



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

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**Planning Board Minutes
January 3, 2017**

The Planning Board met on Tuesday, January 3, 2017 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino Chair; Randi Holland; Terence Boland; Sean Hennigan and David Shedd. Valerie Gingrich, Director of Planning & Conservation and Carolyn Cronin, Assistant Planner were also present.

Minutes

There were no minutes to review.

Form A

There were no ANR plans to review.

Matters of Appointment

Public Hearing – Petition to Rezone 278 Lowell Street from

PRESENT IN INTEREST – Derek Santini, Petitioner

MATERIALS CONSIDERED:
PETITION FOR TOWN MEETING
INFORMATION PACKET

Resident, Derek Santini, handed the Board a copy of his petition. He read a prepared speech describing his petition to rezone 278 Lowell Street from General Business (GB) to Residential 20 (R20) and the reason he believes it is important. He said it is his interest as a business owner of a gas station in that general area and he knows other residents do not want another gas station on Lowell Street. D. Santini said John Forrest was the owner of his gas station and he petitioned the Town to rezone the land that the sheds are on today. He said J. Forrest sold the gas station and then put a Burger King in the back yard of abutting residents. D. Santini said his hope is that the residents have control of what goes in that area again. He said it is not a matter of spot zoning and he will be happily to continue this article to the Joint Public Hearing in March.

M. Sorrentino said as a Board, members will consider public comment tonight and not state an opinion. The Board will make statements at the Joint Public Hearing in March. Attorney Alex J. Harrington, MacLean, Holloway, Doherty & Sheehan, P.C. told the Board he is representing John Forrest Associates, the owner of the parcel being proposed for rezoning. He said his

client would like the property to remain as General Business (GB) as it has been for thirty years. He told the Board the petition was brought before the Town by a resident who does not own the property. A. Harrington said Mr. Santini owns Mobil-On-The-Run and the abutting residential lot to the parcel proposed for rezoning. He told the Board that D. Santini wants to decrease the value of his client's property. He pointed out that no abutters signed the petition. A. Harrington requested that the Board and Town oppose the petition. Resident J. Gillis, 514 Woburn Street, voiced his support for the rezoning as the petitioner's father-in-law and pointed out that a gas station was proposed previously on the parcel. M. Sorrentino said the idea of a gas station going on the property was never submitted to the Planning Board and is hearsay. Resident A. Thain, 25 Nickerson Ave. said when this came up at the Town Meeting, it was to rezone the 276 Lowell Street parcel from Residential 20 (R20) to General Business (GB). He asked what could be done with the property if the property is zoned Residential 20 (R20). V. Gingrich said the Town Engineer did an analysis and the property owner could construct a single family home, or get two house lots out of the property doing a hammerhead lot. M. Sorrentino commented that is allowed as the property stands now but if 278 Lowell Street and the Burger King lot are combined, things change. A. Thain asked what J. Forrest owns and A. Harrington said the lot with the sheds and Burger King. A. Thain asked if there is a buffer between his property and the proposed parcel as it stands and with the proposed change. V. Gingrich said there would be buffer required of a General Business (GB) zone abutting a residential zone. Resident B. Calla, 8 Kenwood Ave. supports the petition. She said two of her three teenagers drive that route and does not want another business to increase traffic. D. Santini told the Board the decision is whether the people of Wilmington want a gas station or prefer homes. M. Sorrentino explained what could be constructed on the parcel in the General Business (GB) zone. D. Santini said there was an insert in the Town Crier when 276 Lowell Street was brought before Town Meeting for rezoning and said the Board can't say there are no plans for a gas station because it was mentioned on that insert. A. Harrington said his client is not in negotiations with Global Partners regarding a gas station. M. Sorrentino said the Board is going to extend the Public Hearing to the March 21st Joint Public Hearing where this will be discussed further.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for the above referenced zoning petition to March 21, 2017 at 7:00 p.m. in the Town Hall Auditorium.

Continued Public Hearing - Definitive Subdivision #16-02 and Stormwater Management Permit #16-02 for Nelson Acres - Map 57 Parcel 54E- James Brothers & George Brothers, Applicant

PRESENT IN INTEREST – George Medeiros, Esq.

MATERIALS CONSIDERED:

PLANS "Ava Lane, Wilmington, MA" dated January 19, 2016

DRAINAGE REPORT dated February 4, 2016

ELEVATIONS dated December 31, 2015

LETTER from Richard W. Stuart dated February 23, 2016

COMMENTS from DPW dated March 7, 2016

G. Medeiros told the Board he wished he had more to report. He told the Board plans have been revised but have not been submitted because they are currently in the process of renegotiating with the seller. G. Medeiros told the Board they are requesting to continue the public hearing. G. Medeiros told the Board they will be prepared for the February 7, 2017 meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for the Planning Board to February 28, 2017.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for Nelson Acres Definitive Subdivision and Stormwater Management Permit to February 7, 2017 at 7:30 p.m. in the Town Hall Auditorium.

Board of Appeals

At its meeting on Tuesday, January 3, 2017 the Planning Board voted to recommend as follows:

Case 01-17 & Case 02-17: 6 Waltham St.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend disapproval. The proposed wireless facility should meet the required setbacks from the property lines.

Old Business

There was no Old Business to discuss

New Business

Decision for Site Plan Review #16-02, Parking Relief Spec. Permit #16-02 and Stormwater Management Permit #16-06 for 804 Woburn Street, Map 47 Parcel 2 Brian Lawlor, SMMA for Analog Devices, Applicant

V. Gingrich told the Board all recommendations have been met. She pointed out the condition regarding phasing.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review Application #16-02 for 804 Woburn Street as shown on plan entitled: "Analog Devices, Proposed Building #7, 804 Woburn Street, Wilmington, MA 01887"; dated August 6, 2016 and last revised November 28, 2016 submitted August 11, 2016, prepared by Professional Engineer: Brian W. Lawlor of SMMA, 1000 Massachusetts Avenue, Cambridge, MA 02138. Said property is located at 804 Woburn Street, Wilmington, MA 01887 and shown on Assessor's Map 47, Parcel 2. Approval is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 6, 2016 and closing on December 6, 2016, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Analog Devices, 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 for property addressed at 804

Woburn Street (Assessors Map 47, Parcel 2), as shown on the fourteen (14) sheet plan set entitled: "Analog Devices, Proposed Building #7, 804 Woburn Street, Wilmington, MA 01887" prepared by Brian W. Lawlor, P.E, dated August 6, 2016 and last revised November 28, 2016, (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, 2016 Expansion	"Transportation Impact Assessment, Proposed R&D 'Building 7', Wilmington, Massachusetts," dated August 6, 2016. Prepared by Vanasse & Associates, Inc., Andover, MA.
2. August 11, 2016	"Stormwater Report, Analog Devices – Building #7," dated August 5, 2016. Prepared by SMMA, Cambridge, MA.
3. November 29, 2016	"Supplemental Stormwater Information, Analog Devices – Building #7," dated November 28, 2016. Prepared by SMMA, Cambridge, MA.

FINDINGS:

1. The Project site is shown as Map 47 Parcel 2.
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. A Special Permit for Parking Relief is required. A three-story building will be constructed while required parking for the building will be constructed in two phases. Phase 1 will include surface parking for occupancy of the first floor of the new building. Phase 2 will include structured garage parking for occupancy of the remaining two floors.

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.

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

5. Water and sewer study shall be submitted to the DPW Engineering Division.

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

6. 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.
7. Prior to Occupancy of the upper floors of the proposed Building #7, the proposed parking garage shall be constructed.
8. As shown in the submitted Transportation Impact Assessment, the Project will impact level of service at the Woburn Street intersections and impact the overall roadway network in the area. The Applicant has agreed to contribute \$100,000 toward traffic mitigation for the surrounding road network. Funds are to be used for the design and/or construction of improvements to the Lowell Street/Woburn Street intersection.
9. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy. In the event that winter season conditions prohibit final landscaping and/or finish paving course from being installed prior to tenant occupancy, the Applicant may post a bond, in a form and amount acceptable to the Planning Board and Town Engineering Director, 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 off on Occupancy prior to eligibility.
10. 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.
11. The Wilmington Fire Department shall review and approve all building plans prior to construction.

POST OCCUPANCY:

12. 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 management practices to maintain the required landscaping in presentable and healthy condition.
13. 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.
14. 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.
15. 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.
16. 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.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions the Parking Relief Special Permit #16-02 for 804 Woburn Street as shown on plan entitled: "Analog Devices. Proposed Building #7. 804

Woburn Street, Wilmington, MA 01887"; dated August 5, 2016 and last revised November 28, 2016, prepared by Brian W. Lawlor, PE, of SSMA. Said property is located at 804 Woburn Street, Wilmington, MA 01887 and shown on Assessor's Map 47 Parcel 2. The decision is as follows:

This is to certify, following a public hearing of the Wilmington Planning Board (Board) opening on September 6, 2016 and continued to October 4, 2016, November 1, 2016 and closing on December 6, 2016, by a motion duly made and seconded at its meeting on January 3, 2017, it was voted:

We, the Wilmington Planning Board, as requested by Analog Devices, under the provisions of Section 6.4.3.2 (Parking Relief) of the Zoning By-Laws of the Town of Wilmington to consider Parking Relief Special Permit #16-02 as shown on plan entitled: "Analog Devices, Proposed Building #7, 804 Woburn Street, Wilmington, MA 01887" prepared by Brian W. Lawlor, P.E, dated August 6, 2016 and last revised November 28, 2016, and do hereby vote to GRANT the Parking Relief as shown on the submitted plan, 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, 2016	"Transportation Impact Assessment, Proposed R&D Expansion Building 7', Wilmington, Massachusetts," dated August 6, 2016. Prepared by Vanasse & Associates, Inc., Andover, MA.
2. August 11, 2016	"Stormwater Report, Analog Devices – Building #7," dated August 5, 2016. Prepared by SSMA, Cambridge, MA.
3. November 29, 2016	"Supplemental Stormwater Information, Analog Devices – Building #7," dated November 28, 2016. Prepared by SSMA, Cambridge, MA.

FINDINGS:

1. The proposed project includes construction of a 3-story 174,000 square foot building (Building 7). Required parking for the building (580 spaces) will be provided in two phases. Phase 1 includes construction of surface parking to serve occupancy of the first floor. Phase 2 includes construction of a structured parking garage to serve full occupancy of the proposed Building 7.
2. The Planning Board determined that in accordance with Section 6.4.3.2. The temporary reduction in parking spaces can be granted without substantial detriment to the neighborhood.
3. The Applicant satisfactorily addressed the comments made or submitted by the Planning Board.

CONDITIONS:

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

1. This Special Permit granted for Parking Relief for 804 Woburn Street shall be valid for this proposed Project only.
2. Prior to occupancy of the upper two floors of the proposed building, the Phase 2 parking garage shall be constructed.
3. If a building permit is not issued 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 with the Town Clerk, and/or the two-year period shall run from the date of the final decision on the appeal.
4. This decision in no way invalidates any of the previous conditions required by the Planning Board on this property through Site Plan Review.
All provisions of the Wilmington Zoning Bylaw pertaining to parking (Section 6.4) shall be met unless an exception is specifically provided in this decision.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue the Stormwater Management Permit

**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**

January 6, 2017

ISSUED for Property located at 804 Woburn Street, Wilmington, Massachusetts (Map 47, Parcel 2)

Case No.: Stormwater Management Permit **#16-06**

Applicant: Craig Bergeron, Analog Devices, 804 Woburn St., Wilmington, MA 01887

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and plan entitled: "Analog Devices, Proposed Building #7, 804 Woburn Street, Wilmington, MA 01887" prepared by Brian W. Lawlor, P. E. of SMMA, dated August 5, 2016 and last revised November 28, 2016 subject to the following conditions:

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 December 4, 2012.

Special Conditions

1. This project is subject to an Order of Conditions (344-1338) issued by the Wilmington Conservation Commission. The conditions are made part of this permit.
2. The Applicant must comply with the current (February 2012) EPA NPDES Construction General Permit. The Applicant shall submit a Notice of Intent (NOI) to the EPA at least 14 calendar days prior to the commencement of earth moving activities. The acknowledgment of receipt (of the NOI) from the EPA shall be provided to the Engineering Division and Department of Planning & Conservation.
3. Erosion controls shall be inspected by the Department of Planning & Conservation two business days prior to the start of construction.
4. 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.
5. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
6. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

Request to waive Site Plan Review for 187 Ballardvale Street - Map R2 Parcel 20G Marci Lobar for Griffith Properties, Applicant

PRESENT IN INTEREST – Timothy Williams, Allen & Major Associates, Inc.

MATERIALS CONSIDERED:

PLANS "Site Plans for Parking Lot Restoration, 187 Ballardvale Street, Wilmington, MA" dated December 15, 2016

LETTER from Timothy Williams dated December 15, 2016

DPW Comments dated December 23, 2016

T. Williams told the Board the existing tenant is moving out and they will restore the parking lot to its original state. He said the generator has been removed and they will be repaving and adding back nine striped parking spaces.

M. Sorrentino read DPW comments into the record.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees to allow the applicant to remove a generator from the parking area and restore the paving and stripe nine parking spaces.

**Request to waive Site Plan Review for Nassau Ave - Map R2 Parcel 20G
TRM, Inc. c/o T-Mobil, Applicant**

PRESENT IN INTEREST – Jonathan Ritter, T-Mobil

MATERIALS CONSIDERED:

PLANS "Site Number:4BN1308D, Site Name: Eagle Road WT" dated November 8, 2016 and last revised November 15, 2016

STRUCTURAL DESIGN CALCULATIONS dated November 10, 2016

LETTER from Jonathan Ritter dated December 19, 2016

J. Ritter told the Board T-Mobil is just replacing equipment.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees for T-Mobile Northeast LLC to add three (3) new antennas and three (3) RRH's on the water tank as shown on plan entitled "Site Number: 4BN1308D, Site Name: Eagle Road WT " dated November 8, 2016 and last revised November 15, 2016.

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

VOTED: To adjourn the meeting at 8:47 p.m.

NEXT MEETING is February 7, 2017

Respectfully submitted,



Cheryl Licciardi
Recording Clerk