



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

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**Planning Board Minutes
May 19, 2015**

The Planning Board met on Tuesday, May 19, 2015 at 7:00 p.m. in the Town Hall Auditorium. The following members were present: Michael Sorrentino, Chairman; Randi Holland; and Terence Boland. Valerie Gingrich, Director of Planning & Conservation, and Michael Vivaldi, Assistant Planner, were also present. David Shedd and Christopher Neville were absent.

New Business

Decision for Site Plan Review #15-04 for 45 Industrial Way - Map 46 Parcel 110 - 45 Industrial Way LLC, Applicant

MATERIALS CONSIDERED:

PLAN "Site Development Plans for Renovated Distribution Center, 45 Industrial Way, Wilmington, MA" dated February 5, 2015 and last revised May 5, 2015

DRAINAGE REPORT dated February 21, 2105, March 3, 2015, March 24, 2015 and last revised April 21, 2015

TRAFFIC REPORT from Ron Müller & Associates dated January 15, 2015

COMMENTS – DPW memo dated February 23, 2015, March 31, 2015, April 30, 2015, Fire Department memo dated February 26, 2015

LETTER from Attorney Robert G. Peterson dated February 5, 2015

LETTERS from Allen & Major Associates, Inc. dated March 24, 2015, April 21, 2015 and May 5, 2015

PRESENT IN INTEREST – Robert G. Peterson, Esq.
Dave McLane, Howland Development
Paul Richardson, Howland Development

There was a brief discussion.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Site Plan Review #15-04 for 45 Industrial Way - Map 46 Parcel 110 as follows:

At its meeting May 19, 2015, the Planning Board voted to approve with conditions Site Plan Review Application #15-04 for 45 Industrial Way as shown on plan entitled: "Site Development Plans for Renovated Distribution Center, 45 Industrial Way, Wilmington, MA"; dated February 5, 2015 and last revised May 5, 2015 submitted February 5, 2015, prepared by Professional Engineer: Timothy J. Williams, Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA 01801. Said property is located at 45 Industrial Way, Wilmington, MA 01887 and shown on Assessor's Map 46 Parcel 110. Approval is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on March 3, 2015 and closing on May 5, 2015, by a motion duly made and seconded, it was voted:

"We, the Wilmington Planning Board, as requested by 45 Industrial Way 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 45 Industrial Way (Assessors Map 46, Parcel 110), as shown on the thirty (30) sheet plan set entitled: "Site Development Plans for Renovated Distribution Center, 45 Industrial Way, Wilmington, MA" prepared by Timothy J. Williams, P.E, dated February 5, 2015 and last revised May 5, 2015, (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. February 5, 2015	"Traffic Generation and Truck Route Study for 45 Industrial Way, Wilmington, MA, dated January 5, 2015". Prepared by Ron Müller, P.E of Ron Müller & Associates, Hopkinton, MA.
2. February 5, 2015	Proposed Building Renovation, 45 Industrial Way, Wilmington, MA, dated February 2, 2015 and last revised March 21, 2015. Prepared by Precept, LLC, - Architects & Planners, Indianapolis, IN, 46240.
3. February 5, 2015	"Drainage Summary Report for Proposed Distribution Facility", 45 Industrial Way, Wilmington, MA. Dated February 5, 2015. Prepared by Timothy J. Williams, P.E of Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA.
4. March 5, 2015	"Storm Drainage Management Report for 45 Industrial Way, Wilmington, MA". Prepared by Timothy J. Williams, P.E of Allen & Major Associates, Inc. dated March 3, 2015 and last revised April 21, 2015.

FINDINGS:

1. The Project site is shown on Map 46 Parcel 110 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. Relief from the dimensional requirements of the Wilmington Zoning Bylaw Section 5.2.6 Minimum Open Space and Section 6.4.2.4 Parking Setback is required.

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 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.
6. The Wilmington Fire Department (WFD) requires all buildings to be fully protected by a sprinkler system and approved fire alarm. The applicant may be required to test the existing water pressure for the existing sprinkler system and may be required to install a carbon monoxide (CO) monitoring and ventilation system to control exhaust gasses produced by motor vehicles in the building.
7. The Wilmington Fire Department shall review and approve all building plans prior to construction.
8. Signage shall conform to zoning unless a Special Permit has been granted by the Planning Board as authorized section 6.3.2. of the Wilmington Zoning Bylaw.

PRIOR TO ENDORSEMENT OF THE SITE PLAN:

9. Following review by the Wilmington Conservation Commission, the applicant must revise the plans to show all changes required by the Commission, these Planning Board conditions and any conditions of the Stormwater Management Permit, if required. Revised plans shall be submitted to the Planning Board for endorsement at a regularly scheduled meeting.

10. A note shall be added to Sheet 1 stating that "This parcel is not located within the Groundwater Protection District."
11. The variances requested from the Wilmington Board of Appeal for relief from Section 5.2.6 and 6.4.2.4 of the zoning bylaw must be granted, recorded and added to the site plan.

PRIOR TO ISSUANCE OF A BUILDING PERMIT/PRIOR TO CONSTRUCTION:

12. The Board encourages the applicant to implement Low Impact Development/ Sustainable Development techniques for this project. The applicant shall provide the Director of Planning and Conservation with an itemized list of the Low Impact Development /Sustainable Development techniques to be utilized.
13. Groundwater elevations and soil conditions for Bioretention and Infiltration Areas shall be field verified prior to construction.
14. Prior to construction, the Applicant shall video the existing 10 inch clay sewer line from the building to the connection in Industrial Way to confirm the conditions of the pipe and identify and remove any sources of infiltration/inflow.

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

15. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineering Director shall be submitted to the Engineering Director and Director of Planning and Conservation.
16. The applicant has agreed to provide \$500,000 for traffic mitigation for the surrounding road network. Funds are to be used for the design and/or construction of traffic improvements and shall be submitted prior to the issuance of the Certificate of Occupancy.
17. In the event weather conditions or other circumstances beyond the Applicant's reasonable control delay the completion of landscaping or similar aesthetic site features shown on the Site Plan, the final Certificate of Occupancy shall be issued provided the Applicant posts a bond, in a form reasonably acceptable to the Director of Planning & Conservation and the Town Engineer, covering the cost of completion of the unfinished site work.

POST OCCUPANCY:

18. Applicant shall maintain or replace landscaping, fencing and lighting as shown on the approved Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping in presentable and healthy condition.
19. The Applicant shall maintain the Project site in a clean and tidy condition clear of debris and trash. Any dumpsters located on the exterior of the buildings shall be enclosed by a fence and be of a side entry design. Tenants shall be required to keep dumpsters closed and enclosures locked.
20. The Applicant shall provide the Board and the Conservation Commission with written evidence, in a form reasonably acceptable to the Board and the Conservation Commission, of its compliance with the Operation and Maintenance Plan as required in the Operation and Maintenance Plan.
21. Snow in excess of the areas shown on the approved Snow Storage Plan shall be removed from the site within five days of an event. Snow shall not be pushed into wetlands or stormwater management areas. Drainage structures shall remain clear of snow.

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

VOTED: To adjourn the meeting at 7:25 p.m.

NEXT MEETING is June 2, 2015

Respectfully submitted,

Valerie Gingrich
Acting Recording Clerk