Town of Wilmington Board of Appeals Minutes - March 8th, 2023

The Board of Appeals held a meeting in the auditorium, 121 Glen Rd, Wilmington, MA. The meeting was called to order at 7:00 PM.

Dan Veerman, Thomas Siracusa, Ray Lepore, Jacquelyn Santini and Anthony Barletta are present.

Case 5-23

Matthew Costa; Beals Associates Inc

MAP R1, Parcel 18

38 Upton Drive

-Requesting a special permit to allow for an increase height above the permitted by-right height of 48-feet to allow for the installation of roof top mechanical equipment to support the tenant's manufacturing processes within the building.

The meeting opens addressing the withdrawal of the current increased height special permit application without prejudice for the 38 Upton Drive property. Matthew Costa is present and explained the withdrawal of the application was due to the tenant no longer having interest in the space.

Case 11-22

RONALD REPPUCCI & ANDREW THAIN

Map 72, Parcel 1B

278 Lowell Street

To appeal the IOB zoning decision. Sections 10.1.1; 3.5.11; 3.5.14; 3.5.15; 3.6.3; 3.6.4; 10.6; 10.3.6.1 *Continued to the next meeting scheduled for April 12th, 2023*

Case 12-22 Ronald Reppucci, Andrew Thain, Nichole Thain Map 72, Parcel 1B 278 Lowell Street

To Appeal Inspector of Buildings decision.

Continued to the next meeting scheduled for April 12th, 2023

Case 6-22

100 West Street, LLC

Map 71, Parcels 3 & 5

100 West Street

- To acquire a Comprehensive Permit to develop 132 Mixed Income Rental Units under MGL Chapter 40B.

Anthony Barletta makes a motion to grant the comprehensive permit for to develop 132 Mixed Income Rental Units under MGL Chapter 40B, as written in the decision dated March 8^{th} , 2023 Ray Lepore seconds.

Roll Call:

Jacqueline Santini Yes
Anthony Barletta Yes
Dan Yeerman Yes
Thomas Siracusa Yes
Raymond Lepore Yes

CASE 1-23

Mark Nelson

MAP 6, PARCEL 40

12 Polk Street

- To Amend Case 24-08 to construct a single-family home.

Continued from the last meeting due to being down a board member and with the Chairman abstained. Applicant states the history behind the property, case, and the official map. Based on the Planning Boards recommendation on January 3rd, 2023, a vote of 3-0, require a 81G roadway improvement submission and approval of the plan through the planning board to provide frontage. The applicant asked the board to issue a special permit that allows for a permit to be issued and to remove the 81G restriction and allow the planning board to handle the 81G restriction. Anthony Barletta makes a motion to deny the request to amend Case 24-08 as requested by the applicant, on the grounds that the 81G requirements on the 24-08 case is still required. Jacqueline Santini seconds the motion.

Dan Veerman abstains.

4-0-1

Roll Call:

Jacqueline Santini Yes

Anthony Barletta Yes

Dan Veerman abstains.

Thomas Siracusa Yes

Raymond Lepore Yes

Voted unanimously to deny amendment for Case 24-08.

79 Nichols Street

Seeking issuance of a comprehensive permit under MGL Chapter 40B.

Attorney, Michael Newhouse; Permitting agent and 40B consultant, Kristin Costa; Engineer, Steve Sawyer and Traffic Consultant, Rebecca Brown are present.

Proposal of 12 residential units, with 25% being affordable, 10 single family homes and a duplex. Kristin Costa explained how the 40B process works and that the original project submitted back in May that was 20 unit- 4 houses and 16 rentals, wasn't well received. The state requested a revision which is what is being presented tonight.

Steve Sawyer speaks about the proposal for the new roadway that is a little over 500 ft long with a 40 ft right of way, 24ft of pavement and 4ft wide sidewalk to the 49 ft radius cul-de-sac. A wetland crossing is also mentioned. Storm water treatment in the center of the island with 5 separate areas where the storm water will be directed and treated- 2 in the front, 2 in the middle and infiltration basin in the center of the cul-da-sac. Pump station would be maintained by HOA and would be pumped out to Lake/Shawsheen St.

Chairman Veerman opens to the public hearing with several abutters standing to ask questions and

stating concerns.

Hugh Van De Mark, 81 Nichols St, is the first to stand. Van De Mark asks about elevations, as he is a direct abutter. He states that he believes that it will be a flood zone after clearing the land for this development and is concerned about what is going to be done for the surrounding properties. In response, the applicant states that with the storm water management plan, no water will be discharged onto anyone else's property. As far as the flood zone goes, no portion of the site is in a zone that requires flood insurance but, it is in flood zone X. Zone X has no requirements for building permit application and FEMA flood doesn't provide stipulation for construction. Storm water calculations will prove out there is no increase flow off the property and all the developed area is well above the central low area that may in dated with water with no issues with flooding. Peer review for civil site design for stormwater management is being requested by the town with subject to order of conditions from Conservation Commission.

Concerns that the residents will be paying for the sewer is also expressed. In response, CWRMP is not on a basis to approve or deny this project and reasons as to why septic not being the best option is

explained.

Traffic concerns were greatly expressed given the current traffic conditions in the area. Another concern would be that the cul-de-sac is not large enough for a fire truck, as the study was based on a tractor trailer.

Anthony Barletta questions the first-floor elevation, grade of the existing and proposed circle, and whether the site characteristics are taken into consideration for this project. Kristin Costa responds with location, proximity to existing neighborhood and peer reviews are considered. Anthony Barletta would like to know how we would know if this were impractical for this site and stated he too had concerns regarding the elevations. Attorney Newhouse states that the comments have been noted and they will respond.

Charlie Dagli, 12 Jacques Lane, states his focuses are septic/sewer connection affecting the properties around the development; water run-off, as several homes already have flooding, and traffic, in which Dagli emphasis the importance of a traffic study. In response, sewer is to be put in the right of way and is not presumed to be on anyone's private property. More details are asked about how wet the land currently is, soggy grass, street doesn't flood but the canal area will come up on to the street. Norman DeFilippo, 83 Nichols St, voiced concerns about the elevations, how currently experiences flooding and has concerns this development will make it worse.

Frank West, 2 Birchwood Rd inquires if this project is an HOA. In response-yes, it is an HOA. Details

ensued about the details pertaining to the HOA.

Patrick, 98 Nichols St, had concerns regarding the lot size vs buildable land. Patrick also stressed the importance of not overdeveloping the town. Attorney Newhouse explains the affordable housing bypasses the zoning.

Selectman, Gary Palmer, emphasis the current dangerous conditions of traffic, the sewer, and questions why the roads should be torn up for just one project. He states he feels this project is too large for the area, it is unfair to the residents and the property is too wet for this project. Attorney Newhouse explains the conservation involvement regarding the wet land.

Ian Hatfield was in attendance for Wilmington resident/State Representative Robinson and shared his thoughts on traffic concerns, density of the neighborhood and keeping the neighborhood characteristics, sewer and how it will affect private properties surrounding it. Conversation ensued regarding one of the suggestions Representative Robinson shared in his statement regarding narrowing the road to help with this traffic on Nichols St.

In closing, Attorney Newhouse states their intension is to proceed with sewer and they are open to

hearing what people may suggest.

Anthony Barletta states that he would like to see the duplex be another single family home in context to everything around it.

The board confirms the next meeting will be April 19th, 2023 in place of the original date of April 12th, 2023.

❖ Final discussion on the agenda was for an administrative meeting requesting a 1-year timeline extension of special permit issued for Case 18-18, 11 Commonwealth Ave, Wilmington Ma 01887 from the expiration date of 2/19/2022. Owner: S&K Associates, LLC c/o Steve Copp, 26 Highland Circle, Needham Ma 02494.

Jacqueline Santini makes motion to approve.

Ray Lepore seconds the motion,

Unanimous vote to approve the extension of Case 18-18.

Meeting adjourned at 9:30pm.

Brianna Harrison Recording Secretary