



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

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**Planning Board Minutes
January 5, 2016**

The Planning Board met on Tuesday, January 5, 2016 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino Chair; Randi Holland; D. Shedd; Terence Boland; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation, and Michael Vivaldi, Assistant Planner, were also present.

Minutes

The Planning Board had no Minutes to review

Form A

There were no ANR plans to review.

Matters of Appointment

Public Hearing - Conservation Subdivision Design Special Permit #15-03 for Garden of Eden - Map 2 Parcels 201-206, 223-225 and Map 3 Parcels 207-222

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

MATERIALS CONSIDERED:

PLANS "Garden of Eden, Conservation Land Plan" dated June 11, 2015 and last revised November 3, 2015 and "Sketch Plan in Wilmington, Massachusetts" dated June 11, 2015 and last revised August 13, 2015

SUMMARY SHEET received December 10, 2016

E-MAIL from Paul Alunni dated January 4, 2016

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

D. Lees provided a quick overview of the project. He told the Board a conventional subdivision was previously approved in 1990 and served as a golf course. D. Lees said J. Langone purchased another acre and a quarter abutting his property allowing another buildable lot to be added to the subdivision. He told the Board he provided a yield plan for 26 buildable lots. He

said the Planning Department as well as the CDTR team reviewed the plans and all concerns have been addressed. D. Lees provided the Board with colored copies of the sketch plan and pointed out several trails. He said it abuts town land and land in Burlington. He talked about how the applicant will connect the trails to Burlington's trails through Noah Street (paper street).

B. Bond, 8 Mulberry Lane, Burlington told the Board he was curious about the parking near the cul-de-sac. D. Lees said that a gravel parking area is proposed just off the cul-de-sac next to the houses so it will not act as a hangout spot for teens. He said residents will be able to see what is going on and it will be in view of the street.

V. Gingrich addressed the audience saying the Conservation Subdivision Design Special Permit is one part of the process and the applicant is proposing to condense the house lots and have buffering open space. She said more specific details will be provided during the Definitive Subdivision stage.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for the Conservation Subdivision Design Special Permit located off Chestnut Street, as shown on a plan entitled: "Garden of Eden, Conservation Land Plan" dated June 11, 2015 and last revised November 3, 2015, registered Professional Engineer: Douglas E. Lees, Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879.

Public Hearing – Site Plan Review #15-11 for 102 & 104 Lowell Street and Stowmwater Management Permit #15-08 - Map 40 Parcel 171 & Map 49 Parcel 51A - Joseph Langone, Applicant

PRESENT IN INTEREST – Dennis Griecci, Andover Consultants
Joseph Langone, Northeastern development

MATERIALS CONSIDERED:

PLAN "Existing Conditions & Site Details, 102/104 Lowell Street, Wilmington, Mass" dated October 27, 2015 and last revised December 21, 2015

ELEVATION dated October 21, 2015

STORMWATER REPORT dated October 27, 2015

LETTER from Dennis Griecce, Andover Consultants dated October 27, 2015

COMMENTS – DPW memo dated November 30, 2015 and DPW e-mail dated December 22, 2015

D. Griecci told the Board he made changes according to DPW's recommendations. He said the use will remain the same.

R. Holland said she still has concerns about the parking in the rear which has no walkway to the building. D. Griecci said there are four parking spaces in the rear. V. Gingrich asked if J. Langone had a discussion with the abutter in the rear of his building and J. Langone said he has been unsuccessful, although he has tried to reach the abutter. J. Langone told the Board the abutter is a good guy and will agree to regrade the area between the parcels.

M. Sorrentino read comments into the record.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action to February 29, 2016 for Site Plan Review #15-11 and Stormwater Management Permit #15-08 - Map 40 Parcel 171 & Map 49 Parcel 51A - for 102 & 104 Lowell Street - Map 40 Parcel 171 & Map 49 Parcel 51A

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #15-11 and Stormwater Management Permit #15-08 for 102 & 104 Lowell Street Map 40 Parcel 171 & Map 49 Parcel 51A

**Public Hearing – Sign Special Permit #15-04 for 188 Main Street - Map 44 Parcel 177A
Alexander Nguru, Applicant**

MATERIALS CONSIDERED:

PLANS "Caring Hearts, Homecare", created by Signs by Tomorrow

PRESENT IN INTEREST – Alexander Nguru
Larry Pelavin, Signs by Tomorrow

L. Pelavin told the Board he is the sign maker and the applicant needs a sign on the building simply so people can find his company. He explained that A. Nguru's business caters to people who need home health care. He told the Board about the existing signs on the building and said the proposed sign exceeds the total amount of signage allowed on the building and because it is on the second floor, it requires a special permit. L. Pelavin said the sign will blend in with the building. There were no questions from Board.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Sign Special Permit #15-04 for 188 Main Street Map 44 Parcel 177A.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Sign Special Permit #15-04, plan entitled, "Caring Hearts, Homecare", created by Signs by Tomorrow and filed with the Planning Board on November 19, 2015. Said property is located at 188 Main Street and shown on Assessor's Map 44 Parcel 177A. Approval is subject to the following:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on January 5, 2016 and closing on January 5, 2016, by a motion duly made and seconded, it was voted:

To approve a wall sign that is 2' high x 8' wide, .5" thick komacell with .5" or .25" thick 3D logo and letters. The sign will be on the second floor of the building located at 188 Main Street.

If the signs have not been erected within two (2) years of a special permit approval, the approval shall lapse and then a new application, fees and public hearing will be required, provided that if there is an appeal to the Land Court within twenty (20) days after the decision

has been filed in of the office of the Town Clerk, and/or the two-year period shall run from the date of the final decision on the appeal.

**Public Hearing – Sign Special Permit #15-05 for 206 Ballardvale Street
Map R2 Parcel 7D - Sandy Lupien for Viewpoint Sign and Awning, Applicant**

A request to withdraw without prejudice was received.

MATERIALS CONSIDERED:

E-MAIL from Viewpoint Sign dated January 5, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To accept the request to withdraw without prejudice, the Sign Special Permit for 206 Ballardvale Street.

Public Hearing – Pet Care Facility Special Permit #15-01 and Parking Relief Special Permit #15-01 for 203 Lowell Street - Map 48 Parcel 73 - Attorney Robert Peterson for the Barking Dog, Ltd., Applicant

MATERIALS CONSIDERED:

PLAN "Lot Subdivision Plan" dated December 7, 2014 and last revised July 27, 2015 and "Site Layout Plan" dated December 7, 2014 and last revised July 27, 2015

MEMORANDUM from ARCADIS dated March 8, 2015

LETTER from Eugene T. Sullivan dated June 23, 2015

COMMENTS – DPW memo dated January 4, 2016

PRESENT IN INTEREST – Attorney Robert Peterson
William Yetman, Howland Development
Jodi Rogers, Barking Dog
Drew Rogers, Barking Dog

Attorney R. Peterson told the Board this is the Special Permit piece of the Pet Care Facility shown on the previously approved Site Plan for 203 Lowell Street and Eugene T. Sullivan corrected some typos on the plan. He showed the approved parking for 44 spaces and said during the public hearing process, it was determined the required 80 spots are unnecessary. Attorney Peterson said most of the parking is drop off and pick up. He told the Board there are between 8 to 10 employees. D. Shedd asked if there is a veterinarian service as well as the daycare and J. Rogers said it is not her intention to have a veterinarian service in the building. M. Sorrentino asked if there is 24 hour staff and J. Rogers answered yes.

M. Sorrenito read DPW memo into the record and told the applicant DPW's concerns regarding the sewer system should be addressed with DPW directly.

Attorney Peterson reminded the Board the applicant requested that item be removed from the conditions of Site Plan Review and the Board agreed. M. Sorrentinos said the Board has no issues with the special permit.

M. Sorrentino read comments into the record.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for the Pet Care Facility Special Permit #15-01 and Parking Relief Special Permit #15-01 for 203 Lowell Street - Map 48 Parcel 73

Board of Appeals

There were no Board of Appeals to review.

Old Business

Request to establish surety for North Wilmington Estates Definitive Subdivision #09-02 Map R2 Parcels 1 & 1A, North Wilmington Estates, LLC

A request to establish surety for was received.

MATERIALS CONSIDERED:

LETTER from Stephen Lawrenson
Comments - DPW estimates

V. Gingrich told the Board that the applicant's bank is still processing the paperwork and hopefully this will be resolved before the Planning Board's next meeting.

Upon motion duly made and seconded, it was unanimously

VOTED: To table establishing surety for North Wilmington Estates Definitive Subdivision until the next Planning Board meeting.

Request to accept surety for North Wilmington Estates Definitive Subdivision #09-02 Map R2 Parcels 1 & 1A, North Wilmington Estates, LLC

A request to accept surety for was received.

MATERIALS CONSIDERED:

LETTER from Stephen Lawrenson

Upon motion duly made and seconded, it was unanimously

VOTED: To table accepting surety for North Wilmington Estates Definitive Subdivision until the next Planning Board meeting.

Request to release lots for North Wilmington Estates Definitive Subdivision #09-02 Map R2 Parcels 1 & 1A, North Wilmington Estates, LLC

A request for to release lots for North Wilmington Estates was received.

Upon motion duly made and seconded, it was unanimously

VOTED: To table the release of lots for North Wilmington Estates Definitive Subdivision until the next Planning Board meeting.

New Business

Decision for Conservation Subdivision Design Special Permit #15-03 for Garden of Eden Map 2 Parcels 201-206, 223-225 and Map 3 Parcels 207-222

MATERIALS CONSIDERED:

PLANS "Garden of Eden, Conservation Land Plan" dated June 11, 2015 and last revised November 3, 2015 and "Sketch Plan in Wilmington, Massachusetts" dated June 11, 2015 and last revised August 13, 2015

SUMMARY SHEET received December 10, 2016

E-MAIL from Paul Alunni dated January 4, 2016

PRESENT IN INTEREST – Joseph Langone

Doug Lees, Land Engineering & Environmental Services

Upon motion duly made and seconded, it was unanimously

VOTED: To close public hearing and approve with standard and special conditions, the Special Permit to authorize a 26-lot subdivision located off Chestnut Street, as shown on a plan entitled: "Garden of Eden, Conservation Land Plan" dated June 11, 2015 and last revised November 3, 2015, registered Professional Engineer: Douglas E. Lees, Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879. The Planning Board determined that the proposed project has less detrimental impact on the property and surrounding area than a conventional development. Approval is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on January 5, 2016 and closing on January 5, 2016, by a motion duly made and seconded, it was voted:

"We the Wilmington Planning Board, as requested by Joseph A. Langone, owner and applicant, under the provisions of Section 8.0 of the Zoning By-Laws of the Town of Wilmington and Board's Special Permit Rules and Regulations, to consider the contemplated site plan development for property addressed off Chestnut Street (Assessors Map 2 Parcels 201 through 206; 223, 224, & 225; Map 3 Parcels 207 through 222), as shown on the plan set sheet entitled: "Garden of Eden, Conservation Land Plan" prepared by Douglas E. Lees, P.E, dated June 11, 2015 and last revised November 3, 2015, (the "Concept Plan") (the "Project"), do hereby vote to APPROVE the Special Permit Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

The following materials in addition to the Concept Plan were submitted into the public record:

	<u>Date Submitted</u>	<u>Description</u>
1.	December 10, 2015	Engineering Narrative

PROCEDURAL HISTORY

1. Application to construct a Conservation Subdivision Design pursuant to Section 8 of the Wilmington Zoning Bylaws was made by the above-referenced owner and filed with the Planning Board on December 10, 2015.
2. A public hearing on the Special Permit application was held on January 5, 2016 and closed on January 5, 2016.
3. This Special Permit application is accompanied by and augmented by a Concept Plan entitled: "Garden of Eden, Conservation Land Plan", dated June 11, 2015 and last revised November 3, 2015 and prepared by Land Engineering & Environmental Services, Inc. and James K. Emmanuel Associates, Landscape Architects, as shown as Assessor's Map 2 Parcels 201 through 206, 223, 224, & 225; Map 3 Parcels 207 through 222.
4. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS:

A. General

The Planning Board determined that the proposed project has less detrimental impact on the property and surrounding area than a conventional development proposed for the tract after consideration of the following factors:

1. The subject property is located off of Chestnut Street, as shown on the Concept Plan entitled "Garden of Eden, Conservation Land Plan". The combined property consists of 46.4 acres. Development will occur on 16 acres. The remaining 30 acres, consisting of wetlands, riverfront and upland, will remain in perpetuity as open space.
2. The applicant proposes to build twenty-six (26) single family units on the site. A portion of the property is intended to be deeded to the Town of Wilmington Conservation Commission to manage as open space.
3. The development will be served by a way that is proposed for acceptance by the Town. Said way is of suitable pavement width, grade, layout and drainage, so as to be acceptable to the Planning Board for access purposes.

B. Special Permit Criteria

Section 8.11 of the Zoning Bylaw states that the Planning Board may grant a special permit if it determines that the proposed project has less detrimental impact on the property and surrounding areas than a conventional subdivision after considering the following factors:

1. Whether the CSD achieves greater flexibility and creativity in the design of residential developments than a conventional plan;

2. Whether the CSD promotes permanent preservation of open space, agricultural land, forestry land, and other natural resources including water bodies and wetlands resources;
3. Whether the use of the CSD reduces the impacts of development on the Ipswich River as this area is within the Ipswich River Watershed. The impact to other water bodies is reduced through the reduction of water consumption, by minimizing impervious surfaces and through the use of on-site or decentralized wastewater management systems.
4. Whether the CSD promotes a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional subdivision;
5. Whether the CSD reduces the total amount of disturbance on the site;
6. Whether the CSD furthers the goals and policies of the open space plan and Wilmington Master Plan;
7. Whether the CSD facilitates the construction and maintenance of streets, utilities, and public service in a more economical and efficient manner;
8. Whether the CSD contributes to increasing the diversity of available housing in Wilmington;
9. Whether the Concept Plan and its supporting narrative documentation comply with all sections of this zoning bylaw subject to the Planning Board granting waivers as specified below.

The Planning Board has considered all of the above-referenced criteria and will impose conditions in the Special Permit relating to these criteria.

C. Specific Findings

1. The applicant has been creative and flexible in designing a plan that addresses the concerns of the Planning Board. The Yield Plan created 26 lots with lots ranging in size from 60,090 to 121,400 square feet. The Concept Plan will create a CSD Layout Plan of 26 lots ranging in size from 20,000 to 42,667 square feet. The homes are proposed to be single family. The open space is primarily adjacent to existing conservation land and at the edges of the entire property to provide a buffer to the riverfront area and steep slopes.
2. This area is important for its unique scenic, historic and ecological values. The permanently protected open space includes Isolated and Bordering Vegetated Wetlands, Riverfront area, and woodlands. Proposed open space includes the area along the Sawmill Brook Gorge, which adds to the open space trail network to the north and west.
3. Impervious material is reduced through the length and width of roadway.

4. Through the CSD approach, the development reduces sprawl by allowing for reduced lot size and reducing the overall length of roadways. With less land contained within the development portion of the site, the CSD is able to better respect existing topography and natural features. The riverfront and bordering wetlands are protected to a much greater degree.
5. Approximately 35% or 16.4-acres of the 46.4 acre site will be disturbed leaving 30 acres undisturbed. The remaining 65% undisturbed area will be permanently protected and left in its natural state except for passive recreational trails, public parking for trail access and stormwater management.
6. Adoption of the CSD bylaw was a strong recommendation of the Wilmington Master Plan. It furthers the goals of both the Master Plan and Open Space and Recreation Plan through protection of open space, protection of natural and historic resources, and provision of enhanced opportunity for passive recreation.
7. The new roadway has been shortened through the flexible design approach of the CSD. This will reduce the cost of maintenance in the future, as well as on-going maintenance such as snowplowing.
8. The development provides an option for families to live adjacent to open space by clustering twenty-six homes.

DECISION

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be developed under Section 8 of the Wilmington Zoning Bylaws. It is therefore decided to grant a Special Permit for the development of twenty-six (26) single family homes in accordance with the terms and conditions stated below. The following shall be required at the Applicant's sole expense, unless otherwise noted:

1. Notwithstanding any future amendment to the Wilmington Zoning Bylaw, Massachusetts G.L. c. 40A, or any other legislative act:
 - a The maximum number of dwelling units to be constructed under this Special Permit shall be twenty-six (26).
 - b The tract of land on which the single family structures are to be located shall not be altered or used except
 - i as granted by this Special Permit;
 - ii as shown on the Concept Plan entitled: "Garden of Eden, Conservation Land Plan", dated June 11, 2015 and last revised November 3, 2015, as referenced above; and
 - iii as in accordance with subsequent amendments to the Special Permit.
 - c The entire tract of land and buildings to be constructed shall not be used, sold, transferred or leased except in conformity with this Special Permit. If applicant petitions for amendment to this Special Permit, he must submit all plans and information to the change as required by applicable rules.\
2. The Project shall be presented as a Definitive Subdivision in accordance with the Concept Plan Special Permit. The Special Permit shall be reconsidered if there is substantial

variation between the Definitive Subdivision Plan and the Concept Plan, as determined by the Planning Board as defined in Section 8.6.3 of the Wilmington Zoning Bylaw.

3. Minimum lot size to be no less than 20,000 s.f.
4. At least 50% of the required setbacks for the underlying R-60 district shall be maintained in the CSD.
 - a Side and rear yard setbacks no less than 12.5 feet;
 - b Front yard setbacks no less than 25 feet.
5. Lot frontage shall not be less than 50 feet.
6. A detailed tree-cutting plan for the roadway and open space areas shall be provided with the Definitive Subdivision Plan. No clearing except for surveying site assessment and percolation testing, shall take place prior to approval of the tree-cutting plan. The applicant must provide tree-cutting plans for individual lots along with a siting plan for the house when determined. No cutting on individual lots will be allowed prior to a tree cutting plan being approved for the lots. The Town of Wilmington Tree Warden shall be given an opportunity to walk all areas planned to be conveyed to the Town prior to the demobilizing of the tree clearing contractor in order to determine if additional cutting beyond the cutting plan is necessary to provide a reasonable degree of public safety.
7. The stormwater management system is shown in a conceptual manner and shall be revised through the Definitive Subdivision process to the specifications of the Town.
8. The project is subject to the Wetlands Protection Act and the project shall file with the Conservation Commission concurrently with the Definitive Subdivision plan set.
9. The submission of a Definitive Subdivision Plan shall include all necessary utility analyses as required by the Wilmington Department of Public Works.
10. A traffic impact assessment shall be submitted with the Definitive Subdivision Plan. Of particular interest is an assessment of sight lines and safety at the new intersection.
11. Proposed house locations shall be shown on the Definitive Subdivision Plan. Conceptual sketches of proposed home exteriors to be submitted with Definitive Subdivision Plan.
12. A composting area shall be designated for each lot and shown on the Definitive Plan.
13. Open space shall be conveyed to the Town of Wilmington under the care, custody and control of the Conservation Commission. Prior to the transfer, the applicant shall certify the proposed open space to be deeded to the Conservation Commission is clean of man-made debris and has no substantial solid waste on site.
14. Iron pins shall be installed along property line segment ends for the proposed open space parcels.
15. Open Space areas shall remain in a natural state as much as possible. Open areas shall be planted / seeded with appropriate native, low-maintenance plants to be shown on the Definitive Subdivision plan.

16. Conditions of approval of all permits issued by other boards or agencies of the Town of Wilmington, including conditions of approval from the Definitive Plan emanating from Garden of Eden Concept Plan, shall be considered conditions of approval under this Special Permit. In the event that said permits contain conditions conflicting with the conditions hereof, the Planning Board reserves the right to amend the conditions of this Special Permit, after hearing, so as to render such conditions consistent with one another.
17. These conditions of approval of the Special Permit shall be listed on the cover page of the Definitive Subdivision Plan set.

WAIVERS:

No waivers of Section 8 of the Wilmington Zoning Bylaw were requested.

**Request to amend Stormwater Management Permit #13-02 for 110 Eames Street
Map 47 Parcel 17 and waive the public hearing requirement - Eugene T. Sullivan for
Applicant**

MATERIALS CONSIDERED:

PLANS "Parking Expansion Plan" dated May 7, 2015 and last revised August 24, 2015
E-MAIL from Paul Alunni dated December 22, 2015
LETTER from Eugene Sullivan dated December 16, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To close public hearing and issue the Stormwater Management Permit with
Standard and Special conditions for 110 Eames Street.

**Request to endorse plans for Site Plan Review #15-07 for 110 Eames Street
Map 47 Parcel 17 - Eugene T. Sullivan for Applicant**

A request to endorse plans was received.

MATERIALS CONSIDERED:

PLANS "Parking Expansion Plan" dated May 7, 2015 and last revised August 24, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To endorse plan entitled: "Parking Expansion Plan"; dated May 7, 2015 and last revised August 24, 2015, prepared by Professional Engineer: Eugene T. Sullivan, Eugene T. Sullivan, Inc. 230 Lowell Street, Suite 2A, Wilmington, MA 01887. Said property is located at 110 Eames Street, Wilmington, MA 01887 and shown on Assessor's Map 47 Parcel 17.

**Request to release surety for Marjorie Road - Map 70 Parcel 101B, 101C and 101D
Stephen Lawrenson for Cranberry Lake Realty Trust, Applicant**

A request to release surety for Marjorie Road was received.

MATERIALS CONSIDERED:

E-Mail from Stephen Lawrenson dated January 5, 2016

COMMENTS memo from DPW dated December 22, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To release surety in the amount of fourteen thousand, one hundred thirty-four dollars and zero cents (\$14,134.00) plus interest for STA 0+00 (near Allston Avenue intersection) to STA 2+87 (end of street).

**Request to release surety for Cheyenne Estates Definitive Subdivision #04-01
Map 85 Parcel 7 - Richard Stuart for Elm Tree Development LLC, Applicant**

A request to release surety for Cheyenne Estates Definitive Subdivision was received

MATERIALS CONSIDERED:

LETTER from Richard Stuart for Elm Tree Development LLC dated November 25, 2016
COMMENTS memo from DPW dated December 18, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To reduce surety for Cheyenne Estates by one hundred twenty-two thousand, three hundred twenty-six dollars and zero cents (\$122,326.00) from STA 0+00 (intersection of Concord Street to Cheyenne Drive) to STA 5+28.41(end of cul-de-sac). The remaining surety of thirty-five thousand, six hundred thirty-six dollars and zero cents (\$35,636.00) represents 10% of the total surety plus the amount to complete the remaining work. The 10% is withheld by the Planning Board until the roadway is completed and an additional eighteen months (warranty period) has elapsed or until the street is accepted by the Town as a public way.

**Request to release surety for 81G Plan #05-01 - Crescent Street - Map 54 Parcel 63
Joseph Langone, Northeastern Development Corp., Applicant**

A request to release surety for 81G Plan #05-01 - Crescent Street - Map 54 Parcel 63
Joseph Langone, Northeastern Development Corp, Applicant

MATERIALS CONSIDERED:

LETTER from Joseph Langone, Northeastern Development Corp.
COMMENTS memo from DPW dated December 10, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To release the remaining surety for the completion of 13 Crescent Street from STA 0+0 (Garden Avenue) to STA 0+2+03 (end of cul-de-sac) in the amount of two thousand, ninety-three dollars and zero cents (\$2,093.00) plus interest in accordance with the recommendation of the Town Engineer since all work has been completed and the additional eighteen months (warranty period) has passed. remaining surety for the completion of 13 Crescent Street from STA 0+0 (Garden Avenue) to STA 0+2+03 (end of cul-de-sac) in the amount of two thousand, ninety-three dollars and zero cents (\$2,093.00) plus interest in accordance with the recommendation of the Town Engineer since all work has been completed and the additional eighteen months (warranty period) has passed.

**Request to release Lots B & C for Rhode Island Road Definitive Subdivision #08-01
Map 36 Parcel 186 - Kristen Costa for James Mangano, Applicant**

A request to release Lots B & C for Rhode Island Road Definitive Subdivision #08-01
Map 36 Parcel 186 was received.

MATERIALS CONSIDERED:

LETTER from Kristen Costa, L.A. Associates dated December 23, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To release Lots B & C for Rhode Island Road Definitive Subdivision #08-01.

Planning Director's Comments

V. Gingrich talked about the zoning changes proposed for Town Meeting. She told the Board about what the Building Inspector's interpretation is regarding enclosed patios for restaurants. She said restaurants are permitted to have enclosed patios which have a roof and some portion of side walls. V. Gingrich told the Board in order to allow patios without roofs and walls, the bylaw needs to be amended at Town Meeting. D. Shedd asked if the hardscape is the surface and V. Gingrich said yes. She explained that sandwich shops are takeout so they are not supposed to have chairs according to the bylaw so sandwich shops that have seating are not allowed by our current bylaw and this should be changed during Town Meeting as well. V. Gingrich said the bylaw allow a sandwich shop to have a maximum of 10 chairs. She told the Board, according to our current bylaws, there is not spot for Rental Cars and Trucks. She showed the Board what changes she would like to bring to Town Meeting and advised them to regularly improve and cleanup the zoning bylaw to improve it.

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

VOTED: To adjourn the meeting at 9:23 p.m.

NEXT MEETING is January 5, 2015

Respectfully submitted,



Cheryl Licciardi
Recording Clerk