



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

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**Planning Board Minutes
August 4, 2015**

The Planning Board met on Tuesday, August 4, 2015 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chairman; Randi Holland; David Shedd; and Terence Boland. Valerie Gingrich, Director of Planning & Conservation, and Michael Vivaldi, Assistant Planner, were also present.

Minutes

The Planning Board reviewed Minutes of March 18, 2015.

Upon motion duly made and seconded with three in favor and one abstention (R. Holland) it was

VOTED: To approve the March 18, 2015 minutes as written.

The Planning Board reviewed Minutes of April 7, 2015 and May 5, 2015.

Upon motion duly made and seconded it was

VOTED: To approve the April 7, 2015 and May 5, 2015 minutes as written.

The Planning Board reviewed Minutes of May 19, 2015.

Upon motion duly made and seconded with three in favor and one abstention (D. Shedd) it was

VOTED: To approve the May 19, 2015 minutes as written.

The Planning Board reviewed Minutes of June 2, 2015 and July 7, 2015.

Upon motion duly made and seconded it was

VOTED: To approve the June 2, 2015 and July 7, 2015 minutes as written.

Form A

There were no ANR Plans to review.

Matters of Appointment

PRESENT IN INTEREST – Sam Cleaves, MAPC

S. Cleaves told the Board this process is required to update the hazard mitigation plan and it is a way to look at natural hazards. He said people need to plan for mitigating damages from natural hazards such as flooding, high winds, hurricanes, tornadoes, winter storms, snow and ice, earthquakes, landslides, extreme temperatures, brush fires and drought. Hazard mitigation is to permanently reduce or prevent losses of life, injuries and property damage by using long-term strategies. He said we need to break the cycle of disaster and rebuild. He explained how the plan update is developed as well as how the identification and mapping works. S. Cleaves identified Wilmington's hazard areas of flooding and brush fires. He discussed other hazards such as geologic, wind, and snow. He then identified critical facilities, 96 sites were identified including response sites such as police stations, sites requiring assistance such as elderly housing, places of assembly, critical infrastructure such as dams and pump stations. S. Cleaves said the plan also considers potential future development, existing mitigation measures, flood related hazards, dam failures, wind-related hazards, winter-related hazards and brush fire related hazards. He said MAPC reviews the old plan updating hazard Identification mapping, updates & maps critical facilities, and does an assessment of risks. He said MAPC looks at mitigation measures for planned updates within the Town such as Butters Row culvert replacement, Mass Ave. drainage, Rte 62 bridge culvert replacement, Lubber's Brook flood mitigation, Main Street culvert to mitigate sinkholes, winter hazards on public roofs, wind hazards, extreme heat and locating cooling centers. MAPC looks at possible earthquakes and public safety buildings. The plan then goes to MEMA where it is edited then goes to FEMA. This is for the Town's use. Once adopted by the Selectman, the plan is good for five years.

Tom Ollila, Reading Municipal Light, asked if MAPC needs anything formal from Reading Light Department. He said RMLD has very active tree trimming group. S. Cleaves said nothing formal is needed from RMLD.

S. Cleaves said this is the second public meeting and the draft plan will be distributed for review. Following the comment period, the plan will be revised and sent to MEMA and FEMA, and the finalized.

Continued Public Hearing – Site Plan Review #15-01 and Stormwater Management Permit #15-01 for 203 Lowell Street - Map 48 Parcel 73 - Michael A. Palmer, Applicant

MATERIALS CONSIDERED:

PLAN "Proposed Restaurants, 203 Lowell Street, Wilmington, Massachusetts" dated December 7, 2014 last revised July 6, 2015

STORM DRAINAGE MANAGEMENT REPORT dated December 8, 2014, March 30, 2015, and May 21, 2015

COMMENTS – DPW memo dated February 2, 2015, June 1, 2015, July 2, 2015 and Deputy Fire Chief dated January 28, 2015

LETTER from Attorney Robert G. Peterson, dated January 9, 2015

LETTERS from Eugene Sullivan, Eugene T. Sullivan, dated March 30, 2015, May 21, 2015

E-MAIL from Eugene Sullivan, Eugene T. Sullivan, Inc. dated September 24, 2014

LIGHTING PLAN dated March 20, 2015

HYDRAULIC ANALYSIS from Kleinfelder dated March 11, 2015

TRAFFIC MEMO from DJK dated March 25, 2015

LETTER from Textron Systems - Approval of Drainage and Easement Use dated April 1, 2015

TRAFFIC REPORT from MDM Transportation Consultants dated May 26, 2015

PEER REVIEW COMMENTS from TEC dated June 26, 2015

PRESENT IN INTEREST – Robert G. Peterson, Esq.
William Yetman, Howland Development
Eugene Sullivan, Eugene T. Sullivan

Attorney R. Peterson told the Board he was in receipt of a draft copy of conditions of approval. He told the Board his team met with V. Gingrich and M. Vivaldi. E. Sullivan discussed condition #25 "The Applicant shall complete the evaluation of the private sewer collection system as referenced in an independent review letter dated March 6, 2015, by ARCADIS U.S. Inc. for the Town of Wilmington". He told the Board the applicant is able to tie into Textron's sewer and investigation of the private sewer is not something the applicant should be required to do. E. Sullivan told the Board the condition should be removed. V. Gingrich said ARCADIS wanted the applicant to evaluate the system because it does go into the Town's system. Attorney R. Peterson told the Board that Textron did their own capacity analysis. E. Sullivan said there is about 3,000 ft of pipe and has concerns that Textron will not allow the investigation. M. Sorrentino questioned the ability of the Town to require an investigation of a private sewer. Attorney R. Peterson said his team also has a concern with respect to the amount of traffic mitigation in condition #21 regarding the need for a left turn lane into the proposed development. He said he had a lengthy conversation on the impact it will have. Attorney R. Peterson told the Board the general rule is mitigation is allowed by statute but it has to be related to the project. He said V. Gingrich pointed out the dedicated turn lane that is directly related to the project. D. Shedd said everyone has read the TEC comments, the responses, and the decision. Any developments that have come before the Planning Board have provided mitigation. He pointed out the capacity and safety issues. Attorney R. Peterson told the Board this project will increase the volume by a little less than 3%. D. Shedd said painting a turn lane is only a temporary solution. R. Holland pointed out there is some grading required. M. Sorrentino said the applicant can mitigate 3%. Attorney R. Peterson said \$20,000 was their consultant's estimate. D. Shedd pointed out if the development taxes the Town's infrastructure and causes safety issues, the impacts should be mitigated. Attorney R. Peterson said that problems will not be caused by the 3% increase in volume but by the 90% that is already exists. D. Shedd said this project is decreasing the safety. Attorney R. Peterson said the Board is charging mitigation to correct all the problems for the entire intersection. M. Sorrentino said the Board is on the same page with the applicant. D. Shedd pointed out that there will be an increase in pavement. V. Gingrich suggested the Board review other conditions so everyone can soak in what was discussed.

W. Yetman said he is extremely opposed to the mitigation request because Howland pays its taxes and does not file abatements. He said the intersection failed because of the existing companies which have not contributed to a solution. W. Yetman told the Board he would like to offer \$25,000 for traffic mitigation and will not deal with the ARCADIS sewer investigation issue. D. Shedd said that addresses the capacity issue and requested the applicant construct a left turn lane. E. Sullivan told the Board that MDM will prepare a striping plan for the Town Engineer to review. W. Yetman told the Board that Howland will give the Town a 10 ft easement for the reconstructed intersection.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing and approve Stormwater Management Permit #15-01 and Site Plan Review #15-01 for 203 Lowell Street - Map 48 Parcel 73 to August 7, 2015. The approval is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on February 3, 2015 and closing on August 4, 2015, by a motion duly made and seconded, it was voted:

“We, the Wilmington Planning Board, as requested by 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 the plan set entitled: “Proposed Restaurants, 203 Lowell Street, Wilmington, Massachusetts” prepared by Eugene T. Sullivan, P.E of Eugene T. Sullivan, Inc., dated December 7, 2014 and last revised July 27, 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. January 12, 2015	Storm Drainage Management Report, 203 Lowell Street, Wilmington, MA. Prepared by Eugene T. Sullivan, P.E of Eugene T. Sullivan, Inc., dated December 8, 2014 and last revised June 23, 2015.
2. April 1, 2015	Proposed Site Lighting Photometrics for 203 Lowell Street, Wilmington, MA. Prepared by SK & Associates, dated March 20, 2015.
3, April 1, 2015	Proposed Diner, Architectural / Floor Plan, 203 Lowell Street, Wilmington, MA prepared by Cornerstone Architects Inc., dated April 2, 2014
4. April 1, 2015	I/I Mitigation Investigation, Proposed Development and Sewer Extension for 203 Lowell Street, Wilmington, MA

Prepared by Scott Haynes, P.E of Arcadis U.S., Inc.

5. April 1, 2015 Hydraulic Analysis and Report for 203 Lowell Street, Wilmington, MA. Prepared by Michael R. Cunningham, P.E of Kleinfelder, Reference No. 20154771.001A, dated March 11, 2015.
6. May 5, 2015 Planting Plan prepared by Gary Larson, R.L.A, dated April 27, 2015.
7. May 8, 2015 Traffic Impact Assessment – Proposed Mixed Use Development, 203 Lowell Street, Wilmington, MA. Prepared by Daniel Mills, P.E, PTOE of MDM Transportation Consultants, Inc., 25 pages and attachments, dated May 26, 2015.
8. June 26, 2015 Traffic Peer Review Comments of the Proposed Mixed Use Development, 203 Lowell Street, Wilmington, MA. 10 Pages, dated June 26, 2015.

FINDINGS:

1. The Project site is shown on Map 48 Parcel 73 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 By-Laws 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 By-Laws 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 for Restaurant Use from the Zoning Board of Appeals, and Pet Care Facility Use from the Planning Board.
6. The project requires a Special Permit for Parking Relief from the Planning Board for the Proposed Pet Care Facility.

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. Signage shall conform to zoning unless a Special Permit has been granted by the Planning Board as authorized in Section 6.3.2 of the Wilmington Zoning Bylaw.
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. Site Plan approval does not include approval of any subdivision of land. Should the parcel be subdivided, a plan that meets the zoning requirements shall be submitted to the Planning Board.

PRIOR TO ENDORSEMENT OF THE SITE PLAN:

8. Plans shall be revised to include all conditions of Site Plan approval.
9. The Special Permits required for Restaurant Use, Pet Care Facility Use, and Parking must be granted, recorded and added to the Site Plan.
10. The Site Plan shall be revised to include bicycle parking areas.
11. The Site Plan shall be revised to show 'Compact Car Parking Only' in the area between the proposed dumpster and Restaurant B.
12. Since a subdivision of land is not being approved, sheets C2.1 and C2.2 shall be renamed or removed from the plan set. An ANR plan should be submitted for approval.
13. The Site Plan shall be revised to reflect the required parking for the Pet Care Facility, which is one parking space per 250 square feet of area (Retail Use under 30,000 square feet).
14. The Site Plan shall be revised to show adequate lighting in the parking area located along the southwestern edge of the proposed pet care facility building.

PRIOR TO CONSTRUCTION:

15. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and the latest NPDES General Permit and corresponding Stormwater Pollution Prevention Plan. A copy of the NPDES Stormwater Pollution Prevention shall be submitted to the Department of Planning & Conservation and the Town Engineer.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

16. Landscaping details for the proposed restaurant outdoor seating area, and a final planting plan showing one tree per twenty five feet of frontage shall be submitted for review and approval.
17. The Applicant shall submit final architectural plans to the Department of Planning and Conservation for review prior to the issuance of a building permit.

18. The Applicant shall provide a detail section and specifications of the exterior embankment of Basin #1 that is stamped by a licensed Geotechnical Engineer.
19. The Board encourages the applicant to implement Sustainable Development techniques for this project. The applicant shall provide the Director of Planning & Conservation with an itemized list of Sustainable Development techniques to be utilized.
20. Building plans shall be reviewed and approved by the Wilmington Fire Department. Additionally, the following are required by the Wilmington Fire Department:
 - a. An addressable fire alarm panel with a digital communicator shall be installed. Installation of a Radio Box, which will be monitored by Wilmington Public Safety Dispatch is recommended.
 - b. Knox key vault shall be provided on each building.

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

21. As shown in the Applicant's Traffic Impact Assessment, a left turn lane into the Project site from Lowell Street is warranted. Because the Lowell Street right of way will be reconstructed as part of a larger improvement plan, in lieu of constructing the left turn lane, the applicant shall provide \$25,000 toward future roadway improvements on Lowell Street to mitigate the impacts of the Project. Funds shall be placed in escrow prior to the issuance of a Certificate of Occupancy and shall be returned to the Applicant or Owners or assigns if the Lowell Street roadway improvements have not commenced (design or construction) within five years. The Applicant shall provide an engineered striping plan for an interim left turn lane from Lowell Street into the Project site to be reviewed and approved by the Town. Approved striping shall be completed prior to issuance of a certificate of occupancy.
22. The Applicant has agreed to provide a permanent ten foot wide transportation easement 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 a Certificate of Occupancy. The easement plan shall include proposed grading for the Project along Lowell Street and reflect grading within the transportation easement that will allow for use as part of the Lowell Street right-of-way in the ten foot easement area, which will be constructed by the Applicant so as to reduce the amount of significant re-grading associated with the future roadway improvements. The Applicant has agreed to work cooperatively with the Town in facilitating future transportation improvements at the intersection of Lowell Street and Woburn Street.
23. The Applicant shall give reasonable notice to the Engineering Department for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.
24. In order to ensure proper sight distances, the Applicant shall remove existing vegetation along the Woburn Street and Lowell Street Right of Way as shown on the Site Plan. The Applicant shall remove vegetation from the southwest corner of Lowell and Woburn and re-grade the corner to provide improved sight distances. Vegetation removal and re-grading shall be coordinated with the Town of Wilmington Department of Public Works and Department of Planning & Conservation.
25. 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 & Conservation.

26. 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 Planning Board and the Town Engineering Director, covering the costs of completion of the unfinished site work.

POST OCCUPANCY:

27. Applicant shall maintain or replace landscaping, fencing and lighting as indicated in the Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping in presentable and healthy condition.
28. The proposed sidewalk in the Woburn Street right of way, connecting the site to Woburn Street shall be maintained by the Owner.
29. The Applicant 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.
30. 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.
31. 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.
32. 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.
33. Trash removal and deliveries shall occur during non business hours so that access to the facilities is not impeded by parked cars.

Continued Public Hearing – Site Plan Review #15-02 and Stormwater Management Permit #15-02 for 319A Andover Street - Map R1 Parcel 118 - G&D Realty Trust, Applicant

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

MATERIALS CONSIDERED:

PLAN "Proposed Building, 319 Andover Street, Wilmington, MA" dated January 7, 2015

STORM DRAINAGE MANAGEMENT REPORT dated January 5, 2015

COMMENTS – DPW memo dated February 2, 2015 and Deputy Fire Chief dated January 28, 2015

LETTERS from Eugene T. Sullivan dated February 6, 2015 & July 21, 2015

E-MAIL from Eugene T. Sullivan dated March 27, 2015

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Stormwater Management Permit #15-02 for 319A Andover Street - Map R1 Parcel 118 to September 30, 2015.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #15-02 and Stormwater Management Permit #15-02 - Map R1 Parcel 118 to September 8, 2015

Continued Public Hearing – Site Plan Review #15-09 and Stormwater Management Permit #15-04 for 269 Ballardvale Street - Map R2 Parcel 27A - William & Anne Saurman, Applicant

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

MATERIALS CONSIDERED:

PLAN "269 Ballardvale Street, Site Plan Improvements, Wilmington, Massachusetts" dated June 11, 2015

BUILDING ELEVATIONS June 2014 and last revised June 2015

STORMWATER MANAGEMENT REPORT dated June 11, 2015

LETTER from Christopher Iannuzzi dated July 24, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #15-09 and Stormwater Management Permit #15-04 for 269 Ballardvale Street - Map R2 Parcel 27A to September 30, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #15-09 and Stormwater Management Permit #15-04 for 269 Ballardvale Street - Map R2 Parcel 27A to September 8, 2015 at 8:15 p.m.

Public Hearing - Sign Special Permit #15-03 for 201 Lowell Street - Map 48 Parcel 73A Northstar for Textron, Applicant

MATERIALS CONSIDERED:

PLAN "Textron Systems, Environmental Graphics, 205 Lowell Street, Wilmington, MA" dated June 16, 2015

MEMORANDUM from Northstar dated July 8, 2015

PRESENT IN INTEREST – Anthony Warren, Northstar

A. Warren told the Board the applicant would like to amend the previously approved sign permit so that one sign can be placed further down the street.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for 201 Lowell Street and issue an approval at its September meeting.

**Continued Public Hearing – Site Plan Review #15-07 for 110 Eames Street - Map 47
Parcel 17 - Eames Street Realty Trust, Applicant**

A letter requesting to continue the public hearing and extend the action deadline for Site Plan Review for 110 Eames Street was received.

MATERIALS CONSIDERED:

PLAN "110 Eames Street, Wilmington, MA" dated May 7, 2015
LETTER from Attorney Robert G. Peterson, dated May 7, 2015
LETTER from Eugene T. Sullivan, dated December 6, 2014
LETTER from Planning Department dated May 27, 2015
E-MAIL from Eugene T. Sullivan dated June 29, 2015
LETTER from Eugene Sullivan dated July 31, 2015

A letter requesting to extend the deadline for action to September 30, 2015 and continue the public hearing was received.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action for Site Plan Review #15-07 for 110 Eames Street, Map 47 Parcel 17 to September 30, 2015.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #15-07 for 110 Eames Street, Map 47 Parcel 17 to September 8, 2015 at 8:45 p.m.

Public Hearing - Conservation Subdivision Design Special Permit #15-01 for Garden of Eden - Map 2 Parcels 201-206, 223-225 and Map 3 Parcels 207-222

MATERIALS CONSIDERED:

PLAN "Wilmington, Massachusetts, Chestnut Street" dated June 11, 2015 and last revised July 15, 2015
SUMMARY SHEET received July 6, 2015
LETTER from Joseph A. Langone, Northeastern Development Corporation dated May 7, 2015
COMMENTS - DPW dated July 30, 2015

PRESENT IN INTEREST – Joseph Langone, Northeastern Development Corporation
Doug Lees, Land Engineering & Environmental Services

D. Lees told the Board he is representing J. Langone. He explained that the application is for a Conservation Subdivision Design for a property located on Chestnut Street. He told the Board a Definitive Subdivision for this property was approved in 1990 but was never developed. The subdivision plan was recorded at the Registry of Deeds. D. Lees told the Board the plan allows 26 buildable lots. He said DEP issued a superseding Order of Resource Area Delineation in 2006 which is valid until November of 2016 through the permit extension act. D. Lees described the property. He said he looked at the riverfront and a brook that would remain protected. He had 8 to 10 test pits dug to see what type of soil existed on the

land. He made several configurations to see what type of road the developer will construct. The road will be straight with a cul-de-sac at the end. He told the Board there is plenty of natural buffer. D. Lees talked about a ravine and said there are ponds that hold ice in the winter. He discussed parking for open space access and said there is 66% open space.

M. Sorrentino read DPW comments.

J. Langone told the Board he should have informed the Town Engineer about the Order of Recourse Area Delineation. D. Lees said a drainage easement along the slope is proposed. He also showed the Board the swale. D. Lees said he will incorporate the Town Engineers comments into the revised plans.

D. Lees told the Board the riverfront area runs through the property so every lot will be affected. He reiterated that the project was previously approved as a Definitive Subdivision and read from the riverfront act. V. Gingrich told the Board the project was previously approved as a Definitive Subdivision in 1990 but a new application requiring different information was submitted. She said the developer should add the riverfront and wetlands to the yield plan. V. Gingrich said she, M. Vivaldi, and W. McGowan walked the property and would like some of the land preserved for open space. She also pointed out the bylaw requires a different yield plan than the one provided. R. Holland told the applicant, according to the current laws, this project could not be constructed. V. Gingrich said she asked the applicant for a yield plan that shows resource areas to comply with the zoning bylaw.

R. Holland asked that some homes be designed with farmer's porches to add character. V. Gingrich pointed out some concerns at CDTR were making sure any water running off the steep slope will not impact the house lots. She said the committee had question about open space and what the trails will look like. R. Holland said the Board would like a condition that there be no parking after sundown for the open space parking area.

M. Sorrentino asked how the developer came up with the street name.

Resident, G. Johnson, 280A Chestnut Street told the Board there are All Terrain Vehicles (ATVs) that use the land every Sunday. He said the trails did not exist and because of the ATVs, he is uncomfortable with the idea of having more trails. M. Sorrentino explained that with a Conservation Subdivision Design, the Town has control of the trails. K. Bond, 8 Mulberry Lane, Burlington, told the Board she sees bow hunting. B. Bigwood, 300 Chestnut Street asked if there is a fund that the developer contributes to help maintain the trails and asked if the Board has concerns about Olin Chemical. M. Sorrentino said there is no fund to help maintain the trails. R. Quinn-Deangelo, 241 Chestnut Street told the Board said she remembers kids using paintball guns and she said she has had to cleanup oil cans. She told the Board she is very concerned about a new development. She feels the lots should be R60 like her property. She asked how this project will impact her property. R. Quinn-Deangelo asked what type of houses will be built. J. Langone told the resident the houses he builds will not be seen by her because there is a buffer. R. Quinn-Deangelo said she is concerned about traffic and more children. M. Sorrentino pointed out the developer received approval for a conventional subdivision in 1990. R. Holland said the developer will be using 13 acres and the remainder will be open space. She said the purpose of a Conservation Subdivision Design is

to conserve natural resources. 30 acres will go back to the town as open space. V. Gingrich said the applicant is proposing to keep the surrounding area as open space. Resident, D. Roberts, 15 Hillside Way asked how much spacing in acres is between J. Langone's property to where the property levels at 160 ft. and he asked J. Langone why he purchased the additional land. J. Langone answered that he had frontage but wanted additional land for an additional lot. B. Bond, 8 Mulberry Lane, Burlington, told the Board he is concerned about the extended parking area and asked if the Board will bring the parking space closer to the road so it will not be an issue. V. Gingrich said the parking will be moved so that it can be seen from the roadway.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Conservation Subdivision Design Special Permit #15-01 for Garden of Eden - Map 2 Parcels 201-206, 223-225 and Map 3 Parcels 207-222 to September 8, 2015 at 9:15 p.m.

Public Hearing - Site Plan Review #15-10 and Multi-Family Special Permit #15-02 for 13-15 Church Street - Map 41 Parcels 108 & 109

MATERIALS CONSIDERED:

PLAN "Proposed Site Plan, 13 & 15 Church Street, Wilmington, Mass" dated March 17, 2008 and last revised December 29, 2008

PRESENT IN INTEREST – Joseph Langone, Northeastern Development Corporation
Michael Newhouse, Esq.

M. Newhouse told the Board that nothing has changed and since the Zoning amendment was passed at Town Meeting, they are requesting approval for twelve residential units. He said he understands that if he proceeds prior to the Attorney General's approval it will be at his own risk.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #15-10 and Multi-Family Special Permit #15-02 for 13-15 Church Street - Map 41 Parcels 108 & 109. A decision will be issued at the next Planning Board meeting.

Board of Appeals

At its meeting on Tuesday, August 4, 2015 the Planning Board voted to recommend as follows:

Cases 14-2015 / 94 Glen Road Map 53 Parcel 20

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Old Business

There was no old business to discuss

New Business

Decision for Sign Special Permit #15-02 for 200 Ballardvale Street Map R2 Parcel 7 - Mallory Prentiss for OSRAM Sylvania, Inc., Applicant

MATERIALS CONSIDERED:

OSRAM sign designs and dimensions

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Sign Special Permit #15-02, plan entitled, "Building Identification", prepared by Sasaki Associates, Inc., dated April 24, 2015, submitted on June 9, 2015. Said property is located at 200 Ballardvale Street and shown on Assessor's Map R2 Parcel 7. The decision is as follow:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on July 7, 2015 and closing on July 7, 2015, by a motion duly made and seconded, it was voted:

"We, the Wilmington Planning Board, as requested by OSRAM Sylvania, Inc., under the provisions of Section 6.3.2 of the Zoning By-Laws of the Town of Wilmington to consider a sign proposal at 200 Ballardvale Street (Assessors Map R2 Parcel 7), as shown on the plan entitled: "Building Identification", prepared by Sasaki Associates, Inc., dated April 24, 2015, (the "Sign Proposal") (the "Project"), do hereby vote to APPROVE the Sign Proposal as shown on the submitted drawings / renderings, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
1. June 9, 2015	Photo Illustrations of Proposed Wall Signs.

FINDINGS:

1. The signage to be erected is on a parcel on Map R2 Parcel 7 on the Town of Wilmington's Assessor's Map.
2. The Planning Board determined that the location of the building with reference to the street is such that the extra large wall signs should be permitted in the public interest.
3. The sign proposal as set forth in the Special Permit and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines 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.
5. Bylaw Exceptions: (Section 6.3.6.1 – "Granted" one (1) wall sign that totals 363 square feet exceeding the permitted 120 square feet as shown on the submitted plans. Additionally, the sign is longer than 10 feet on a floor other than the first floor.

CONDITIONS:

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

General:

1. 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.
2. If the signs have 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.
3. This decision in no way invalidates any of the previous conditions required by the Planning Board on this property through Site Plan Review.
4. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all tenants.
5. Final As-Built (Signage) Plans in form(s) and format(s) acceptable to the Town Building Department and shall be submitted to the Inspector of Buildings and the Director of Planning and Conservation.
6. 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.

Decision for Site Plan Review #15-08 for Water Tower/Nassau Avenue/Eagle Road Map 31 Parcel 59 - Attorney Bradford W. Melson for Bell Atlantic Mobile of Massachusetts dba Verizon Wireless, Applicant

MATERIALS CONSIDERED:

PLAN "Wilmington 5 MA" dated May 15, 2015

STRUCTURAL ANALYSIS REPORT dated May 14, 2014

CORRESPONDENCE from Attorney Christopher Swiniarski dated May 26, 2015

CORRESPONDENCE from resident Joanne Cavallaro received July 7, 2015

PRESENT IN INTEREST – Bradford W. Melson, Esq.

B. Melson told the Board he was in receipt of the draft decision and his client is satisfied.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Site Plan Review Application #15-08 for Water Tower/Nassau Avenue/Eagle Road as shown on plan entitled: "Wilmington 5 MA, Eagle Road, Wilmington, MA 01887" prepared by Daniel P. Hamm, P.E of Hudson Design Group, LLC., 1600 Osgood Street, Building 20 North, Suite 3090, N. Andover, MA 01845 dated May 15, 2015 and last revised July 30, 2015 and "12' x 26' Stick Built Shelter, Design Layout, Gable & Shed Roof Models", prepared by Daniel P. Hamm, P.E of Hudson Design Group, LLC., 1600 Osgood Street, N. Andover, MA dated August 14, 2013 and last revised August 28, 2014. Said property is located at the Wilmington Water Tower/Nassau Avenue/Eagle Road and shown on Assessor's Map 31 Parcel 59. The decision is as follows:

We, the Wilmington Planning Board, as requested by Bell Atlantic Mobile of Massachusetts d/b/a Verizon Wireless 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 Nassau Avenue / Eagle Road (Assessors Map 31, Parcel 59), as shown on the plan set entitled: "Wilmington 5 MA, Eagle Road, Wilmington, MA 01887" prepared by Daniel P. Hamm, P.E of Hudson Design Group, LLC., 1600 Osgood Street, Building 20 North, Suite 3090, N. Andover, MA 01845 dated May 15, 2015 and last revised July 30, 2015 and "12' x 26' Stick Built Shelter, Design Layout, Gable & Shed Roof Models", prepared by Daniel P. Hamm, P.E of Hudson Design Group, LLC., 1600 Osgood Street, N. Andover, MA dated August 14, 2013 and last revised August 28, 2014 (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 2, 2015	Structural Analysis Report for Wilmington 5 MA, Eagle Road, Wilmington, MA 01887. Prepared for Verizon. Prepared by Hudson, Design Group, LLC, 1600 Osgood Street, North Andover, MA 01845.

FINDINGS:

1. The Project site is shown on Map 31 Parcel 59 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 By-Laws 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 By-Laws 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.

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.
9. All maintenance responsibilities for any equipment structures installed for this project will remain with the Owner.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

8. The Site Plan shall be revised to correct the typographical error on sheet A-2 for designated arrows to the fence and equipment shelter.
9. The Wilmington Fire Department shall review and approve all building plans prior to construction.
10. The Site Plan must be revised to show the generator within the equipment shelter.
11. Any Special Permit granted by the Wilmington Board of Appeals shall be referenced and added to the Site Plan.

POST CONSTRUCTION:

12. 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.

Decision for Site Plan Review #14-04 and Stormwater Management Permit #14-06 for 90 Eames Street - Map 38 Parcels 3A & 3B - Tresca Brothers Sand & Gravel, Applicant

MATERIALS CONSIDERED:

PLAN "90 Eames Street, Wilmington, Massachusetts" dated April 22, 2014

DEPARTMENT OF ENVIRONMENTAL AFFAIRS - Noise Guidelines dated April 2003

SOIL EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT REPORT dated June 2010 and last revised April 2014

SOIL EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT REPORT dated June 2010 and last revised October 2014

SOIL EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT REPORT dated January 15, 2015 and March 2015

STORMWATER POLLUTION PREVENTION PLAN dated October 24, 2014, December 16, 2014, and May 4, 2015

PLAN SHEET "Proposed Conditions Plan" dated January 13, 2015 and last revised May 18, 2015

PLAN SHEETS "Proposed Plan Layout" dated April 22, 2014, "Existing Conditions" dated April 22, 2014 and last revised April 29, 2015, "Proposed Conditions" dated January 13, 2015, and last revised April 29, 2015, "Details and Notes" dated April 22, 2014 and last revised April 29, 2015

COMMENTS – DPW memo dated September 10, 2014, November 10, 2014 and February 3, 2015, May 28, 2015, e-mail from Jamie Magaldi dated October 30, 2014, e-mail from Paul Alunni dated November 12, 2014

LETTERS from Attorney William R. Landry, Blish & Cavanagh, dated August 6, 2014 and October 6, 2014

INSTALLATION, OPERATION & MAINTENANCE MANUAL for Concrete Reclaimer received October 29, 2014

TECHNICAL MEMORANDUM from Daniel Mills, MDM Transportation Consultants, Inc. dated October 24, 2014

LETTER from Daniel J. Mills, MDM Transportation Consultants, Inc. dated December 17, 2014

TRAFFIC MEMORANDUM from MDM Transportation, Daniel Mills dated March 24, 2015

MEMORANDUM from MDM Transportation, Daniel Mills dated April 21, 2015

LETTER from EA Engineering, Science, and Technology, Inc., dated November 24, 2014 and January 21, 2015

CORRESPONDENCE from resident Ronald Mochi dated September 15, 2014 and November 17, 2014 was distributed to all Planning Board members. Additional correspondence from Ronald Mochi dated December 26, 2014

CORRESPONDENCE from resident Edina Martin dated November 11, 2014

NEWS PAPER ARTICLE dated November 13, 2014

TECHNICAL MEMORANDUM from William F. Lyons, Jr., of Fort Hill dated November 12, 2014

ILLUSTRATIONS AND CHART from Fort Hill received December 2, 2014

CORRESPONDENCE from William F. Lyons, Jr., Fort Hill dated November 12, 2014

CORRESPONDENCE from Burns & Levinson LLP dated October 6, 2014, November 11, 2014, December 1, 2014, and April 29, 2015

CORRESPONDENCE from ARCADIS dated August 5, 2010, November 12, 2014, January 20, 2015, February 17, 2015, March 24, 2015, and May 19, 2015

CORRESPONDENCE for TEC dated February 17, 2015, April 3, 2015

MassDEP approval for Air Quality Non-Major Comprehensive Plan

CORRESPONDENCE from DiPrete Engineering dated October 21, 2014, January 2015, March 19, 2015, and April 29, 2015

RESUMES for Daniel J. Mills, P.E., PTOE, Eric M. Prive, PE

POLICE ACCIDENT REPORT dated March 28, 2015

TEC - Traffic Peer Review comments dated April 3, 2015

OPERATIONS & MAINTENANCE PLAN dated October 17, 2014, January 20, 2015, March 18, 2015, and April 29, 2015

CHART - "Required Intersection Site Distance for Site Driveway - A Safety Issue"

CORRESPONDENCE from Eric Prive , to Valerie Gingrich dated June 12, 2105 and to Paul Alunni dated June 12, 2105 and letter dated June 22, 2015

PLAN SHEETS pages 1, 4, & 5 dated April 22, 2014 and last revised June 12, 2015, page 2 dated January 13, 2015 and last revised June 22, 2015 and page 3 dated June 22, 2015

PRESENT IN INTEREST – William Landry, Blish Cavanaugh
Alex Rothchild, ARCADIS

W. Landry told the Board the applicant is not objecting to the traffic mitigation. He said he does object to the hours of operation. He told the Board, at times there may need to be an early start time due to the time the mixer needs to be at the job site. W. Landry said if the applicant is in compliance with the noise parameters, they should be no different than other companies on that street. He said Benevento does not have limiting of hours at its site. He said that he is told that it would not be a regular occurrence.

Rothchild told the Board his noise study was conducted prior to 6:00 a.m. for the purpose that Tresca needed its operation to conduct business early. D. Shedd agreed it would be a problem if Tresca had a job requiring concrete at the job site by 6:00 a.m. W. Landry said he would like the start time to be 5:30 a.m. or 6:00 a.m. He told the Board the facility may need to operate Saturday and Sunday as well. A. Rothchild pointed out weekends are exceptions not the rule. W. Landry addressed condition 22 "trucks shall be directed to use Eames Street to Woburn Street to Presidential Way to access the highway system. Trucks shall be directed to avoid the Woburn/Lowell Street intersection" saying it is restricting the use of Main Street. He said R. Brown form TEC said during the morning peak hours the use of Main Street would be more appropriate but in the evening use Tresca should use Route. 38. V. Gingrich explained that the language does not restrict use of Main Street. W. Landry pointed out condition 21 "Backup cameras shall be installed in all vehicles instead of automatic backup warning alarms to minimize the background noise of neighboring residents ". A. Rothchild said there is a practical reason not to use backup cameras. M. Sorrentino said if the facility starting earlier, the Board does not want backup alarms. A. Rothchild asked the Board to add the words non-audible or backup cameras to that condition. D. Shedd asked if OSHA regulates the facility and A. Rothchild said yes. W. Landry said condition 24 reads "in accordance with the Applicant's traffic impact assessment, no tractor trailer trucks will be permitted to use the site" but it should say tractor trailer mixers instead of tractor trailer trucks. M. Vivaldi said that will be corrected. W. Landry said the town would like a 24 hour notice if Tresca must use Woburn Street. He said a one hour notice would serve the same purpose. M. Sorrentino suggested changing the 24 hours to a two-hour advanced notice.

M. Sorrentino wanted the Board to discussing the hours of operation. The Board understood the facility would start its operation early but not on a regular basis. It would be just for an occasional job. A. Rothchild explained the cement business is seasonal. During warmer weather, there is a higher volume of cement sold. W. Landry said the hours of operation should be 5:00 a.m. to 8:00 p.m. Monday through Friday and 6:00 a.m. to 5:00 p.m. Saturday. He suggested a condition that the facility should not operate on Sundays or Holidays without written notice and on an as needed basis.

A. Lipkind reminded the Board that neighbors attended several hearings and the hours of operation were discussed. He did not feel the neighbors would be happy with such an early start time.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #14-04 and Stormwater Management Permit #14-06 for 90 Eames Street, Map 38 Parcels 3A & 3B as shown on plan entitled: "90 Eames Street, Wilmington, Massachusetts"; dated April 22, 2014, last revised June 12, 2015, "Existing Conditions Plan", dated April 22, 2014 and last revised June 12, 2015, "Proposed Conditions Plan" dated January 13, 2015 and last revised June 22, 2015, "Proposed Plant & Layout" dated June 22, 2015, "Details & Notes", dated April 22, 2014 and last revised June 12, 2015, prepared by Professional Engineer; Eric M. Prive, DiPrete Engineering, Two Stafford Court, Cranston, RI 02930. Said property is located at 90 Eames Street, Wilmington, MA 01887 and shown on Assessor's Map 38 Parcels 3A & 3B. Decision is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 10, 2014 and closing on July 7, 2015, by a motion duly made and seconded, it was voted:

"We, the Wilmington Planning Board, as requested by Tresca Brothers Sand & Gravel, Inc., 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 plans development for property addressed at 90 Eames Street (Assessors Map 38, Parcels 3A & 3B), as shown on the plan set (5 sheets) entitled: "90 Eames Street, Wilmington, Massachusetts"; dated April 22, 2014 last revised June 12, 2015, "Existing Conditions" dated April 22, 2014 and last revised June 12, 2015, "Proposed Conditions Plan"; dated January 13, 2015 and last revised June 22, 2015, "Proposed Plant & Layout" dated June 22, 2015, "Details & Notes", dated April 22, 2014 and last revised June 12, 2015 prepared by Professional Engineer; Eric M. Prive, of DiPrete Engineering, 2 Stafford Court, Cranston, RI 02920, and submitted on August 11, 2014 by Blish & Cavanagh, LLP Counselors at Law for Glen Falls Lehigh Cement Co., P.O. Box 440, 313 Lower Warren Street, Glen Falls, NY 12801, (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. August 11, 2014	Soil Erosion & Sediment Control and Stormwater Management Report for 90 Eames Street, Wilmington, MA. Prepared by Eric Prive, P.E. of DiPrete Engineering, dated June 2010 and last revised March 2015.

2. October 29, 2014 Description of Model B Snubnose Concrete Reclaimer, Installation, Operation & Maintenance Manual, MSB 13.11. Prepared by BFK Technologies, Inc of Kiel, WI.
3. October 29, 2014 Stormwater Pollution Prevention Plan (SWPPP), Prepared for Tresca Sand & Gravel, 90 Eames Street, Wilmington, MA 01887. Prepared by Eric M. Prive, P.E. of DiPrete Engineering, 2 Stafford Court, Cranston, RI 02920, dated October 24, 2014 and last revised May 4, 2015.
4. October 29, 2014 Operations & Maintenance Plan. Prepared by DiPrete Engineering, Inc., 2 Stafford Court, Cranston, RI 02920, dated October 17, 2014 and last revised March 18, 2015.
5. October 29, 2014 Technical Memorandum – Traffic Impact Assessment (TIA) for 90 Eames Street. Prepared by Daniel J. Mills, P.E., PTOE, MDM Transportation Consultants, Inc., 117 pages, dated October 24, 2014.
6. William Lyons, P.E, Esq., of Fort Hill. Correspondence for Required Stopping and Intersection Sight Distance, dated November 12, 2014.
7. January 20, 2015 Equipment Production Rating Comparison of 2 Other Cement Plants in 20-mile radius of Wilmington; specifically, Georgetown / Benevento and Wilmington / Benevento; prepared by Arcadis U.S, Inc.; dated January 20, 2015.
8. February 6, 2015 MADEP Air Quality Non-Major Comprehensive Plan Final Approval, date February 26, 2009.
9. February 18, 2015 Acoustical Impact Evaluation from Proposed Site Operations, 90 Eames Street, Wilmington, MA; 5 pages with appendices dated February 17, 2015 and last revised May 19, 2015.
10. February 18, 2015 Traffic Peer Review Comments for 90 Eames Street, Wilmington, MA. Prepared by Rebecca Brown of TEC, Inc., 7 pages, dated February 17, 2015.
11. March 24, 2015 Response to Comments Issued by TEC, Inc., prepared by Daniel J. Mills, P.E., PTOE, MDM Transportation Consultants, 70 pages, dated March 24, 2015.
12. April 3, 2015 Response to Comments – Traffic Peer Review Comments, prepared by Rebecca Brown, P.E. of TEC, Inc., 4 pages, dated April 3, 2015.

13. April 21, 2015 Response to Address Stopping and Intersection Sight Distance concerns to the east of 90 Eames Street discussed at April 7, 2015, Prepared by MDM Transportation Consultants, 6 pages dated April 21, 2015.
14. April 30, 2015 Response to Comments for Intersection Sight Distance and Stopping Sight Distance, Prepared by Rebecca Brown, P.E. of TEC, Inc., 3 pages, dated April 30, 2015.
15. May 19, 2015 Traffic Analysis Summary, Memorandum to summarize traffic characteristics of proposed 90 Eames Street development, Prepared by Daniel J. Mills, P.E., PTOE of MDM, 2 pages dated May 19, 2015.

FINDINGS:

1. The Project site is shown on Map 38 Parcels 3A & 3B 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 By-Laws and the Board's Site Plan Review Rules and Regulations.
3. The redevelopment 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 By-Laws 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 Special Permits from the Board of Appeals for Manufacturing Use and the Groundwater Protection District (Section 6.6.7.7 of the Wilmington Zoning Bylaw).

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 approved 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 endorsement by the Planning Board of the Site Plan, the approval shall lapse and a new application, fees, and public hearing will be required, provided that, in accordance with Section 2.1 of the Rules and Regulations for Site Plan Review, if there is an appeal (or related proceeding

involving the Project) 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. Signage shall conform to zoning unless a Special Permit has been granted by the Planning Board as authorized by Section 6.3.2. of the Wilmington Zoning Bylaw.

PRIOR TO ENDORSEMENT OF THE SITE PLAN:

5. Following any required review by the Wilmington Conservation Commission and/or Board of Appeals, the applicant must revise the Site Plan to show all changes required by the Commission and/or Board of Appeals.
6. Plans shall be revised to include all conditions of Site Plan approval.
7. The Special Permits required for Manufacturing Use and the Groundwater Protection District (Section 6.6.7.7 of the Wilmington Zoning Bylaw) must be granted, recorded and added to the Site Plan.
8. The Applicant shall revise the Plans to indicate that the fence along Eames Street will be replaced in addition to the replacement of the fencing on the sides and rear of the property, which is noted on the Site Plan.
9. The plan set shall be revised to include the original date of the site plan with a revision block listing all subsequent revision dates.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

10. Glen Falls Lehigh Cement Co. has agreed to contribute \$45,000 as traffic mitigation for roadway improvements in the nearby roadway network. Funds shall be received prior to the issuance of a building permit.
11. An Approval Not Required (ANR) Plan shall be submitted to the Planning Board for the consolidation of Parcel 3B and Parcel 3A.
12. Specifications for tree plantings shall be submitted for review and approval. Native species and trees which are drought and salt resistant are preferred
13. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and the latest NPDES General Permit and corresponding Stormwater Pollution Prevention Plan.
14. Building plans shall be reviewed and approved by the Wilmington Fire Department. Additionally, the following are required by the Wilmington Fire Department:
 - a. A sprinkler system shall be installed in the entire building, designed to NFPA 13.
 - b. An addressable fire alarm panel with a digital communicator shall be installed. Installation of a Radio Box, which will be monitored by Wilmington Public Safety Dispatch is recommended.
 - c. Knox key vault must be provided.

PRIOR TO OCCUPANCY:

15. Town of Wilmington Water and Sewer Department requires the existing 2 inch water line to be properly abandoned at the main.
16. The Applicant shall upgrade the 10 inch water main in Eames Street from the water gate on the west side of the bridge, approximately 600 feet west to connect to the recently

installed 12 inch water main as shown on the Plan. The Applicant acknowledges that as of September 2013 there is a moratorium on Eames Street, which prevents any non-emergency road cut for a period of five years unless the road is paved curb to curb as part of the project to restore it to its pre-cut condition. The Applicant shall be responsible for the design and construction of the water main upgrade in accordance with the Town of Wilmington utility and construction standards. The Applicant is required to apply for a road opening permit, submit a traffic management plan for review and approval, and schedule a pre-construction meeting with the Department of Public Works at least two weeks prior to construction of the water main upgrade.

17. The Applicant shall give reasonable notice to the Engineering Department for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.
18. Final 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 prior to occupancy.

POST OCCUPANCY:

19. The Applicant has agreed to perform noise tests within seven days of operation. Results of the noise test shall be submitted to the Department of Planning & Conservation and the Board of Health.
20. The MADEP Air Quality Permit, dated February 26, 2009, shall be complied with at all times, including compliance with the emission limits, monitoring, testing and reporting requirements thereof, as well as the requirement of Section 3a thereof that the facility does not cause a condition of any pollution (noise) per 310 CMR 7.10 and that noise levels are consistent with MADEP Noise Policy 90-001.
21. Backup cameras or other non audible methods shall be used for all vehicles instead of automatic backup warning alarms to minimize the background noise of neighboring residents.
22. As much as possible, trucks shall be directed to use Eames Street to Woburn Street to Presidential Way to access the highway system. Trucks shall be directed to avoid the Woburn/Lowell Street intersection.
23. The applicant and all successive users shall provide the Town of Wilmington 2-hour advanced notice of any deliveries requiring to use Woburn Street between Eames and Lowell Street.
24. In accordance with the Applicant's traffic impact assessment, no tractor trailer mixers will be permitted to use the site.
25. The Applicant shall maintain or replace landscaping, fencing and lighting as indicated in the Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping in presentable and healthy condition.
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 operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located at 90 Eames Street shall be the owner's responsibility.

28. The Applicant shall limit the use of salt as a de-icing agent since the Site is located within the Groundwater Protection District. Snow shall not be pushed into wetlands or stormwater management areas (basins, swales, stone trench). Drainage structures shall remain clear of snow.
29. A dedicated mechanical street sweeper shall be present on-site at all times and used regularly to supplement the dust control measures provided for under the above referenced MADEP air quality permit, including keeping the roads swept and aggregate piles moistened as required to minimize dust.
30. All add-mixtures shall be kept in sealed containers within the confines of the main building. No such mixtures shall be stored on the exterior ground surface.
31. Hours of Operation will be from 5:00 am to 8:00 pm Monday through Friday and 6:00 am to 5:00 pm on Saturday. The facility shall not operate on Sundays or holidays without prior written notice from the Town of Wilmington.
32. In order to ensure continuous proper sight distances, the Applicants shall coordinate with the Wilmington Department of Public Works, Department of Planning & Conservation, and Boston & Maine Railroad to perform periodic trimming of roadside vegetation along the southerly side of Eames Street in the vicinity of the at-grade railroad crossing and Project site driveway.
33. At no time shall any petroleum products be stored on site.

Planning Director's Comments

V. Gingrich told the Board Attorney Sean Hennigan was appointed to the Board by the Town Manager and will start at the September meeting. She addressed the issue of Simple Stormwater Management Permit. She reminded the Board that when the Stormwater Bylaw was developed, the Board granted the Planning Director authority to administer Stormwater Permits, so Town Council suggested the Board take a formal vote and sign a granting authority certificate. R. Holland responded it was already granted and V. Gingrich said although it was, there was nothing signed by the Board and Town Council would like the Board to sign the granting authority certificate.

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

VOTED: To adjourn the meeting at 10:23 p.m.

NEXT MEETING is September 8, 2015

Respectfully submitted,

Cheryl Licciardi
Recording Clerk