board determined that in accordance with Section 6.4.3.2., the reduction in parking spaces can be granted without substantial detriment to the neighborhood.
3. The Applicant satisfactorily addressed the comments made or submitted by the Planning Board.

CONDITIONS:

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

5. This Special Permit granted for Parking Relief for the 203 Lowell Street Pet Care Facility shall be valid for this proposed use only. Any change in use in the building shall meet the parking requirements or apply for a new Special Permit.
6. If construction has not commenced 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 with the Town Clerk, and/or the two-year period shall run from the date of the final decision on the appeal.
7. This decision in no way invalidates any of the previous conditions required by the Planning Board on this property through Site Plan Review.
8. All provisions of the Wilmington Zoning Bylaw pertaining to parking (Section 6.4) shall be met unless an exception is specifically provided in this decision.

VOTED: To close the public hearing for Stormwater Management Permit #17-13
Map 48 Parcel 73

Upon motion duly made and seconded, it was unanimously

VOTED: To approve Stormwater Management Permit #17-13 for 203 Lowell Street, Map 48
Parcel 73, 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**

November 7, 2017

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

Case No.: Stormwater Management Permit **#17-13**

Applicant: William A. Yetman, HDO, LLC, 155 West St., Wilmington, MA 01887

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and plan entitled: "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" prepared by Land Engineering & Environmental Services, Inc., 130 Middlesex Rd., Tyngsboro, MA, 01879; Douglas E. Lees, PE; dated September 7, 2017 and last revised October 31, 2017; scale 1"=30'; material submitted on September 12, 2017 subject to the following conditions:

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 December 4, 2012.

Special Conditions

1. Erosion controls shall be inspected by the Department of Planning & Conservation two business days prior to the start of construction.
2. 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.
3. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
4. The Operation and Maintenance Plan specific to each parcel shall be recorded prior to issuance of a Certificate of Occupancy for that parcel.

**Public Hearing – 81G Application #17-01 for 8 West Jamaica Avenue - Map 70 Parcel 21
David McCue, Applicant**

PRESENT IN INTEREST: Kristen Costa, L.A. Associates
David McCue
Luke Roy

MATERIALS CONSIDERED:

PLANS "Roadway Improvements Plan, West Jamaica Avenue, Wilmington, MA", dated October 10, 2017

OPERATION & MAINTENANCE PLAN submitted November 7, 2017

Engineering memo dated November 1, 2017

L. Roy told the Board he is representing D. McCue. He said the applicant is proposing to demolish the existing dwelling and construct new single family home. This is a 10,000 sq.ft. lot and from the intersection to Fairfield is private. L. Roy said the applicant is proposing to widen the pavement and resurface 470 sq.ft. He said water-main work is also shown on the plan and a trench has already been dug and the details provided to the DPW.

R. Holland asked if the shed shown on Allston Avenue will be removed and L. Roy said yes.

M. Sorrentino asked if pins will be placed on all lot corners and L. Roy agreed.

D. Shedd asked that drywells be cleaned during the paving. L. Roy said silt sack and erosion control will be in place. L. Roy pointed out there is no outlet from the catch basin. D. McCue told the Board there is water in the hole but there was none before the storm.

V. Gingrich reviewed the draft decision and conditions. She said that an O&M was provided as well as a Simple Stormwater Management Permit application. M. Sorrentino said he would like a condition added to install pins at all four corners.

K. Costa asked the Board if surety could be accepted administratively rather than coming to another Planning Board meeting since time was critical and M. Sorrentino said the Board has no problem with the Planning Director receiving surety. K. Costa asked if the Board would endorse the plans and it agreed.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for 81G Application #17-01 for 8 West Jamaica Avenue Map 70 Parcel 21.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions 81-G application and plan entitled: "Roadway Improvement Plan, West Jamaica Avenue, Wilmington, Massachusetts" for David M. McCue, 12 Buckingham Street, Wilmington, MA 01887 dated October 10, 2017; Scale 1"=20' prepared by Luke J. Roy, PE of LJR Engineering, Inc., 234 Park Street, North Reading, MA 01864 concerning the property located at 8 West Jamaica

Avenue, and shown on Assessor's Map 70, Parcel 21 subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
1. October 12, 2017	"Drainage Diagram for W. Jamaica" prepared by LJR Engineering, Inc., 234 Park Street, North Reading, MA 01864 dated October 10, 2017.

FINDINGS:

1. The Project includes roadway improvements to West Jamaica Avenue from Cabot Street through the frontage of 8 West Jamaica Avenue, Map 70 Parcel 21. Paving includes 470 square feet of West Jamaica Avenue.
2. The Roadway Improvement 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 Chapter 41 Section 81-G of the MA General Laws.
3. 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:

1. Roadway improvements shall be constructed in accordance with any other applicable regulations of the Town of Wilmington.
2. Roadway improvements shall be constructed within one year from the date of this approval, unless an extension is granted by the Planning Board.
3. Any modification to the approved plans must receive the prior approval of the Planning Board.

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT/CONSTRUCTION:

4. Prior to the issuance of a Building Permit, the Applicant shall submit a Simple Stormwater Management Permit (SSMP) to the Department of Planning & Conservation.
5. An Operation and Maintenance Plan for the proposed infiltration basin on 8 West Jamaica Avenue shall be submitted for review and approval to the Department of Planning & Conservation and the Engineering Division. The plan shall specify that the Owner of 8 West Jamaica Avenue will be responsible for the maintenance, inspection, and any future repair of this system.
6. At least one week prior to the commencement of earth moving activities, the applicant or designated authority shall schedule a pre-construction meeting with the Department of Planning & Conservation and the Engineering Division.

7. Prior to the issuance of a building permit, an acceptable form of surety shall be provided for the completion of the roadway improvement project. This surety may include all work related to roadway improvements such as: pulverization, removal, re-grading, repaving and widening (binder & top-coat) for West Jamaica Avenue, provided the existing paved surface is maintained in a serviceable paved condition during construction for resident access, public services, and snow plowing operations. The Applicant is reminded that a road opening permit (issued by the Department of Public Works) is required prior to the commencement of any roadway improvement work.

DURING CONSTRUCTION:

8. The Applicant or designated authority shall give reasonable notice (at least 24 hours) to the Engineering Division for inspection prior to installation of the proposed roadway section and prior to backfilling any proposed stormwater management system.

PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY:

9. All roadway improvements specified on the Plan shall be completed.
10. Prior to the release of surety and the issuance of a Certificate of Occupancy for 8 West Jamaica Avenue, final As-Built Plans for the roadway improvement project and the construction of 8 West Jamaica Avenue, in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Engineering Division and Director of Planning and Conservation.
11. The Operation & Maintenance Plan shall be recorded.
12. Boundary pins shall be installed at all four lot corners.

POST OCCUPANCY:

13. All maintenance responsibilities for any drainage structures installed for this project will remain with the Owner of 8 West Jamaica Avenue.

Public Hearing – Site Plan Review #17-16 – Stormwater Management Permit #17-14 for 80 Main Street – Map 45 Parcel 173 – Michael Newhouse for Center Development Corp., Applicant

PRESENT IN INTEREST: Michael J. Newhouse
Luke Roy, LJR Engineering

MATERIALS CONSIDERED:

PLANS "Site Plan, 80 Main Street, Town of Wilmington, MA", dated October 11, 2017
ARCHITECTURAL DRAWINGS dated October 3, 2017
Engineering memo dated November 1, 2017

M. Newhouse told the Board the property was rezoned from R10 to Neighborhood Business by 2016 Annual Town Meeting with frontage on Main Street and Glen Road. He said he expects the Board to continue the hearing and a revised plan will be submitted. He told the Board he would like to build an office and house. M. Newhouse said the building will face the

intersection with a wraparound porch. He is hoping to retire someday and repurpose the office back to a house. He told the Board he also wants to build a single family dwelling.

M. Newhouse said the flag-pole will be maintained by the property owner but the Town has an easement if for some reason the property owner is unable.

L. Roy told the Board there is an entrance to the site on Main Street and an exit only on Glen Road. The parking area has 12 spaces proposed. He said most of the site drains to the rear of the property but there is a small portion that drains towards Route 38. He said the parking will have landscape. L. Roy said storm events will infiltrate into a bio-retention area. He said the driveway curb cut will require a MassDOT permit prior to construction.

M. Sorrentino asked if they received comments from the Town Engineer. M. Newhouse said he did and he was confident all concerns could be addressed.

D. Shedd asked about signage. M. Newhouse said signage will comply with the bylaw and he will have a wall sign to the left of the front door.

R. Holland suggested adding some windows to increase lighting to the stairways on the solid wall side.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for the above referenced project to December 5, 2017 at 7:30 p.m. in Room 9 of the Town Hall.

Board of Appeals

At its meeting on Tuesday, November 7, 2017 the Planning Board voted to recommend as follows:

Case 29-17: 827 Main St.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend upholding the decision of the Building Inspector.

Old Business

There was no Old Business to discuss.

New Business

Decision for Site Plan Review #17-06 and Stormwater Management Permit #17-07 for 319A Andover Street - Map R1 Parcel 118 - Gregg Roberts, Applicant

MATERIALS CONSIDERED:

PLANS "Proposed Industrial Building, 319 Andover Street", dated May 11, 2017 and last revised July 17, 2017, "Existing Drainage Divide" dated April 24, 2017 & "Existing Drainage Divide" dated July 17, 2017, "Conceptual Building Plan" dated July 17, 2017

STORMWATER MANAGEMENT PLAN dated June 12, 2017

LETTER from Andrew Pojasek dated June 19, 2017 & July 17, 2017

HYDROLOGICAL ANALYSIS – EXISTING CONDITIONS

V. Gingrich told the Board that all concerns were addressed and the applicant received approval from the Board of Appeals.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review Application #17-06 for 319A Andover Street as shown on plan entitled, "Proposed Industrial Building, 319A Andover Street, Wilmington, Massachusetts" prepared by Andrew M. Pojasek, PE; Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876; dated May 11, 2017 and last revised September 12, 2017 as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on July 11, 2017 and closing on October 3, 2017, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Gregg Roberts, Trustee, G & D Realty Trust, under the provisions of Section 6.5 of the Zoning By-Laws of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan development for property addressed at 319 A Andover Street (Assessors Map R1, Parcel 118, as shown on plan set entitled: "Proposed Industrial Building, 319A Andover Street, Wilmington, Massachusetts" prepared by Andrew M. Pojasek, PE; Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876; dated May 11, 2017 and last revised September 12, 2017, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
1. June 16, 2017	"Stormwater Management Permit, Proposed Industrial Building, 319A Andover Street, Wilmington, Massachusetts" prepared by Andrew M. Pojasek, PE; Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876 dated June 12, 2017.

2. July 19, 2017 "Hydrological Analysis, Proposed Industrial Building, 319A Andover Street, Wilmington, Massachusetts" prepared by Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876, undated.
3. July 19, 2017 "Conceptual Building Plan, Proposed Industrial Building, 319A Andover Street, Wilmington, Massachusetts" prepared by Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876, dated July 17, 2017.
4. August 22, 2017 "Stormwater Management Calculations, Proposed Industrial Building, 319A Andover Street, Wilmington, Massachusetts" prepared by Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876 dated June 12, 2017 and revised on August 18, 2017.
5. August 22, 2017 "Existing Drainage Divide, Proposed Industrial Building" prepared by Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876 dated July 17, 2017 and revised on August 18, 2017.
6. August 22, 2017 "Proposed Drainage Divide, Proposed Industrial Building" prepared by Dana F. Perkins, Inc., 1057 East St., Tewksbury, MA, 01876 dated April 24, 2017 and revised on August 18, 2017.

FINDINGS:

8. The Project site is located at Map R1 Parcel 118.
9. 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 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
10. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
11. 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.
12. The Project received a Special Permit from the Board of Appeals in accordance with Section 6.6.7.7., Groundwater Protection District to exceed the allowed impervious cover (Application #23-17).

CONDITIONS:

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

GENERAL:

27. The Project shall be constructed and operated in accordance with the Site Plan.
28. 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.
29. If no substantial construction has commenced within two (2) years of a site plan approval, the approval shall lapse and a new application, fees and public hearing will be required. If there is an appeal, the two-year period shall run from the date of the final decision on the appeal.
30. The provisions of this approval shall apply to and be binding upon the applicant, its employees and all successors and assigns in interest or contract.
31. Any revisions shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the applicant must submit revised plans to the Planning Board for approval.

PRIOR TO ENDORSEMENT OF THE PLANS:

32. Prior to endorsement, the plans shall be revised to show the height of the proposed chain link fence and gate.
33. Following review by the Wilmington Conservation Commission, the applicant must revise the plans to show all changes required by the Commission.
34. Plans shall be revised to include all conditions of Site Plan approval.

PRIOR TO CONSTRUCTION:

35. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and shall be inspected by the Department of Planning & Conservation at least two business days prior to the start of construction.
36. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and the latest NPDES Construction General Permit and corresponding Stormwater Pollution Prevention Plan, if applicable. A copy of the NPDES Stormwater Pollution Prevention Plan shall be kept on-site during construction activities and a copy submitted to the Department of Planning & Conservation.

DURING CONSTRUCTION:

37. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.

PRIOR TO THE ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:

38. A recordable drainage easement agreement for the 25 foot wide drainage easement located along the southerly property boundary shall be submitted for review to the

Engineering Division prior to recording. The approved easement shall be recorded at the Middlesex North Registry of Deeds.

39. As-Built Plans in form(s) and format(s) acceptable to the Town shall be submitted to the Engineering Director and Director of Planning and Conservation.
40. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a 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 Planning Board and Town Engineering Director, 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 off on Occupancy prior to eligibility.

POST OCCUPANCY:

41. The Owner shall maintain or replace landscaping as shown on the approved Site Plan for the duration of the use. The Owner shall use best practices to maintain the required landscaping in presentable and healthy condition.
42. The Owner shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
43. The Owner shall use good housekeeping practices as outlined in the Operation and Maintenance Plan to maintain the site and keep it in good working condition. The Owner shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long term pollution prevention plan to the Department of Planning & Conservation.
44. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located within the site shall be the Owner's responsibility.
45. Snow in excess of the areas provided for snow storage on the Site Plan is to 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.
46. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located within the site shall be the Owner's responsibility.

Request to endorse Site Plan Review #17-06 for 319A Andover Street - Map R1 Parcel 118 - Gregg Roberts, Applicant

MATERIALS CONSIDERED:

PLANS "Proposed Industrial Building, 319 Andover Street", dated May 11, 2017 and last revised July 17, 2017, "Existing Drainage Divide" dated April 24, 2017 & "Existing Drainage Divide" dated July 17, 2017, "Conceptual Building Plan" dated July 17, 2017
LETTER from Andrew Pojasek dated November 2, 2017

Upon motion duly made and seconded, it was unanimously

VOTED: To endorsed plan entitled: "Proposed Industrial Building, 319A Andover Street, Wilmington, Massachusetts" prepared by Andrew M. Pojasek, PE; Dana F. Perkins,

Inc., 1057 East St., Tewksbury, MA, 01876; dated May 11, 2017 and last revised September 12, 2017.

**Request to endorse plans for Site Plan Review #17-13 for 299 Main Street
Map 42 Parcel 22 - Stephen Jensen for 299 Main Street Offices, LLC, Applicant**

PRESENT IN INTEREST: Steve Jensen

MATERIALS CONSIDERED:

PLANS "Plan of Land, 299 Main Street, Wilmington, MA 01887" dated August 9, 2017 and last revised September 11, 2017

Upon motion duly made and seconded, it was unanimously

VOTED: To Site Plan Review plan entitled, "Plan of Land, 299 Main Street, Wilmington, MA 01887" prepared by John F. McQuilkin, Jr., PE, JM Associates, 325 Main Street, No. Reading, MA 01864; dated August 9, 2017 and last revised September 11, 2017.

**Request to endorse plans for Site Plan Review #17-02 for 33 Industrial Way
Map 46 Parcel 109, Jeffrey A. Brem for Anuj Mohan, Applicant**

MATERIALS CONSIDERED:

PLANS "Proposed Site Plan Building Addition, Chemgenes, 33 Industrial Way, Wilmington, MA" dated March 2, 2017, Pre-Development Map "Chemgenes" dated March 2, 2017, and last revised June 26, 2017

Upon motion duly made and seconded, it was unanimously

VOTED: To table the request to endorse plans for Site Plan Review #17-02 for 33 Industrial Way

Planning Director's Comments

V. Gingrich explained the article that was submitted regarding the rezoning for detox centers. She said Town Council does not believe it will pass the Attorney General's review since it is discriminatory. She said that the petitioned article is the reason for the Joint Public Hearing November 30th and Special Town Meeting Dec. 16th.

V. Gingrich told the Board that the Town has added three articles to the warrant that prohibits marijuana establishments. The Town also proposes extending the existing moratorium. She told the Board about M. McCoy's plan for a second article regarding the hospitals and nursing home use category, and allowing them by special permit in the General Industrial and Highway Industrial Districts only. R. Holland commented that a nursing home is residential and V. Gingrich agreed and there was a brief discussion about the issues that would arise with people living in the Industrial Districts.

V. Gingrich told the Board the sign bylaw changes will go on the warrant for the annual Town Meeting. C. Cronin told the Board the proposed Bylaw would clearly prohibit electronic signs where as there is some confusion currently. C. Cronin said the proposed bylaw would address

temporary signs and content neutrality. M. Sorrentino asked for the definition of temporary. C. Cronin said that would be when a sign is not intended for long-term use. She said the biggest change is how wall signs are defined. V. Gingrich said signage is based on where the building faces the street or a public entrance. R. Holland asked how is the amount of signage figured and V. Gingrich said there is a formula based on building frontage and if they exceed their max, the applicant will have to get a special permit. She said when there is a shared interior use, the applicant should have a directory sign at the shared door.

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

Upon motion duly made and seconded, it was unanimously

VOTED: To adjourn the meeting at 9:35 p.m.

NEXT MEETING is Joint Finance/Planning meeting November 30, 2017

Respectfully submitted,

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

Cheryl Licciardi
Recording Clerk