



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes February 6, 2018

The Planning Board met on Tuesday, February 6, 2018 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Michael Sorrentino Chair; Randi Holland; Terence Boland; Sean Hennigan; and David Shedd. Valerie Gingrich, Director of Planning & Conservation & Carolyn Cronin, Assistant Planner were also present.

Minutes

The Planning Board reviewed the November 30, 2017 & January 2, 2018 minutes.

Upon motion duly made and seconded, it was

VOTED: To approve the November 30, 2017 & January 2, 2018 minutes as written

Form A

**203 Lowell Street – Map 48 Parcel 73 “Plan of Land in Wilmington, Massachusetts”,
Doug Lees for Michael Howland, Applicant**

PRESENT IN INTEREST: Doug Lees

MATERIALS CONSIDERED:

PLANS “Plan of Land in Wilmington, Massachusetts”, dated October 24, 2017

V. Gingrich told the Board the lot line changes are in accordance with the approved site plan for this parcel.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #18-01 for 203 Lowell Street – Map 48 Parcel 73 “Plan of Land in Wilmington, Massachusetts” dated October 24, 2017, Doug Lees for Michael Howland, Applicant

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #18-01 for 203 Lowell Street – Map 48 Parcel 73 “Plan of Land in Wilmington, Massachusetts” dated October 24, 2017, Doug Lees for Michael Howland, Applicant

The Board endorsed the plan.

Burlington Avenue – Map 6 Parcel 1 “Plan of Land located at Burlington Ave. & Dell Drive, Wilmington, Massachusetts”, Stephen Lawrenson, Applicant

MATERIALS CONSIDERED:

PLANS "Plan of Land located at Burlington Ave. & Dell Drive, Wilmington, Massachusetts", dated January 23, 2018

C. Cronin told the Board it saw part of this before and the applicant is just carving off additional lots. V. Gingrich pointed out it is allowed because the lots are on an existing way.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #18-02 for Burlington Avenue – Map 6 Parcel 1 “Plan of Land located at Burlington Ave. & Dell Drive, Wilmington Massachusetts” dated January 23, 2018, Stephen Lawrenson, Applicant

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #18-02 for Burlington Avenue – Map 6 Parcel 1 “Plan of Land located at Burlington Ave. & Dell Drive, Wilmington Massachusetts” dated January 23, 2018, Stephen Lawrenson, Applicant

The Board endorsed the plan.

Matters of Appointment

Public Hearing – Sign Special Permit #18-01 for 335 - 337 Main Street - Map 42 Parcel 24 Ted Jarvis, Applicant

PRESENT IN INTEREST: Ted Jarvis

MATERIALS CONSIDERED:

DRAWING for Subway by Lyndra Kepuska

C. Cronin told the Board that Subway would like a sign on the side of the building and it will be a second sign. D. Shedd asked if there is a public way and C. Cronin said there is a right-of-way with a street name. M. Sorrentino asked if it will conform to the new sign bylaws.

T. Jarvis said the sign will be on the south end of the building to attract more traffic. M. Sorrentino asked if it will be lit and T. Jarvis said it will be LED. V. Gingrich told the Board it will not meet our new criteria. They discussed the sign section of the bylaw. V. Gingrich said the Board could argue the sign is more visible but also a distraction. T. Jarvis mentioned there are railroad tracks on one side of the building. S. Hennigan said there is a gas station across the street and no homes in the area. The Board had concerns that Supercuts would also want another sign but T. Jarvis said it would not behoove Supercuts to do the same. S. Hennigan asked if the sign will be lit 24/7 and T. Jarvis said it will be on a timer. V. Gingrich told the Board if it considers the way on the side as more than a driveway, the sign will meet the requirements of the new zoning bylaw.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Sign Special Permit #18-01 for 335 -337 Main Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the Sign Special Permit #18-01 for one 2'5" x 10'7" (approx. 25.4 sf) secondary wall sign which exceeds the size allowance of the Zoning Bylaw, filed with the Planning Board on January 11, 2018. Said property is located at 335-337 Main Street and shown on Assessor's Map 42 Parcel 24.

The public hearing was opened and closed on February 6, 2018. By a motion duly made and seconded, the Board voted to approve the Special Permit, as presented, under the provisions of Section 6.3.2 of the Zoning By-Laws of the Town of Wilmington. Approval is subject to the following Findings and Conditions:

MATERIALS:

The following materials in addition to the Sign Specifications were submitted into the public record:

	<u>Date submitted</u>	<u>Description</u>
1.	None	None

FINDINGS:

1. The signage to be erected is on a parcel on Map 42 Parcel 24 on the Town of Wilmington's Assessor's Map.
2. The Planning Board determined that the secondary wall sign should be permitted in the public interest.
3. The application materials comply with the requirements of Section 6.3 of the Wilmington Zoning By-Laws and the Board's Special Permit 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.

CONDITIONS:

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

GENERAL:

1. This Special Permit granted for Subway at 335-337 Main Street shall be valid for this tenant and this proposed sign only. Any change in tenant or change in signage shall be reviewed by the Planning Board.
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 the sign has not been erected 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 in of the office of the Town Clerk, and/or 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 or other Special Permits.
5. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all tenants.
6. Bylaw Exceptions: (Section 6.3.6.1.) "Granted" one secondary wall sign on the southern face of the building measuring 2'-5" x 10'-7" (approx. 25.4 sf).
7. All provisions of the Wilmington Zoning Bylaw pertaining to signage (Section 6.3) will be met unless an exception is specifically provided in this decision.

**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 withdraw without prejudice was received.

MATERIALS CONSIDERED:

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

LETTERS from Jack Szemplinski dated June 9, 2017 and James Castellano dated February 1, 2018

ENGINEERING MEMO dated July 10, 2017

Upon motion duly made and seconded, it was unanimously

VOTED: To accept the request to withdraw the without prejudice.

Board of Appeals

At its meeting on Tuesday, February 6, 2018, the Planning Board voted to recommend as follows:

Case 04-18: 827 Main St.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend disapproval. In the Board's opinion, a hardship has not been demonstrated.

Case 05-18: 827 Main St.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend disapproval as presented. The Applicant should attempt to reconfigure the addition to reduce the nonconformity.

Case 06-18: 19 Dorothy Ave.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. The extension of the nonconformity is not detrimental to the neighborhood.

Case 07-18: 362 Middlesex Ave.

Upon motion duly made and seconded, it was unanimously

VOTED: The application lacks pertinent information. Additional detail should be added to the plan in order for the Board to make a recommendation.

Old Business

There was no Old Business to discuss.

New Business

Request to release surety for 81G Application #16-02 for 8 Dunton Road - Map 31 Parcels 40 & 41 – James Mangano, Applicant

A request to release surety for 81G Application #16-02 for 8 Dunton Road was received.

MATERIALS CONSIDERED:
ENGINEERING MEMO dated February 6, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To reduce surety for the above referenced project in the amount of nine thousand, seven hundred twenty-nine dollars and zero cents (9,729.00). The remaining 10% of the original surety, nine hundred seventy-three dollars and zero cents shall be held by the Town for up to one year after final paving occurred (until June 2018). Surety was presented in the form of a Century Bank Treasurer's Check.

Request to release surety for 81G Application #13-02 – 5 Mary Street – Map 6 Parcel 148B - C.S. Newhouse Builders, Inc., Applicant

MATERIALS CONSIDERED:
LETTER from C.S. Newhouse Builders, Inc. dated January 10, 2018
ENGINEERING MEMO dated February 6, 2018

A request to release surety for 5 Mary Street – 81G Application #13-02 was received.

M. Sorrentino read comments into the record.

Upon motion duly made and seconded, it was unanimously

VOTED: To release surety in the amount of twelve thousand, seven hundred eighty-one dollars and zero cents (\$12,781.00) for Mary Street from STA 0+00 (Burlington Avenue intersection) to STA 3+25 (cul-de-sac end of street) for the above referenced project. Surety was in the form of an official bank check.

**Request to release surety for 81G Application #17-01 – 8 West Jamaica Avenue
Map 70 Parcel 21 - David McCue, Applicant**

A request to release surety was received.

MATERIALS CONSIDERED:

LETTER from Dave McCue dated December 6, 2017

ENGINEERING MEMO dated February 6, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To reduce surety for the above referenced project in the amount of twelve thousand, seven hundred seven dollars and zero cents (\$12,707.00). The remaining 10% of the original surety in the amount of one thousand, two hundred seventy-one dollars and zero cents (\$1,271.00) shall be held by the Town for up to one year after final paving occurred (until November 2018). Surety is in the form of an Official Bank Check from Santander.

**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**

A request to endorse plans was received.

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 endorse plans for Site Plan Review #17-02, 33 Industrial Way, entitled "Proposed Site Plan – Building Addition, Chemgenes, 33 Industrial Way, Wilmington, MA", prepared by Jeffrey A. Brem, PE; Meisner Brem Corporation, 142 Littleton Rd., Suite 16, Westford, MA, 01886; dated March 2, 2017 and last revised January 5, 2018.

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 8:42 p.m.

NEXT PLANNING BOARD MEETING: March 6, 2018

Respectfully submitted,



Cheryl Licciardi
Recording Clerk