



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes

March 5, 2019

The Planning Board met on Tuesday, March 5, 2019 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chair; Randi Holland; Terence Boland; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation and Sierra Pelletier, Assistant Planner were also present. David Shedd was absent.

Minutes

The Planning Board reviewed the February 5, 2019 minutes.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the February 5, 2019 minutes as written

Form A

There were no ANR plans to review

Matters of Appointment

Continued Site Plan Review #18-09 and Stormwater Management Permit #18-09 for 220 Main Street, Map 44 Parcel 178D – Richard Williams, Williams & Sparages for Nouria Retail Energy, Inc. and JAM Enterprises, LLC, Applicant

PRESENT IN INTEREST: Don Conn, Esq.
Peter Blaisdell, Williams & Sparages

MATERIALS CONSIDERED:

PLANS "Existing Conditions Plan" prepared by Richard L. Williams, P.E., dated June 26, 2018 and revised December 2, 2018, December 17, 2018, January 3, 2019, January 30, 2019, and February 6, 2019

EXISTING PHOTOMETRIC PLAN dated January 18, 2019

VEHICLE QUEUING PLAN revised January 11, 2019

COMPARATIVE DRAINAGE ANALYSIS dated September 28, 2018 and last revised December 17, 2018

MEMORANDUM, TRAFFIC IMPACT ASSESSMENT dated September 28, 2018

SOUND ANALYSIS MEMO from Michael Snow

PLANNING REVIEW LETTERS dated July 31, 2018, January 2, 2019 and January 29, 2019

ENGINEERING MEMO dated August 6, 2018, September 27, 2018, October 30, 2018 and December 17, 2018

E-MAIL from Denise Buxton for Donald Conn dated September 5, 2018, November 13, 2018, December 3, 2018, and January 4, 2019

LETTERS from Richard Williams dated December 2, 2018, December 21, 2018, January 11, 2019, and January 30, 2019

D. Conn told the Board he has no additional information to submit and P. Blaisdell is present to answer any questions that may come up. M. Sorrentino said there are no further comments from the Town Engineer and asked that the project engineer give the Board a quick review of the project.

P. Blaisdell said his firm has been back and forth with the Town Engineer, V. Gingrich and her staff, and he believes all issues have been addressed. He said there was a sound study that was provided which made recommendations for a sound fence. He said an older lighting plan was provided from Sonic but there were some discrepancies so V. Gingrich asked that it be redone so a new lighting plan was submitted. P. Blaisdell said everything has been addressed satisfactorily. He said the draft decision was reviewed and there is a question regarding a stormwater pollution prevention plan being submitted prior to the preconstruction meeting and he looked up our Stormwater Regulations. V. Gingrich said that is a standard condition so Condition #16 is only if it applies and P. Blaisdell said it should be removed since it does not apply. He pointed out that it is also in the Stormwater Management Permit, Special Condition #1. He asked if under Special Condition #5, Operation & Maintenance Plan should be recorded prior to Certificate of Occupancy and asked where it should be filed. V. Gingrich said it should be recorded at the Registry of Deeds.

M. Sorrentino asked the Board if they had any questions or concerns. There were none. He asked if there were questions from anyone in the audience and Business Owner, F. Tarento, King Triton Car Wash, said when the traffic study was done, it does not compare apples to apples and M. Sorrentino agreed. F. Tarento said they also did not consider the free vacuums which triples the amount of traffic. He said when customers are going into the tunnel after backing out of using the vacuums they will go head first into a car coming out of the tunnel. He talked about traffic backing up because there are only two pay stations. He said three pay stations are recommended in case one goes down when there is high volume. F. Tarento talked about the decibels near a day care. He talked about the videos on You Tube which show people exiting the car wash and the driver accidentally accelerates instead of hitting the brake and there is the possibility of a car launching into the day care if that happens. He asked how fire trucks and delivery trucks will be able to safely maneuver around the site. He asked where the chemical delivery trucks come and what time they will be coming. M. Sorrentino said the Board asked the applicant to conduct a sound study and they provided the results. F. Tarento said when he opened his facility, he was required to put in French drains along the front of his property. He said DOT required it to catch all water entering and exiting. He asked if the applicant will be required to do the same. He said the DOT permits are required. V. Gingrich said D. Shedd works for DOT and looked into the access permit and from his research, it looks like this is a change in use so the applicant probably will need a DOT access permit. She said a condition is written into the decision that the applicant will get the access permit or supply a letter stating one is not required. D. Conn acknowledged seeing it.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #18-09 and Stormwater Management Permit #18-09 for 220 Main Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #18-09 for 220 Main Street as shown on plan entitled, "#220 Main Street, Wilmington, MA", Sheets 1 through 6, dated June 26, 2018 and last revised February 6, 2019, prepared by Richard L. Williams, P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949. Said property is located at 220 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 44 Parcel 178D.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on August 7, 2018, and closing on March 5, 2019, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Nouria Retail Energy, Inc., under the provisions of Section 6.5 of the Zoning Bylaws 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 220 Main Street for a car wash as shown on plan entitled "#220 Main Street, Wilmington, MA", Sheets 1 through 6, dated June 26, 2018 and last revised February 6, 2019, prepared by Richard L. Williams, P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, submitted on July 16, 2018, (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 28, 2018	Architectural Renderings and Floor Plan entitled "Golden Nozzle Car Wash, Main Street – Wilmington, MA," Sheets 1 and 2, prepared by O'Sullivan Architects, Inc., 606 Main Street, Suite 3001, Reading, MA 01867, dated August 28, 2018.
2. October 2, 2018	"Report on Safety and Access/Egress Design," prepared by Stanley T. Siegel, P.E., Diversified Engineering Services, 466 Park Drive, Boston, MA 02215, dated June 1991.
3. October 2, 2018	Comparative Drainage Analysis, prepared by Peter M. Blaisdell, Jr., P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, dated September 28, 2018 and last revised December 17, 2018.
4. October 2, 2018	"Vehicle Queueing Plan, #220 Main Street, Wilmington, MA," prepared by Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949.

5. October 2, 2018 "Crashes Reported Area of Main St and Richmond Ave from January 1, 2015 thru September 28, 2018," prepared by Wilmington Police Department.
6. October 15, 2018 "Watershed & Soils Map, #220 Main Street, Wilmington, MA," prepared by Peter M. Blaisdell, Jr., P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, dated September 28, 2018 and last revised December 17, 2018.
7. October 15, 2018 Memorandum, Traffic Impact Assessment, prepared by Daniel J. Mills, P.E., MDM Transportation Consultants, Inc., 28 Lord Road, Suite 280, Marlborough, MA 01752, dated September 28, 2018.
8. October 15, 2018 Letter, Response to Comments from Richard L. Williams, P.E., dated October 2, 2018.
9. December 4, 2018 Letter, Response to Comments from Richard L. Williams, P.E., dated December 2, 2018.
10. December 4, 2018 "Exhibit 1, Autoturn Analysis, Passenger Car, Proposed Car Wash, Wilmington, Massachusetts," prepared by MDM Transportation Consultants, Inc., 28 Lord Road, Suite 280, Marlborough, MA 01752, dated October 2018.
11. December 4, 2018 "Vehicle Queueing Plan, #220 Main Street, Wilmington, MA," prepared by Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, dated December 2, 2018.
12. January 14, 2019 "Photometric Plan, Sonic Drive-in, #220 Main Street, Wilmington, Mass.," prepared by Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880, dated August 6, 2009 and last revised December 17, 2009.
13. January 14, 2019 Letter, Response to Comments from Richard L. Williams, P.E., dated January 11, 2019.
14. January 14, 2019 "Erosion and Sediment Controls (Revised January 11, 2019)," from Richard L. Williams, P.E., Williams & Sparages, dated January 11, 2019.
15. January 14, 2019 "Vehicle Queueing Plan, #220 Main Street, Wilmington, MA," prepared by Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, dated January 11, 2019.

16. January 29, 2019 "Existing Photometric Plan, #220 Main Street, Wilmington, MA," prepared by Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, dated January 18, 2019.
17. January 23, 2019 Sound Analysis Memo from Michael Snow, MTI Maintenance Technology, 235 Riverside Industrial Parkway, Portland, ME 04013.
18. January 23, 2019 "Golden Nozzle, 220 Main Street, Wilmington, MA, Sound Attenuation Fence," prepared by MTI Maintenance Technology, 235 Riverside Industrial Parkway, Portland, ME 04013, dated January 22, 2019.
19. January 23, 2019 "Sound Study Site Plan," prepared by MTI Maintenance Technology, 235 Riverside Industrial Parkway, Portland, ME 04013, dated October 1, 2018.
20. February 5, 2019 "ADA & AAB Compliance," prepared by Richard L. Williams, P.E., Williams & Sparages, dated January 30, 2019.
21. February 5, 2019 Letter, Response to Comments from Richard L. Williams, P.E., dated January 30, 2019.

FINDINGS:

1. The Project site is shown on Map 44 Parcel 178D on the Site Plan.
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. The Project requires a Special Permit from the Board of Appeals for the Groundwater Protection District (Zoning Bylaw, Section 6.6.7.7).

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, provided that if there is an appeal to the Board of Appeals and/or to the courts, the two-year period shall run from the date of the final decision on the appeal.
4. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all successors and assigns in interest or contract.
5. The project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
6. 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.
7. During construction work will not start before 7:00 a.m. and will be completed by 7:00 p.m. No work is allowed on Sundays and Holidays. Construction equipment will not be started before 7:00 a.m.

PRIOR TO ENDORSEMENT OF THE PLAN:

8. Following review by the Wilmington Board of Appeals, the applicant must revise the Site Plan to show all changes (if any) required by the Board of Appeals.
9. Any changes to the site plan due to sound mitigation required by the Board of Appeals to comply with Section 3.8.6 of the Wilmington Zoning Bylaw must be reviewed by the Planning Board.
10. The Special Permit required for the proposed impervious area must be granted, recorded and added to the Site Plan.
11. The Project must receive a MassDOT access permit, or the Applicant shall supply a letter from MassDOT stating that a permit is not required.
12. Landscaped island areas shall be labeled with proposed materials/plantings, i.e., loam and seed.
13. The proposed sound mitigation fence detail shall be added to the plans.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

14. The Wilmington Fire Department shall review and approve all building plans.

PRIOR TO START OF CONSTRUCTION:

15. A pre-construction meeting shall be scheduled with the Department of Planning & Conservation and Town Engineer. The developer shall submit a construction schedule at the time of the pre-construction conference.
16. A Stormwater Pollution Prevention Plan, if applicable, shall be submitted prior to the pre-construction meeting.
17. 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 (2) business days prior to the start of construction.

18. Abutting property owners shall be notified in writing at least seven (7) days prior to the start of construction.

PRIOR TO OCCUPANCY:

19. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
20. 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.
21. 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 Engineer, 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 offs on Occupancy prior to eligibility.

POST CONSTRUCTION:

22. In order to allow for adequate vehicle queueing and maneuverability, there shall be no towel drying at the exit of the car wash.
23. Trash pick-up on the site shall occur during normal business hours.
24. The Applicant shall maintain or replace landscaping and fencing as shown on the approved Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
25. The Applicant shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Project site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
26. The Applicant 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 Applicant 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.
27. 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 Applicant's responsibility.
28. 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.
29. 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.
30. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Engineer and Director of Planning & Conservation.

Continued Public Hearing - Site Plan Review #18-17 & Stormwater Management Permit #18-16 for 196 Ballardvale Street, Map R2 Parcel 7E - MAPVALE LLC, Applicant

PRESENT IN INTEREST: Joseph Abesamra, Ranger Engineering & Design

MATERIALS CONSIDERED:

PLANS "Site Plan, 196 Ballardvale Street, Wilmington, MA" dated December 7, 2018, revised January 11, 2019 and February 19, 2019

TURNING PLAN dated December 7, 2018

BUILDING ELEVATIONS dated December 1, 2017 and last revised December 7, 2018

PHOTOMETRIC PLAN dated January 4, 2019

STORMWATER MANAGEMENT REPORT dated December 7, 2018 and last revised February 19, 2019

PLANNING DEPARTMENT comment letter dated January 2, 2019

ENGINEERING MEMO dated January 8, 2019

LETTERS from Benjamin C. Osgood dated January 14, 2019 and February 19, 2019

E-MAIL from Planning Department dated January 28, 2019

J. Abesamra told the Board there were couple of revised plans, traffic memo, and sewer study. He said the applicant has no issues with the draft decision.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #18-17 and Stormwater Management Permit #18-16 for 196 Ballardvale Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #18-17 for 196 Ballardvale Street as shown on plan entitled "Site Plan, 196 Ballardvale Street, Wilmington, MA", Sheets 1 through 15, dated December 7, 2018 and last revised February 19, 2019, prepared by Benjamin C. Osgood, Jr., P.E., Ranger Engineering & Design, 13 Branch Street, Suite 101, Methuen, MA 01844. Said property is located at 196 Ballardvale Street, Wilmington, MA 01887 and shown on Assessor's Map R2 Parcel 7E.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on August 7, 2018, and closing on March 5, 2019, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by MAPVALE, LLC., under the provisions of Section 6.5 of the Zoning Bylaws 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 196 Ballardvale Street for a 9,912 sq. ft. retail and restaurant building as shown on plan entitled "Site Plan, 196 Ballardvale Street, Wilmington, MA", Sheets 1 through 15, dated December 7, 2018 and last revised February 19, 2019, prepared by Benjamin C. Osgood, Jr., P.E., Ranger Engineering & Design, 13 Branch Street, Suite 101, Methuen, MA 01844, submitted on December 12, 2018, (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>
December 12, 2018	"Site Plan, 196 Ballardvale Street, Wilmington MA, Turning Plan SK1001," prepared by Benjamin C. Osgood, Jr., P.E., Ranger Engineering & Design, 13 Branch Street, Suite 101, Methuen, MA 01844, dated December 7, 2018.
December 12, 2019	Stormwater Management Report, prepared by Benjamin C. Osgood, Jr., P.E., Ranger Engineering & Design, 13 Branch Street, Suite 101, Methuen, MA 01844, dated December 7, 2018 and last revised February 19, 2019.
December 12, 2018	Elevations and Floor Plan, Sheets A1-1 and A3-1, prepared by Channel Building Company, dated December 1, 2017 and last revised December 7, 2018.
January 14, 2019	Letter from Benjamin C. Osgood, Jr., P.E., dated January 11, 2019.
January 14, 2019	"Site Plan, 196 Ballardvale Street, Wilmington MA, Site Overview Plan CS1002," prepared by Benjamin C. Osgood, Jr., P.E., Ranger Engineering & Design, 13 Branch Street, Suite 101, Methuen, MA 01844, dated January 14, 2019.
January 28, 2019	Photometric Plan, prepared by Robert J. Lindstrom, dated January 4, 2019.
January 28, 2019	"Updated Trip Estimates for Strip Retail Building" and accompanying Memo, prepared by Ronald Muller, P.E., Ron Muller & Associates (RMA), 56 Teresa Road, Hopkinton, MA 01748, dated January 24, 2019.
February 20, 2019	"Sewer System Study," prepared by Benjamin C. Osgood, Jr., P.E., Ranger Engineering & Design, 13 Branch Street, Suite 101, Methuen, MA 01844, dated December 27, 2018.
February 20, 2019	Sewer System Study Memo, prepared by Benjamin C. Osgood, Jr., P.E., dated February 19, 2019.
February 20, 2019	Letter, Response to Comments from Benjamin C. Osgood, Jr., P.E., dated February 19, 2019.

FINDINGS:

1. The Project site is shown on Map R2 Parcel 7E on the Site Plan.
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. The Project requires a Special Permit from the Board of Appeals for the Groundwater Protection District (Zoning Bylaw, Section 6.6.7.7).
6. The Project requires a Special Permit from the Board of Appeals for Retail Store under 30,000 Square Feet in the Highway Industrial District (Zoning Bylaw, Section 3.5.1.1).

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, provided that if there is an appeal to the Board of Appeals and/or to the courts, the two-year period shall run from the date of the final decision on the appeal.
4. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all successors and assigns in interest or contract.
5. The project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
6. 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.
7. During construction work will not start before 7:00 a.m. and will be completed by 7:00 p.m. No work is allowed on Sundays and Holidays. Construction equipment will not be started before 7:00 a.m.

PRIOR TO ENDORSEMENT OF THE PLAN:

8. Following review by the Wilmington Board of Appeals, the applicant must revise the Site Plan to show all changes (if any) required by the Board of Appeals.
9. The Special Permit required for the proposed impervious area must be granted, recorded and added to the Site Plan.
10. The Special Permit required for the proposed use must be granted, recorded and added to the Site Plan.
11. The parking calculations on the Layout and Materials Plan (sheet 5) are mislabeled "office use" and shall be revised to reflect the proposed "retail use".
12. The parking calculations on the Landscaping and Lighting Plan (sheet 8) shall be revised to match the parking calculations on sheet 5, in accordance with the condition above.

13. The Applicant's engineer shall review the proposed invert elevation for each grease trap and reconcile discrepancies with the detail sheet.
14. The grease trap label refers to a Note 7, but the reference could not be located. This shall be reviewed and reconciled.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

15. The Wilmington Fire Department shall review and approve all building plans.

PRIOR TO START OF CONSTRUCTION:

16. A pre-construction meeting shall be scheduled with the Department of Planning & Conservation and Town Engineer. The developer shall submit a construction schedule at the time of the pre-construction conference.
17. A Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.
18. 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 (2) business days prior to the start of construction.

PRIOR TO OCCUPANCY:

19. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
20. 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.
21. 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 Director of Planning & Conservation and Town Engineer, 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 offs on Occupancy prior to eligibility.

POST CONSTRUCTION:

22. The Applicant shall maintain or replace landscaping and fencing as shown on the approved Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
23. The Applicant shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Project site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
24. The Applicant 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 Applicant 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.

25. 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 Applicant's responsibility.
26. 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.
27. 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.
28. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Engineer and Director of Planning & Conservation.

Continued Public Hearing - Site Plan Review #18-15, Stormwater Management Permit #18-13 and Multi-Family Special Permit #18-01 for 635 Main Street – Map 40 Parcel 1 Massachusetts Equity Investors, LLC, Applicant

A request to extend the action deadline and continue the public hearing was received.

MATERIALS CONSIDERED:

PLANS "635-645 Main Street, Wilmington, MA" dated October 18, 2018

ELEVATIONS "Wilmington Town Houses, 635 Main Street, Wilmington, MA" dated September 17, 2018

COMPARATIVE DRAINAGE ANALYSIS dated October 16, 2018

ENGINEERING MEMO dated November 13, 2018

LETTERS from Jon Tilton dated November 27, 2018, January 2, 2019, January 25, 2019, and February 25, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street to April 30, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street to April 2, 2019 at 7:30 p.m. in Room 9 of the Town Hall. If you will not be prepared to present at the April 2, 2019 meeting, the Planning Board requests you withdraw your application without prejudice.

Continued Public Hearing - Site Plan Review #18-16, Stormwater Management Permit #18-14 and Multi-Family Special Permit #18-02 for 203 Lowell Street – Map 48 Parcel 73 Massachusetts Equity Investors, LLC, Applicant

A request to extend the action deadline and continue the public hearing was received.

MATERIALS CONSIDERED:

PLANS "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" dated October 18, 2018 and Site Plan Application Narrative

STORMWATER MANAGEMENT & EROSION CONTROL PLAN dated October 18, 2018

REVIEW LETTER dated November 7, 2018
ENGINEERING MEMO dated November 13, 2018
LETTER from Doug Lees dated January 3, 2018
LETTERS from Jacqueline Welch dated November 28, 2018, January 28, 2019, and February 26, 2019

A letter requesting to extend the action deadline and continue the public hearing

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #18-16, Stormwater Management Permit #18-14, and Multi-Family Special Permit #18-02 for 203 Lowell Street to April 30, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #18-16, Stormwater Management Permit #18-14, and Multi-Family Special Permit #18-02 for 203 Lowell Street to April 2, 2019 at 7:45 p.m. in Room 9 of the Town Hall. If you will not be prepared to present at the April 2, 2019 meeting, the Planning Board requests you withdraw your application without prejudice.

**Public Hearing - Site Plan Review #19-01 for 773 Salem Street, Map R1 Parcel 23
Kristen LeDuc, SmartLink LLC for AT&T, Applicant**

PRESENT IN INTEREST: Ryan Burgdorfer, SmartLink, LLC

MATERIALS CONSIDERED:

PLANS "AT&T, LTE 3C/4C/5C, Wilmington, MA Salem Street", dated August 30, 2018 and last revised November 18, 2018

ENGINEERING MEMO dated March 4, 2019

LETTERS from Planning Department dated January 18, 2019

M. Sorrentino asked the applicant if he was aware there were issues concerning the structural Analysis Report and R. Burgdorfer answered yes. M. Sorrentino explained there is a need for peer review to answer the questions the Town Engineer has. V. Gingrich told the applicant for peer review, the Planning Department would get a few quotes and R. Burgdorfer he will write a check to cover the cost of the peer review. He said the peer review will take care of the Town Engineer's comments. V. Gingrich said it's important to make sure the structure is peer reviewed. M. Sorrentino asked R. Burgdorfer if he saw the tornado in Alabama where a tower fell across the road. R. Burgdorfer said he did not know about that but he said the one on Loon Mountain fell down two weeks ago with over 100 miles an hour winds.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-01 for 773 Salem Street to April 2, 2019 at 8:00 pm.

Board of Appeals

At its meeting on Tuesday, March 5, 2019 the Planning Board voted to recommend as follows:

Case 13-18: 220 Main Street, Map 44 Parcel 178D

Upon motion duly made and seconded, with four in favor and none opposed, it was

VOTED: The project has received Site Plan Review and Stormwater Management Permit approval from the Planning Board. The decisions for each approval are attached for reference. The Planning Board recommends that the Board of Appeals closely review the minimum Special Permit criteria regarding sound for the proposed use (Section 3.8.6).

Case 17-18: 220 Main Street, Map 44 Parcel 178D

Upon motion duly made and seconded, with four in favor and none opposed, it was

VOTED: The proposal has received Site Plan Review and Stormwater Management Permit approval from the Planning Board. The decisions for each approval are attached for reference. The proposed project is located within the GWPD and exceeds 15% impervious area (Section 6.6.7.7), and an adequate system for groundwater recharge has been proposed.

Case 1-19: 196 Ballardvale Street, Map R2 Parcel 7E

Upon motion duly made and seconded, with four in favor and none opposed, it was

VOTED: The proposal has received Site Plan Review and Stormwater Management Permit approval from the Planning Board. The decisions for each approval are attached for reference.

Case 2-19: 196 Ballardvale Street, Map R2 Parcel 7E

Upon motion duly made and seconded, with four in favor and none opposed, it was

VOTED: The proposal has received Site Plan Review and Stormwater Management Permit approval from the Planning Board. The decisions for each approval are attached for reference. The proposed project is located within the GWPD and exceeds 15% impervious area (Section 6.6.7.7), and an adequate system for groundwater recharge has been proposed.

Case 4-19: 140-150 Middlesex Avenue, Map 52 Parcel 66

Upon motion duly made and seconded, with four in favor and none opposed, it was

VOTED: To recommend approval.

Case 5-19: 26 Linda Road, Map 88 Parcel 31

Upon motion duly made and seconded, with four in favor and none opposed, it was

VOTED: To recommend approval. The proposed addition does not appear to be more detrimental to the neighborhood.

Old Business

There was no Old Business to discuss.

New Business

**Request to waive Site Plan Review – 217 Main Street – Map 43 Parcel 4
Marjorie Hammond, Applicant**

PRESENT IN INTEREST: Majorie Hammond, Pie Me Over
Feliciano Savilnjo, Pie Me Over

MATERIALS CONSIDERED:

PLANS "Proposed Retail and Restaurant Development, Plan of Land in Wilmington, Massachusetts" dated November 10, 2005 and last revised March 13, 2007 and "Tenant Fit Up For: Pie Me Over, 217 Main Street, Wilmington, Massachusetts" dated January 22, 2019

M. Hammond told the Board they are requesting a change in use from Fantastic Sam's to a pie shop. She said they sell unbaked from fresh and frozen savory pies for customers to take home and bake. M. Sorrentino asked if they are made on site and M. Hammond said yes. She said customers will take the fresh or frozen pies home and bake them in their own homes. M. Sorrentino said there is no seating or eating inside and M. Hammond said correct. V. Gingrich said there will be no exterior changes and they confirmed parking calculations. M. Sorrentino asked where they are coming from and M. Hammond said she has been from Massachusetts her whole life but they had the same business in Las Vegas.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review for 217 Main Street for a change of use and for interior renovations changing the existing hair salon into a retail pie shop.

**Request to waive Site Plan Review – 205 Lowell Street – Map 48 Parcels 73 & 73B
Energetiq Technology Inc., Applicant**

PRESENT IN INTEREST: Gerard Libby, Energetiq Technology Inc.
Claire Brown, Energetiq Technology Inc.
Ryan Conner, Hayes Engineering, Inc.
Jamie McManus, Howland Development

MATERIALS CONSIDERED:

PLANS "Plan Showing Proposed Tank in Wilmington, Mass." dated February 13, 2019
ENGINEERING MEMO dated March 4, 2019

R. Conner said he is representing Energetiq. They are moving their headquarters from Woburn and are already under construction at 205 Lowell Street. They are the developer of advanced light sources that enable the manufacturer and analysis of nano-scale structures. He said part of their process is using nitrogen which is stored in a tank. R. Conner said the applicant is requesting Site Plan waiver to install the tank on an existing dumpster pad that is on the site. The tank is within the pad limits outside any parking spots, outside any green or impervious surface. It has been reviewed with Deputy Fire Chief Cavanaugh. He said they were asked to follow a rule of NFPA. The tank will be surrounded by bollards and security fencing. The slab has the capacity to support the tank. R. Conner said the tank supplier also looked at the tank and advised on the site and usage.

M. Sorrentino read the Engineering memo into the record and said the only concern was that the applicant verify the pad condition and that is capable of supporting the tank. R. Conner said the pad is existing, not proposed and has been there for what he suspects as decades.

V. Gingrich asked where the dumpster was moved. J. McManus said he started with Howland more than three years ago and the space has been vacant and there was never a dumpster there.

M. Sorrentino asked what the company does and C. Brown said the company makes short wavelength light sources mostly for the semi-conductor industry. The company supports next generation lithography used to imprint the chip. She said they are becoming small and that's why your computer and phones are becoming smaller. She said they working on selling it to other markets now and are targeting sensor development, life sciences, medical devices and they are expanding rapidly which is exciting.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review for 205-207 Lowell Street to mount a nitrogen tank on the existing concrete pad adjacent to the loading dock. Prior to installation, please have your engineer provide us with the thickness and condition of the existing concrete pad to ensure its suitability for the purpose of holding a nitrogen tank.

Pomfret Road Street Acceptance – V. Gingrich said the Town is trying to be proactive where there are no physical changes needed to the street. Pomfret was just built. V. Gingrich said the survey was supplied to the Town. The Town will need to get sign off from the four Pomfret Road property owners. She said this is a recommendation to the Board of Selectman as to whether they should move forward with the street acceptance process at Town Meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend the Board of Selectmen move forward with the street acceptance process.

Mink Run Road Street Acceptance – V. Gingrich said Mink Run was built a while ago built to subdivision standards. She said the survey was supplied. This is owned by Ken Chisholm's dad so the transfer will be easier with only one person involved. This is a recommendation to the Board of Selectmen to see if they will move forward with the street acceptance process at Town Meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend the Board of Selectmen move forward with the street acceptance process

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

VOTED: To adjourn the meeting at 8:50 p.m.

NEXT PLANNING BOARD MEETING: March 19, 2019

Respectfully submitted,

A handwritten signature in cursive script, reading "Cheryl Licciardi".

Cheryl Licciardi
Recording Clerk

