



## TOWN of WILMINGTON

### DEPARTMENT OF PLANNING & CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 [www.wilmingtonma.gov](http://www.wilmingtonma.gov) (978) 658-8238

#### Planning Board Minutes September 14, 2021

The Planning Board met on Tuesday September 14, 2021 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Michael Sorrentino, Chair; Randi Holland, Angela Marcolina, Sean Hennigan and Terence Boland. Valerie Gingrich, Director of Planning & Conservation, was also present.

#### Minutes

August 3, 2020

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the August 3, 2021 minutes as written.

#### Form A

12, 14 & 18 Eleanor Drive – Map 4 Parcels 4E, 4L & 4H - “Plan of Land, Eleanor Drive, Wilmington, Massachusetts (Middlesex County)” – Eleanor Estates, LLC, Applicant

#### MATERIALS CONSIDERED:

PLAN “Plan of Land, Eleanor Drive, Wilmington, Massachusetts (Middlesex County)”, dated August 10, 2021

V. Gingrich told the Board the plan shows where the location of the old cul-de-sac on Eleanor Drive where Murray Hill extended Eleanor Drive. The cul-de-sac is being discontinued and the rearrangement of the property lines. T. Boland asked if the lot in the middle is not buildable. V. Gingrich said not currently.

Upon motion duly made and seconded it was unanimously

VOTED: To receive the ANR Plan and Application #21-10 for 12, 14 & 18 Eleanor Drive – Map 4 Parcels 4E, 4L & 4H - “Plan of Land, Eleanor Drive, Wilmington, Massachusetts (Middlesex County)”, dated August 10, 2021

Upon motion duly made and seconded it was unanimously

VOTED: That approval under Subdivision Control is not required for ANR Plan and #21-10 for 12, 14 & 18 Eleanor Drive – Map 4 Parcels 4E, 4L & 4H - “Plan of Land, Eleanor Drive, Wilmington, Massachusetts (Middlesex County)”, dated August 10, 2021

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled, “Plan of Land, Eleanor Drive, Wilmington, Massachusetts (Middlesex County)”, dated August 10, 2021

RECEIVED  
TOWN CLERK  
2021 NOV 17 PM 3:19  
TOWN OF WILMINGTON, MA

**Matters of Appointment**

**Continued Public Hearing – Site Plan Review #21-05, Stormwater Management Permit #21-05 and Parking Relief Special Permit #21-01 for 225 Andover Street - Map R1 Parcel 108 - American Maplewood Properties LLC, Applicant**

PRESENT IN INTEREST: Robert G. Peterson, Jr. Esq.

MATERIALS CONSIDERED:

PARKING DEMAND LETTER from VHB dated August 16, 2021

Attorney R. Peterson, Jr. told the Board he is requesting a continuation after consulting with the Planning and Engineering Departments. He said the site plan is being revised to address all the concerns of the Town. He said there are parking concerns specifically, setback requirements off Andover Street so the building size is being reduced to account for the setbacks. R. Peterson said the plans are being revised to accommodate the Wilmington Ladder truck and there will be a one way to allow the truck to maneuver around the site and will meet the required turning radius.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Site Plan Review #21-05 and Stormwater Management Permit #21-05 to October 29, 2021

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-05, Stormwater Management Permit #21-05 for 225 Andover Street to October 5, 2021 at 7:30 p.m.

Upon motion duly made and seconded with four in favor and one abstention, (S. Hennigan) it was

VOTED: To continue the public hearing for Parking Relief Special Permit #21-01 for 225 Andover Street to October 5, 2021 at 7:30 p.m.

**Continued Public Hearing - Site Plan Review #21-09, Stormwater Management Permit #21-07 and GWPD Special Permit #21-02 for 201 Lowell Street (Parcel A) – Map 48 Parcel 73A Michael Kieran for Textron Systems Corp, Applicant**

**Continued Public Hearing - Site Plan Review #21-10, Stormwater Management Permit #21-08 and GWPD Special Permit #21-02 for 201 Lowell Street (Parcel B) – Map 48 Parcel 73A Andrew Gallino for ND Acquisitions LLC, Applicant**

PRESENT IN INTEREST: David Fenstermacher, VHB  
Sherry Clancy, National Development  
Vinod Kalikiri, VHB Traffic Engineer  
Cynthia Murphy, Margulies Peruzzi Architects  
Ralph DeVito, Margulies Peruzzi Architects  
Liz Oltman, TEC

MATERIALS CONSIDERED:

PLAN "Textron Building Remodel and Proposed Warehouse", dated May 6, 2021 and last revised August 27, 2021

STORMWATER MANAGEMENT REPORT dated August 2021

REVIEW RESPONSE TO TEC TRAFFIC COMMENTS from David Fenstermacher dated August 6, 2021

RESPONSE TO PLANNING DEPARTMENT COMMENTS from David Fenstermacher dated August 26, 2021

RESPONSE TO ENGINEERING & FIRE DEPARTMENT COMMENTS from David Fenstermacher dated August 26, 2021

TEC REVIEW LETTER #2 dated September 10, 2021

RESPONSE TO TEC COMMENTS from David Fenstermacher dated September 10, 2021

S. Clancy introduced people on her team that were present. D. Fenstermacher told the Board he was able to work with water and sewer and peer reviewers and there is no further action for that required. He said as part of the sewer review, they videoed all existing mains they will be reusing. He said they received a review letter with comments for drainage to revises plans and stormwater report. He said they have field investigations being conducted to validate their assumptions and hopefully the design results will be the same, but they may need to move some things around a bit. S. Clancy said they had good results with permeability. She said in some areas the water table looks as if it may be a little higher so they may shift things a bit. M. Sorrentino asked if the independent review from Arcadis is complete. Both S. Clancy and D. Fenstermacher said yes. M. Sorrentino asked if the Town Engineer is satisfied with the sewer information. S. Clancy said yes and D. Fenstermacher said it is only the drainage and hopefully if can be finalized. S. Clancy asked to move on to traffic. V. Kalikiri told the Board they responded to TEC's letter and made minor plan changes. He said the comment about the middle driveway to the site that provides access to the truck port and loading dock, asked about pedestrian accommodations. He said so pedestrians can find a safe way to that area they added pedestrian walk areas though-out the site and in front. M. Sorrentino said that was good. V. Kalikiri said there was a comment about restricting operation times of the facility and keeping vehicles off the driveways during peak hours. V. Kalikiri said they believe that is not practicable. He said they proved their analysis works and the impacts are manageable. He requested there be no limitation of operation especially during peak hours. S. Clancy said they will enter into a long-term arrangement with the city for use of the remaining area of the ball field and tennis courts at no cost to the city and they believe that is suitable mitigation in lieu of what is being suggested by the town's traffic reviewer. V. Gingrich said she could provide the previous traffic mitigation that has been received for projects in that area just for context. She said 203 Lowell Street, 50 apartments, commercial out front, they provided \$25,000 for the intersection improvements, Analog constructed a new R&D/office building and provided \$100,000 for the intersection. She said across the street at 168 Lowell Street, 36 town homes, they provided \$6,000 for mitigation but they also spearheaded the sewer extension project and put a lot of resources in that. V. Gingrich said that is what the contributions have been toward the intersection project. S. Clancy asked if the town will consider the in-kind things like curb cuts and all the things they are doing plus what they are putting along the sidewalk to make it pedestrian friendly or is the Town looking for an actual dollar value? V. Gingrich said that's up to the Board. She said the striping along the Lowell Street frontage is something that needs to be done as mitigation. V. Gingrich said without the intersection improvements underway in 2023, it wouldn't be a safe addition for the project to use the current intersection. V. Gingrich said what was asked of other applicants is a monetary contribution toward that project. S. Clancy said they have been working with the Town to come up with good use of the ballfield area and tennis court and others cannot offer open space, so she said there is value in that.

She said she understands that others can offer money, but they are not in a position to give open space so she would like the Board to consider the value of open space. M. Sorrentino said it is something they can consider. V. Kalikiri said implementing the striping improvements along Lowell Street should be part of the design change plan. M. Sorrentino asked the applicant to explain the comment "no build comment". V. Kalikiri said in the original traffic study they assumed that all the space would be occupied. They reached out to Textron to see what they used in the last year so it's not what's happened ten years ago, it's current and the traffic study is for that portion of the site. T. Boland asked to close out the discussion on time restrictions and have TEC discuss their recommendation compared to VHB's response. S. Clancy said TEC gave the window between 7:00 am and 9:00 am and wanted the start time after 9:00 am. She said most warehouses start early but to say they can't start before 9:00 is unusual for a warehouse use. V. Kalikiri said that would be a very onerous limitation for prospective clients. S. Clancy said it's odd that a study would be done during peak time but then you say they can't come during peak time.

V. Gingrich said L. Oltman from TEC is here and will explain her point. L. Oltman said they studied (7:00 am – 9:00 am) when the traffic is the highest. She said a lot of time warehouses have off peak shift changes. She said it was a thought, but they show the intersections will work without a significant impact. M. Sorrentino said L. Oltman based her analysis on the worse-case scenario with the maximum amount of trips during those peak hours.

D. Fenstermacher said they had gravel wetlands, but they have been removed and they are putting a substantial investment into subsurface stormwater systems. S. Clancy wanted it noted that the Town Engineer beat that into to them. D. Fenstermacher showed the plan and described the changes. He said there are over 20 test pits out there to verify soil and groundwater. He said these are the design changes that may need some minor shifts. He said the Town Engineer is reviewing it. V. Gingrich said there looks like there is extra fill to accommodate the underground infiltration units. She said the grade changes get closer to Lowell Street. She asked if any of those mature trees are impacted by those grade changes. D. Fenstermacher said they are not. S. Clancy said they added more trees. D. Fenstermacher said there is a nice row of trees to screen the parking area. He said another concern is the fire pond. S. Clancy said Textron has always had a fire pond. She said there is a request to discontinue the connection for fire pond. She said Textron feels very strongly that they need to maintain the fire pond. R. DeVito said Textron has high hazard classifications. He said it's a combination of the classification fire code as well as their insurance carrier so that's why it needs to remain. S. Clancy said they are creating 2 fire loops that can be isolated and tested. She said the town has a lot of flow but not the pressure. She said in order to get the pressure they need they use the pumps from the fire pond. C. Murphy said the pump happens to be at the pond and it's unfortunate that it is not in the building, but it is in functioning order. She said it doesn't make sense to dig up an area near the wetlands to remove it, spend a lot of money to put something in the building that's already functional. M. Sorrentino asked what DPW's concern is. S. Clancy said cross contamination. V. Gingrich said some of the wetland flagging wasn't clear in that area because access was limited. She asked if the applicant can provide more as to whether the fire pond is part of the resource area. She said part of the concern is in the Groundwater Protection Area pumping water out of a resource area and if that could be eliminated because Town flows are adequate and that would be preferred. So it's also an environmental concern. M. Sorrentino asked if a water consultant was hired to see if there was enough pressure. C. Murphy said with a new building you would put a pump to make sure there is enough pressure in but in this case the pump is located in the pond. M. Sorrentino asked if the new building will have a pump and if it will be connected to the town's water system. He asked why a pump could not be placed in the

existing building. He asked if there was not enough pressure for all the building and S. Clancy said each building has its own pressure requirements. She said in her case they are putting in an ESFR system that all new warehouses have. S. Clancy said if Textron were to have some catastrophic incident, they need to have the pump they have to get more pressure quickly. M. Sorrentino asked if they are remodeling their building and S. Clancy said no. Textron is not doing a new sprinkler system. R. DeVito said the pump is backed up by emergency power and it's not minor. M. Sorrentino said this is a large project so he couldn't understand why Textron couldn't add a pump inside the building. S. Clancy said their building is not being rehabbed to that extent. D. Fenstermacher showed the rendering for the warehouse. M. Sorrentino asked if anyone in the audience was here for this project. Nobody was. M. Sorrentino asked if HVAC was on the roof and S. Clancy said the warehouse is not air-conditioned but any unit would be screened.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline for Site Plan Review #21-09 & #21-10, Stormwater Management Permit #21-07 & #21-08 and for 201 Lowell Street to October 29, 2021.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-09, & #21-10, Stormwater Management Permit #21-07 & #21-08 and GWPDP Special Permit #21-02 & #21-03 for 201 Lowell Street to October 5, 2021 at 7:40 p.m.

**Continued Public Hearing – Site Plan Review #21-11, Stormwater Management Permit #21-09 for 100 Research Drive - Map R3 Parcel 401 – Robert G. Peterson, Jr., Applicant**

PRESENT IN INTEREST: Robert G. Peterson, Jr. Esq.  
John Paul Martignetti, Martignetti Real Estate

**MATERIALS CONSIDERED:**

PLAN "Proposed Permit Site Plan, 100 Research Drive, July 30, 2021" dated June 28, 2021 and last revised August 6, 2021

RESPONSE TO ENGINEERING dated August 3, 2021

CONCEPT FLOOR PLAN dated June 2, 2021

Attorney R. Peterson, Jr. told the Board he received a memo from the Town Engineer dated August 3, 2021. Since that time, M. Juliano met with the Town Engineer and made all requested changes. He explained the changes depict a turning template of a WE50 truck which is larger than the Wilmington ladder truck showing the turning radius is larger on the site. He said the granite curb will be removed and returned to the Town DPW. V. Gingrich said that draft decisions were prepared for consideration. M. Sorrentino asked the applicant if the draft decision was reviewed, and the applicant said it had been. M. Sorrentino asked if anyone in the audience was present for this project, and nobody was. V. Gingrich said site plan approval includes the vegetative trimming along the ROW condition approved in the last round was just carries over into this approval.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Site Plan Review #21-11 and Stormwater Management Permit #21-09.

Upon motion duly made and seconded it was unanimously

VOTED: To approve Site Plan Review #21-11 for 100 Research Drive as follows:

**This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on August 3, 2021 and closing on September 14, 2021, by a motion duly made and seconded, it was voted:**

We, the Wilmington Planning Board, as requested by Joseph Martignetti, Martignetti Real Estate, 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 100 Research Drive for the construction of a new 19,950 sq.ft. commercial/industrial building, with associated parking, landscaping, utilities and stormwater management, as shown on plan entitled "Proposed Permit Site Plan, 100 Research Drive", dated June 28, 2021 and last revised August 6, 2021, prepared by Michael J. Juliano, P.L.S., P.E., Eaglebrook Engineering & Survey, LLC, 491 Maple Street, Suite 304, Danvers, MA 01923, submitted on July 8, 2021, (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.	July 8, 2021	Stormwater Analysis & Calculations, prepared by Michael J. Juliano, P.L.S., P.E., Eaglebrook Engineering & Survey, LLC, dated June 28, 2021.
2.	July 8, 2021	Exterior Elevations, prepared by Richard W. Rankin, AIA, dated June 3, 2021.
3.	July 8, 2021	Main Level Floor Plan, prepared by Richard W. Rankin, AIA, dated May 20, 2021 and revised June 2, 2021.
4.	July 28, 2021	Total Phosphorus Removal Calculations, prepared by Michael J. Juliano, P.L.S., P.E., Eaglebrook Engineering & Survey, LLC, dated July 28, 2021.

#### **FINDINGS:**

1. The Project site is shown on Map R3 Parcel 401 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 has been approved for commercial and industrial use. The Project provides the maximum number of parking spaces required for the proposed building.

**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.

**SPECIAL CONDITIONS:**

8. Any revisions to the proposed building elevations shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the Applicant must submit revised plans to the Planning Board for approval.

**PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

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

#### **PRIOR TO START OF CONSTRUCTION:**

10. 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.
11. If applicable, a Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.
12. 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:**

13. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
14. The existing granite curb removed from Research Drive is town property and shall be returned to the Department of Public Works. The Applicant shall deliver this material to the DPW yard after coordination with DPW.
15. 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.
16. Vegetation trimming shall be completed in accordance with the recommendations in the Traffic Assessment by VHB dated July 2, 2019 that was submitted under the previous approval. The Applicant shall notify the Town's Tree Warden prior to any vegetation trimming in the right-of-way.
17. 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:**

18. 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.
19. 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.
20. 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.
21. 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.



22. 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.
23. 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.
24. 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.

Upon motion duly made and seconded it was unanimously

VOTED: To approve Stormwater Management Permit #21-09 for 100 Research Drive as follows:

**DECISION OF THE WILMINGTON PLANNING BOARD  
AS PERMIT GRANTING AUTHORITY FOR STORMWATER MANAGEMENT PERMITS  
UNDER SECTION 51 OF THE BYLAWS OF THE INHABITANTS OF THE TOWN OF  
WILMINGTON**

September 15, 2021

ISSUED for Property located at 100 Research Drive, Wilmington, Massachusetts (Map R3 Parcel 401)

Case No.: Stormwater Management Permit #21-09

Applicant: Joseph Martignetti, Martignetti Real Estate, 304 Cambridge Road, Suite 520,  
Woburn, MA 01801

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and plan entitled, "Proposed Permit Site Plan, 100 Research Drive", dated June 28, 2021 and last revised August 6, 2021, prepared by Michael J. Juliano, P.L.S., P.E., Eaglebrook Engineering & Survey, LLC, 491 Maple Street, Suite 304, Danvers, MA 01923. Said property is located at 100 Research Drive, Wilmington, MA 01887 and shown on Assessor's Map R3 Parcel 401; material submitted on July 8, 2021, subject to the 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.	July 8, 2021	Stormwater Analysis & Calculations, prepared by Michael J. Juliano, P.L.S., P.E., Eaglebrook Engineering & Survey, LLC, dated June 28, 2021.
2.	July 28, 2021	Total Phosphorus Removal Calculations, prepared by Michael J. Juliano, P.L.S., P.E., Eaglebrook Engineering & Survey, LLC, dated July 28, 2021.

## STANDARD CONDITIONS

1. Waivers granted: None
2. The development shall not alter the flow of stormwater runoff leaving the site, nor shall it alter the stormwater flow to any adjoining properties, public ways or wetland resource areas.
3. The development shall comply with the performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Handbook.
4. The Applicant shall provide and maintain erosion and sedimentation controls until the site is permanently stabilized.
5. The Applicant shall inspect and maintain the site and stormwater management systems. Maintenance requirements for the site shall remain in perpetuity with the parcel.
6. To the maximum extent practicable, the development shall provide on-site infiltration and meet the Recharge Additional Performance Standards as specified in Appendix E of the Town of Wilmington Comprehensive Stormwater Management Regulations adopted February 2, 2010 and last amended on October 2, 2018.

## SPECIAL CONDITIONS

1. If applicable, a Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.
2. Erosion controls shall be inspected by the Department of Planning & Conservation two (2) business days prior to the start of any land disturbing or land altering activity.
3. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to installing any stormwater management system or any other critical design components.
4. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
5. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

ISSUED ON September 15, 2021

**Public Hearing – Site Plan Review #21-12 for 442 Main Street - Map 41 Parcel 111  
Stan Stedman, Applicant**

PRESENT IN INTEREST: Stan Stedman  
Luke Roy, LJR Engineering

MATERIALS CONSIDERED:

PLAN "Site Plan, 442 Main Street, Wilmington, Massachusetts" dated August 6, 2021  
LETTER from Joseph Langone, Northeastern Development Corp. dated August 18, 2021

## ENGINEERING MEMO dated September 14, 2021

L. Roy told the Board 442 Main Street is an existing site located in the Central Business district. There is an existing building on the site and at this time there is no proposed change to the building footprint. There is no change to grades, utilities, or site features. He said the building was previously used as a martial arts school and the applicant is proposing a tenant as a retail use. L. Roy said he was asked to layout the required parking for the retail use. The building is 3200 SF and the requirement is one space for every 400 sf resulting in a requirement of 8 parking spaces. He laid out how all 8 spaces will fit on the site. He said there is striping out there now and the lot will be restriped. M. Sorrentino read the Engineering memo dated September 14, 2021. He said the owner placed concrete barriers across the parking lot limiting Wilmington Fire Department sufficient access/circulation to the rear of buildings at 442 Main Street, 446 Main Street, and 456 Main Street. The Engineering Department recommends the applicant provide a 20 ft wide access fire lane. L. Roy said his understanding from the applicant is the current set-up is what the fire department wanted. M. Sorrentino said that is not the Board's understanding. They do not have proper access and they are concerned getting to adjacent properties. The Board recommends there be a 20' wide opening without a gate so they can have the passage.

S. Stedman said there was an informal meeting with the Town Manager, Planning Director, Inspector of Buildings and Fire Chief. He said the Fire Chief had a Lieutenant meet him at his site and he was told to put a 10' gate and he said he would even put a 12' gate if that's what the Town wanted. S. Stedman said he can remove the gate, or he can replace the fire-lane gate with 12' x 6' chain-link fence. He said he volunteered to install the fire-lane gate for the benefit of the community and its neighbors. S. Stedman said the fire-lane gate has no benefit or value to him. M. Sorrentino said the applicant should not have done something before coming before the Board for approval. S. Stedman said he was before the Board for parking, not the gate and M. Sorrentino said the Site Plan Review process has to do with parking, circulation, and access and there is a safety issue at the property. S. Stedman argued it was not a safety issue because he is removing the gate. He said he has a picture of a Town fire truck on his property. He said a fire truck came onto the property and a fireman got out with 12 pairs of skates to bring to Cooke's. S. Stedman repeated he would take the gate down. He said the Fire Chief should be present if he's making accusations. He said he has a recording of the Fire Chief stating that he complied to everything in his letter. S. Stedman said he has a letter from J. Langone that states there is no requirement for the gate. He said the reason he put the gate up is because the tenant that was there before had his customers complain about safety. He said he had a lease with this tenant until 2023 and he let him out of the lease because the tenant said the cars cutting through the highway are safety issue to his customers. M. Sorrentino asked if the cars are coming from Main Street and trying to avoid the traffic light and cut through the parking lot through D&D Lock. S. Stedman said cars were trespassing and it was causing a safety hazard. He said his tenant told him he was losing customers and the customers said they were concerned about the safety. S. Stedman said if someone got injured, they would sue him. He said the Fire Department approached him and told him to put a fire lane gate. He said the gate was vandalized and someone cut the chain, so he put up a security camera. He asked the Chairman if the Board is requiring him to provide a 20 ft wide access or just recommending that he provided that access. M. Sorrentino told him he must provide a 20' wide access fire-lane. S. Stedman said he declines what the Board wants. M. Sorrentino told him it will be a condition of his approval. S. Stedman told the Board he will shut the Fire-Lane gate down and there should be no issues. He asked V. Gingrich if she recalled him reading the statement from the Fire Chief and because V. Gingrich didn't answer quick enough. S. Stedman got irate. S. Stedman asked if he refuses to comply

with the Board's recommendation, will they deny him. He asked if the Board would be denying his application and M. Sorrentino explained the Board will not deny the application but make a condition of approval that the Fire-Lane should have a 20' access. S. Stedman told V. Gingrich he will not comply with the request of the Board, and he insisted it is only a request. M. Sorrentino calmly explained that the conditions of approval for Site Plan Review must be met for the applicant to obtain an occupancy permit. S. Stedman asked V. Gingrich if the meeting was over. Then he asked the Board to vote. S. Stedman argued with M. Sorrentino and asked if the Board is mandating that he provide a 20' wide access fire-lane. M. Sorrentino said the Board can close the public hearing and vote on the conditions which will require a 20' wide access fire-lane. S. Stedman told M. Sorrentino to vote two ways. He said the Board will vote if Mr. Stedman leaves the fire gate with a 12' entrance, it will deny his permit. He said the next thing the Board will vote on is if Mr. Stedman decides to remove the fire-lane gate completely to not let standard fire trucks go through or ambulances go through but if he chooses to close the fence with no fire-lane gate, the Board should vote on that. He said those are the only options to vote on. M. Sorrentino said the Board will not be voting both ways. He said the Board will close the public hearing and vote with the condition of 20' access fire-lane. He asked if anyone on the Board wanted to speak. No Board members had anything to add.

J. Miller, 335 Woburn Street, said she wanted everyone in the room to think about the commercial properties along the main road and how many have access for fire trucks to drive between properties starting with Main Street and work your way down to Market Basket and how there are fences between the properties and the fire truck cannot drive from one to another. R. Grassia, 87 Chestnut Street, asked why there needs be access to go to Rizzo's and go through to Cooke's. He explained that you can go from Church Street, through the parking lot past Rizzo's and to Cooke's. Someone in the audience said that access is now blocked because of a fence. R. Grassia did not realize the fence was up since he used to access the properties through Church Street. R. Grassia said if S. Stedman takes the fence away, the problem is corrected. M. Sorrentino said yes. M. Bidell, 446 Main Street said it is a safety issue. He said there is nothing on file with the Police or Fire Department that anyone in all the years has ever been hurt or injured accessing any of the properties through the parking lot. He said that has been there over 100 years. He mentioned all the businesses that were there in the past that always shared access. He said there has never been safety issues and there was never a wall. M. Bidell said he's been there 21 years and there never was a problem and he agreed with the Board there should not be a wall. He said the wall has affected his customers, deliveries and it has caused problems with their business. He said their deliveries are being brought in through another parking lot. M. Sorrentino explained the Board reviews the Site Plan and not the people or their business plan. The Board receives recommendations and the Fire Chief said he needs a wider opening for it to be safe. He said the Town Engineer needs a 20' opening. The Board respects their recommendations. He said the Board does not want to be in the middle of a property battle with neighbors. S. Stedman said with the layout he is just able to maintain 8 parking spaces and if he opens the gate 8' he will only have 7 spaces and will not comply with the requirement of 8 parking spaces. He said V. Gingrich measured the parking spaces. He said he missed it on the 9' width by 1". He said the 9 parking spaces there now are 8' wide. M. Sorrentino asked L. Roy if he can fit 8 spaces once the gate is open. L. Roy said you could squeeze a spot but it will interfere with the existing spot for 3R. S. Stedman continued to argue about the gate. S. Stedman said there is no way a 55' truck is going to come in a 30' entrance, swing in front of Rizzo's. He said at one time there were 5 retail tenants in his building and V. Gingrich has a copy of it and the basement has 5 petitions. S. Stedman said he did everything he was asked to do. He came to the Board with complete integrity with no deception. M. Sorrentino said no one is questioning his integrity and the same should go for the Board in fact nobody should question

the Board's integrity. S. Stedman asked if M. Sorrentino would end his portion of the meeting. M. Sorrentino said the Board is going to close the public hearing and provide an order of conditions. S. Stedman said he offered to give the tenant all his money back.

G. Miller said he is a resident of 335 Woburn Street and the tenant at 442 Main Street. He said the firetruck came in the parking lot to get their skates sharpened. He said the Fire Chief said at the meeting that was recorded at Town Hall that he personally has a problem with that but legally he can't do anything about it because Town Counsel said he can't. He said the Chief is trying to poison the Planning Board's minds. He said the Boards do everything to screw everybody. M. Sorrentino said that's unfair. G. Miller said it isn't unfair and again, M. Sorrentino said it is unfair. M. Sorrentino said he has volunteered on the Planning Board for 20 years and he shouldn't have to take abuse from an applicant. G. Miller said he should resign. M. Sorrentino asked if anyone else would like to speak. M. Sorrentino explained that every community has a process, and it must be followed. S. Stedman asked why the Board is putting him through this. M. Sorrentino said the Board is not putting him through anything. He told the applicant because he did something to his property without the Town's permission, something evolved, and this is where it's at. S. Stedman asked if he removes the fire-lane gate, is there still an issue? He said he will fill it with barriers. Resident said he doesn't understand why an occupancy permit cannot be issued when the firetruck was able to go in. M. Sorrentino said there is a change of use which mean he needed to go for Site Plan Review, but he did not go through Site Plan Review to rearrange his parking lot but instead he put up barriers and a fence. He said it gets reviewed by all departments and the Board takes into consideration the Departments' recommendations. M. Sorrentino said there is a recommendation from the Fire Chief and Town Engineer saying it's not safe and they want the 20' wide access fire-lane and he needs to show he can meet Town requirements for parking spaces. S. Stedman said he's not complying with the parking, he's going to correct the parking and he's not complying with the fire-gate, he's going to get rid of it. He said he's not complying with the parking lines that are there, he's removing them. He said he'll comply with the Fire Chief, and he'll remove the fire-lane gate and put 2-6' barriers up. M. Sorrentino asked if S. Stedman if he was going to block off the area and leave no opening. S. Stedman said it's his choice because a fire-lane gate is not a requirement. S. Stedman said the fire-lane gate is a voluntary gate. He said he is going to comply by removing the gate and putting 2 cement barriers up and complete the fence. M. Sorrentino calmly explained again there needs to be a 20' opening to give access to the firetruck. Someone asked if you need to apply to the town to put a fence up on commercial property. V. Gingrich said it would be reviewed during this process. She said it depends on the height and other things. S. Stedman said the height of his fence is 6'. G. Miller asked why the Board is talking about the fence if there may not be a requirement for a 6' fence. R. Fudge, 456 Main Street, asked if J. Langone can put up a fence and block traffic going onto his property, and he said he own 2/3 so can he put up a fence up and block others. M. Sorrentino said those are legal questions and since he is not an attorney, he can't answer them. R. Fudge said it seems stupid and a waste of time. He said it seems logical and would make more sense to have the lot open. M. Sorrentino said everyone has had a chance to comment and the Board is standing firm to close the public hearing and issue an approval of Site Plan Review.

V. Gingrich reviewed the non-standard conditions. T. Boland asked if there could be wording added something like the Fire Chief is requesting a 20' and prior to occupancy the Chief and applicant shall meet and come to an agreement. He said if there could be an 18' access, L. Roy could fit the spot in and maybe that would work for everyone. V. Gingrich said the 20' is fire code. S. Stedman said there is a court hearing and the judge asked him what his intention is for the gate in the affidavit. He said his signed affidavit will say he's going to remove the fire-

lane gate because there is no town ordinance or state requirement for him to have that opening. He said this will be done by September 23<sup>rd</sup> and it is mandated by the people at 446 Main Street. T. Boland wants the language that says 20' fire access lane is required by fire code. V. Gingrich said 20' is the required fire-code width. M. Sorrentino told the S. Stedman the Board is going to vote but it is his right to appeal the Board's decision to the Zoning Board of Appeals. S. Stedman asked if the Board had copies of the certified letters and V. Gingrich said they did not have them. L. Roy said the Town Engineer's memo says he recommend a 20' wide access and doesn't mention any code. V. Gingrich said she was told that 20' is in the width required by fire code.

Upon motion duly made and seconded with 3 in favor and 2 opposed (S. Hennigan and A. Marcolina) it was

VOTED: To close the public hearing for Site Plan Review #21-12 for 442 Main Street

Upon motion duly made and seconded with 3 in favor and 2 opposed (S. Hennigan and A. Marcolina) it was

VOTED: To approve with conditions Site Plan Review #21-12 for 442 Main Street as shown on plan entitled, "Site Plan, 442 Main Street, Wilmington, Massachusetts", dated August 6, 2021, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864. Said property is located at 442 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 41 Parcel 111.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 14, 2021 and closing on September 14, 2021, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Stanley Stedman, 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 for the construction of parking lot improvements associated with a change of use, as shown on plan entitled, "Site Plan, 442 Main Street, Wilmington, Massachusetts", dated August 6, 2021, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864, submitted on August 17, 2021, (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:

Date submitted	Description
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None

## **FINDINGS:**

1. The Project site is shown on Map 40 Parcel 2A 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.

#### **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 shall not start before 7:00 a.m. and shall be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment shall not be started before 7:00 a.m.

#### **PRIOR TO ENDORSEMENT OF PLANS:**

8. Snow storage areas shall be shown on the plan.
9. Plans shall be stamped by a Professional Land Surveyor.
10. Plans shall be revised to provide a 20-foot-wide ungated opening in the concrete barriers to provide adequate fire access.
11. The plan shall be revised to provide the required number of accessible parking spaces.
12. The plan shall be revised to note removal of concrete barriers on others' property.

**PRIOR TO START OF CONSTRUCTION:**

13. 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.

**DURING CONSTRUCTION:**

14. Signage shall be installed for the accessible parking space, if required.

**PRIOR TO ISSUANCE OF OCCUPANCY:**

15. The Applicant shall perform and provide a radio signal strength survey to the Wilmington Fire Department to ensure proper Emergency Responder Radio coverage.

**POST CONSTRUCTION:**

16. All site work shall be substantially completed in accordance with the approved site plans.
17. The Owner shall maintain or replace landscaping and fencing as shown on the approved Site Plan for the duration of the use. The Owner shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
18. The Owner 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.
19. Dumpster/trash service shall take place within normal business hours.
20. No overnight outdoor storage of materials is permitted.
21. Snow shall be stored in designated areas only. Any snow exceeding on-site capacity shall 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.
22. Final As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.

**Public Hearing – Site Plan Review #21-13, Stormwater Management Permit #21-10 and GWPDP Permit #21-04 for 154-156 West Street - Map 56 Parcels 1 & 2**  
**Robert Peterson, Sr., Esq. for Wesley Reed, Applicant**

**PRESENT IN INTEREST:** Robert Peterson, Sr., Esq.  
Peter Ogren  
Wesley Reed, PhD

**MATERIALS CONSIDERED:**

PLAN "Site Plan in Wilmington, Mass." dated July 13, 2021  
PLANNING REVIEW LETTER dated September 10, 2021  
LETTER from Attorney Robert Peterson, Sr. dated August 19, 2021  
LETTER from Peter Ogren dated August 12, 2021  
ENGINEERING MEMO dated September 14, 2021



Attorney R. Peterson, Sr. told the Board they are seeking to permit a storage and sales yard for recycled granite. He said the site is east of Rte. I-93 and there are 2 commercial parcels of 3 acres. The site contains the remnants of the prior uses. The north and northeast sides of the site contain marsh and swamp. There is an application pending with Conservation. He said the proposed use of the site is for the redevelopment to be used for storage and sales of recycled granite products. He said Old New England granite assembles and resells hard-scape materials to homeowners and provides a very low impact use for the site. He said the average vehicle trips to the site are 10 or less. Attorney Peterson said there will be 2-6-wheel dump trucks on site, 2 half ton pickup trucks, 4 caterpillar excavators, 1 caterpillar skid steer and 2 caterpillar front end loaders. He said their customer base is made up of landscape architects, designer, builders or homeowners. Attorney Peterson said the activities that would occur on the site are cobblestone screening and cobblestone cleaning. He said there is no water used in the process. He said there is two ways to break down the granite. It's either split or feather and wedge. They make curbing, landings, posts, benches, and fireplace materials. Attorney Peterson said he saw the Town Engineer's memo and it looks as though the memo was written prior to him reviewing the revised plans.

P. Ogren described the plan and location of the site. He said the grades are not accommodating so they intend to use the old West Street entrance. He said the trucks will bring in the raw material. P. Ogren described where the material is processed and cleaned. He showed the location of the sales office and said there is no processing inside the building. P. Ogren showed the parking for the site. He said the Town's Fire Truck can maneuver around the site. P. Ogren said the sewer is on a septic system and there is a site design locating the septic system. The water is from ¾ copper service. There are issues with water volume and pressure is 110 pounds per square inch which is high for residential service but there are issues with fire-flow. The building will not require a sprinkler system. He said Mr. Reed went the electric company and was told there is adequate supply. He said the Stormwater is most important issue. He said he filed with Conservation simultaneously. He said there will be a complete infiltration system. There are two watersheds, southwest and northeast. He said the northeast watershed currently discharges to a wetland area. There is no connection to any outside system. P. Ogren said they will be adding a wet pond in the front of the site. He said Mr. Reed will make that part of his architectural features. He said there may be some flooding in the front parking lot. In the rear of the site they will create a new pond. He said all the water will be infiltrated on the site. He said there are very good soils. He said there are two letters from the Planning Department, and he has a written response. He has a copy of the engineer's letter and a lot of those items have been revised. He will have a meeting with the Town Engineer before making a response to his memo. He said this is a good opportunity for his client.

M. Sorrentino asked if P. Alunni looked at outdated plans and Attorney Peterson said the Town Engineer responded to the original plans. He said P. Ogren submitted revised plans today and the Town Engineer didn't have plans with revisions. M. Sorrentino reminded the applicant to submit revised information 2 weeks prior to the next meeting. P. Ogren said he will meet with the Town Engineer. V. Gingrich told the applicant they can discuss submission tomorrow.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-13, Stormwater Management Permit #21-10 and GWPD Permit #21-04 for 154-156 West Street to October 5, 2021 at 8:00 p.m.

**Public Hearing – Site Plan Review #21-14 and Stormwater Management Permit #21-11 for 841 Woburn Street – Map 37 Parcel 8 – Andrew Pojasek for Stephen Crampe, Applicant**

PRESENT IN INTEREST: Andrew Pojasek, Dana Perkins

**MATERIALS CONSIDERED:**

PLAN “841 Woburn Street, Wilmington, Massachusetts” dated August 13, 2021

PLANNING REVIEW LETTER dated September 10, 2021

STORMWATER MANAGEMENT REPORT dated August 11, 2021

ENGINEERING MEMO dated September 14, 2021

A. Pojasek told the Board they are proposing to expand the existing parking lot at the rear of the building. The current tenant operates on 2 shifts. The existing parking meets zoning and their needs, but they run into a problem with the overlap of shift change. They have a little bit of an issue when the shifts overlap. They are proposing stormwater management on the site where none currently exists. He said they are looking to do the best they can with the existing pavement on the site. A. Pojasek said he has comments from Planning and that he can respond to Engineering comments. A. Pojasek said there is a comment on the dead-end parking. He said they are trying to maximize parking spaces. He said the parking lot will be half empty 90% of the day with the only issues when the two shifts overlap. People are not coming and going. The issue is only when the shifts overlap, and he does not see a problem with the dead-end. V. Gingrich said she and the Town Engineer would like to see a better circulating parking lot. A. Pojasek told the Board because they are up against the open space requirement, they would lose 6 spaces at the very least. R. Holland said if the striped isle is moved down and shift the loading dock area down there would be 10' or more. A. Pojasek said as it is today, it's tight. There was discussion of the water in the parking lot and how it all flows down to one corner. He said the pond is tight.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-14 and Stormwater Management Permit #21-11 for 841 Woburn Street to October 5, 2021 at 8:15 p.m.

**Public Hearing – Site Plan Review #21-15 and Stormwater Management Permit #21-12 for 99 Fordham Road - Map 99 Parcel 13 – Jill Elmstrom Mann, Esq. for Carlisle Capital, Applicant**

PRESENT IN INTEREST: Jill Elmstrom Mann, Esq.  
Adam Binnie, Carlisle Capital  
Jeff Merritt, Granite Engineering

**MATERIALS CONSIDERED:**

PLAN “Non-Residential Site Plan, Shriners Auditorium, Tax Map 99 Lot 135, 99 Fordham Road, Wilmington, Massachusetts” dated August 16, 2021, “Grading and Layout Plan, Proposed Parking Area, 99 Fordham Road, Wilmington, Massachusetts” dated February 28, 1995

NARRATIVE from Mann & Mann, P.C., Counsellors at Law

STORMWATER MANAGEMENT REPORT dated August 16, 2021

RESPONSE TO TRAFFIC IMPACTS from Shaun P. Kelly, Vanasse & Associates dated September 10, 2021

ENGINEERING MEMO dated September 14, 2021

Attorney J. Elmstrom Mann told the Board the goal is to supplement Shriners' income. They are taking a portion of their parking lot and converting it into a paved parking lot for satellite for an adjacent business. She said they are taking 246 graveled parking spaces and converting it to paved parking. She said they are expanding the footprint which was reflected. Attorney J. Elmstrom Mann said she reviewed comments from the Town Engineer but has not had the chance to respond. She discussed the existence of 2 openings on Fordham Road in the cul-de-sac. She said they have not created that, it already existed. Attorney J. Elmstrom Mann said the Town Engineer alludes to the fact that it doesn't exist, but it exists on the ground and has probably been there 30 or more years. She said there will be no conflict with Shriners events and this business. Attorney Elmstrom Mann said the proposed parking lot is completely screened and buffered. She said they proposed trees all along the exterior that will reduce the impact of heat. She said there is a fence along the exterior and the purpose is that distribution center people go in there and Shriner people go somewhere else. She said they proposed a Stormwater plan and met with the Town Engineer. M. Sorrentino asked if this portion of the parking lot will be used by Shriners and Attorney J. Elmstrom Mann said no. She said they submitted a supplemental traffic report, but she does not believe it was reviewed. M. Sorrentino asked if this is surplus land of Shriners. V. Gingrich said they show the zoning requirement for parking for Shriners is met with the existing paved lot and the gravel lot will remain. She said this will be additional parking on the site, not used by Shriners. A. Binnie said they entered into an agreement with Shriners. He said recently they have had a tough time with the events business. He said this is a way for Shriners to keep their operation running. A. Binnie said the big change that drove them to this agreement is the loss of the circus. M. Sorrentino asked if Stormwater will be taken care of. M. Sorrentino asked if anyone in the audience wanted to speak and C. Flynn, 79 Park Street said the site abuts her property. She is concerned that she will be seeing vans and lights in her back yard. She told the Board she can see Amazon lights. She showed her property and said she can't see Shriners, but she can walk through the land and be there quickly. She asked if they are coming to the property line and if they will touch wetlands. M. Sorrentino said they have to stay a distance away. V. Gingrich said one of the comments the Town Engineer made was to overlay the proposed tree line onto the development plans. She said that will help answer the question about how close to the property line they will be and what trees will be removed. R. Holland asked if the parking lot is higher than the abutter's property and C. Flynn said it is. She asked if the applicant could put up a fence for security. M. Sorrentino asked if it is a parking lot that vehicles will keep coming in and out all night. J. Merritt said vehicles will not be coming in and out all night. He said there will be no loading the vans in the parking lot. Attorney J. Elmstrom Mann said they go in and out during delivery times, but any late-night activity remains at 100 Fordham. She said they can do something to ameliorate so there is no light transmission to the Park Street residents, and she said she took the resident's telephone number. C. Flynn asked how long the job will take to construct the new parking lot. A. Binnie said under 2 months. C. Flynn asked what kind of noises the abutters would experience during construction and A. Binnie said construction will be in accordance with the allowed hours of the town. M. Sorrentino said 2 months is weather permitting. C. Flynn said she likes to look out in her back yard, and she doesn't want the animals chased out of their back yards. Attorney J. Elmstrom Mann said they will be leaving a large open space and keeping the habitat.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-15 and Stormwater Management Permit #21-12 for 99 Fordham Road to October 5, 2021 at 8:30 p.m.

### **Board of Appeals**

At its meeting on September 14, 2021, the Planning Board (Board) voted to recommend as follows:

#### **Case 19-21: 615 Main Street – Map 40 Parcel 2C**

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend disapproval. The proposed off-premises sign is larger than the Zoning Bylaw allows (5 square feet) and appears to be internally lit, which is not allowed by Section 6.3.3.1 of the Zoning Bylaw. Additionally, the sign is not designed as a directional sign as allowed by the Zoning Bylaw. The Applicant should consider a more appropriately sized directional sign.

### **Old Business**

There was no Old Business

### **New Business**

#### **Site Plan Review Waiver #21-09 for 600 Research Drive – Map R3 Parcel 404 Maggiore Construction, Applicant**

PRESENT IN INTEREST: Carmen Restino, Maggiore Construction

MATERIALS CONSIDERED:

PLAN "Site Plan" dated March 29, 2021 and last revised June 10, 2021

LETTER from David Mann dated August 27, 2021

C. Restino told the Board they are installing a generator and generator pad at the site. V. Gingrich said they provided the open space calculations, and they are still meeting the open space and they are not impacting any parking, so it is recommended this be approved.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the request to waive Site Plan Review for the construction of a concrete pad and back-up generator in accordance with plan entitled "Site Plan" dated March 29, 201 and last revised June 10, 2021.

#### **Site Plan Review Waiver #21-10 for 500 Research Drive – Map R3 Parcel 404A Largo Clean Energy, Applicant**

PRESENT IN INTEREST: Randy Miron, Bohler Engineering  
Derek Webber largo Clean Energy

MATERIALS CONSIDERED:

PLAN "Proposed Site Plan Document for Vantage Builders, Inc." dated July 29, 2021

"Plumbing Ground Floor, New Work Plan" undated

LETTER from Shazad Butt, Largo Clean Energy dated August 20, 2021

LETTER from Scott Goddard, Goddard Consulting dated August 12, 2021

R. Miron said the space within 500 Research is being renovated. He said they are adding an overhead door and ramp. He said the ramp is for moving equipment inside the building. He

said they are adding a small concrete pad for a chiller unit. They are maintaining the same number of parking spaces and open space. He said there were wetlands delineated by a wetland scientist. There are jurisdictional wetlands and there is a small isolated, wetland, about 70 to 80 feet from the ramp.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the request to waive Site Plan Review for the construction of a concrete drive-up ramp with 10' x 14' overhead door to enable installation and removal of key manufacturing, test equipment and product from the building in accordance with plan entitled: "Proposed Site Plan" dated July 29, 2021, prepared by P.E. Joseph G. Swerling, Bohler Engineering, 352 Turnpike Road, Southborough, MA 01772.

**Site Plan Review Waiver #21-11 for 80 Industrial Way – Map 56 Parcel 104  
Thermo Fisher, Applicant**

PRESENT IN INTEREST: Eugene T. Sullivan

**MATERIALS CONSIDERED:**

PLAN "Approved Parking Plan" undated, "Partial Site Plan" undated  
LETTER from Eugene T. Sullivan dated August 31, 2021

E. Sullivan told the Board this is for a building in the rear, a company called Thermo Fisher, a warehouse doing manufacturing. He said it is going into where keystone was. This Site Plan Review waiver is for minor modifications for the building. The existing walkway from the parking lot to access the building will be made a little longer and replacing a retaining wall and relocating handicap spaces. He said there is a catch basin so there is another space where they can add green space. He said they showed green space that they will be creating on the pavement. E. Sullivan stated that V. Gingrich had pointed out a possible catch basin and they found there actually is a catch basin that ties into another catch basin next door. V. Gingrich said it was asked that the applicant clean out the catch basin and they agreed to that. She said they also agreed to restripe their existing parking lines. E. Sullivan asked if all the parking spaces need to be striped. He said there are 400 parking spaces, or can they stripe only what they need, and he will provide that plan. V. Gingrich said they can stripe just the ones for Thermo Fisher's use.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the request to waive Site Plan Review in order to remove the existing sidewalk and retaining wall on the east side of 80 rear Industrial Way, construct new sidewalk to access a new main entry to the proposed office area. Construction will include a new segmented retaining wall, relocating the existing ADA parking spaces servicing the Thermo Fisher space, and creating a new landscape island at the location of the existing ADA spaces. The new ADA spaces will be located on existing paved surfaces in accordance with plan entitled: "Approved Parking Plan" and "Partial Site Plan" prepared by P.E. Eugene T. Sullivan and P.L.S. James Richard.

As discussed at the Planning Board meeting, the existing catch basin located adjacent to the existing ADA spaces shall be cleaned out and the existing parking spaces for Thermo Fisher shall be restriped prior to occupancy of the building.

Additionally, the proposed landscape island shall be shifted to avoid the existing catch basin location.

**Site Plan Review Waiver #21-12 for 230 Ballardvale Street – Map R2 Parcel 23E  
Sophie Cain for Enjoy, Applicant**

**MATERIALS CONSIDERED:**

PLAN “Enjoy House, 230 Ballardvale St, Wilmington, MA 01887” dated, September 9, 2021  
NARRATIVE from Bonnie Russo, MBH Architects dated September 9, 2021

V. Gingrich said there is an existing loading dock and they propose to put a removable ramp up to the loading dock to use it as a drive-in door. She said they will install a floor drain and tight-tank or oil-water separator inside.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the request to waive Site Plan Review to add a removable ramp to allow vehicles to drive into the warehouse area through the existing dock-height overhead door in accordance with plan entitled: “Site Plan” dated September 9, 2021 and “Plumbing

**Request to reduce surety for Murray Hill Definitive Subdivision**

She said she questioned the Town Engineer and he said they did a sizable amount of work and it's a large amount of money they are entitled to get back. M. Sorrentino questioned the work that need to be completed. V. Gingrich listed the work remaining. She said there will be one more request to release funds.

Upon motion duly made and seconded it was unanimously

VOTED: To release partial surety (the reductions are detailed on the attached spreadsheet prepared by the Engineering Division) by four hundred fifteen thousand, seventeen dollars and zero cents (\$415,017.00). The remaining one hundred eighteen thousand, three hundred eighty-four dollars and zero cents (\$118,384.00) represents the cost to complete all four Phases. Surety will be released as follows:

PHASE 1 \$171,858.00

PHASE 2 \$137,309.00

PHASES 3 & 4 \$105,850.00

**Discussion**

**Economic Development Staff Position requested by WEDC Subcommittee**

PRESENT IN INTEREST: Suzanne Sullivan, Economic Development Committee  
Patrick Giroux, Economic Development Committee

S. Sullivan talked about the Economic Development subcommittee and said they discussed the possibility of the Town developing an economic development position. She said they have a small grant from the rapid recovery program for the downtown area helping businesses recover from Covid. She said they discovered that the issues in Wilmington are a lot more than the Economic Development Committee can handle. S. Sullivan said they wanted to know

how the Planning Board felt about this and they understand the Board can't make a decision because it will need to go to Town Meeting. M. Sorrentino said when everything changes so fast it's hard to keep up and Covid changed everything. He said all zones need to be reevaluated, commercial and industrial. He said V. Gingrich doesn't have time to go through all the zoning issues. He said it is his personal opinion as both a resident of the Town and member of the Board that the Town needs to invest some money on things like water lines and sewer. P. Giroux said the residents want change and action. He said what is needed is someone with a fresh set of eyes to be a liaison between the town and business community. He talked about Burlington and its small shops. He said there is too much for V. Gingrich to accomplish daily. P. Giroux said they are looking for someone in their junior career with heavy sales and marketing experience and urban planning background. He said they are looking for someone to be a salesman for Wilmington. P. Giroux said tonight's goal was to have a round table discussion looking for the Boards support, acknowledgement, or thoughts they can take back to the Economic Development Committee. M. Sorrentino said he thinks it's a great idea. He briefly talked about how times have changes so when things were zoned one way, it worked for a period of time but now things are changing, and zoning needs to change to meet the zoning needs. S. Sullivan said there are challenges. She talked about the great response of the survey they put out. She said residents want that small town sense of village style community. S. Sullivan said there is lot of federal grant money coming and they are hoping to take advantage of that. She said they drafted a job description. S. Hennigan asked if there are any places that could be useful to build something in town. S. Sullivan said Main Street by the train stations and north Wilmington needs a good rezoning. She said it's a matter of selling their vision to the developers. She said the Lowell Street area could use change and she said Textron was a disappointment. S. Sullivan said Silver Lake could have a village. She said the potential is there and the Town needs to move forward. She said she's been in Town 31 years, and it hasn't changed much. P. Giroux said his job as a realtor in the city is to go into underdeveloped areas and beautify the areas by adding park benches. He said small things like that in underdeveloped areas or areas that are tough to pretty-up like Rte. 62. He said we need to start small and continue. S. Hennigan said with the survey, people want places to eat out and be kid friendly. P. Giroux said they are looking for the Board's support. S. Sullivan said the individual would be under V. Gingrich's direction so there wouldn't be any conflict. P. Giroux said they don't want somebody selling the town if they don't have a clear understanding of zoning. V. Gingrich said she will be talking to S. Sullivan about some zoning changes for Town Meeting. S. Sullivan wants to get something to Town Meeting for North Wilmington.

### **168 Lowell Street Driveway Name**

V. Gingrich said S. Wright is taking over 168 Lowell Street from J. Langone. He would like to name the driveway Rachel's Way for his daughter similar to what was done on Hensey Way. V. Gingrich said Hensey Way is not a roadway. She said she thought the Board should have a say. S. Hennigan pointed out it's a driveway, not a road. She explained it's an addressing thing, so the address will be 4 Rachel's Way instead of 168 Lowell Street, Unit 4. V. Gingrich said this has been done before. Deming Way is a driveway and Hensey Way up at Spruce Farm is a driveway. She said nothing on the plan changes unless he comes back and requests a change. M. Sorrentino asked if there is anyway it can become a street and V. Gingrich said it can't become a street. M. Sorrentino asked if the Town will plow it. V. Gingrich said this is a condo parcel with no outline of a right-of-way. V. Gingrich said the Assessor assigns the street addresses so if there is an opinion of the Board, she would like to let the Assessor know. V. Gingrich asked what the Board is recommending. M. Sorrentino said it is not preferred.

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

VOTED: To adjourn the meeting at 10:48 p.m.

NEXT PLANNING BOARD MEETING: October 5, 2021

Respectfully submitted,

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

Cheryl Licciardi  
Recording Clerk