



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 www.wilmingtonma.gov (978) 658-8238

Planning Board Minutes

January 5, 2021

The Planning Board met on Tuesday January 5, 2021 at 7:30 p.m. via remote participation. The following members were present: Michael Sorrentino, Chair; Randi Holland, Angela Marcolina, Sean Henningan and Terence Boland. Valerie Gingrich, Director of Planning & Conservation, and Sierra Pelletier, Assistant Planner were also present.

M. Sorrentino read the Governor's statement as follows: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, members of the public who wish to watch and listen to the meeting may do so in the following manner: WCTV (Channel 9 – Comcast Xfinity; Channel 37 Verizon Fios, and live stream wctv.org). This meeting of the Wilmington Planning Board is being conducted via remote participation. **No in-person attendance of members of the public will be permitted**, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. Members of the public who would like to participate in the meeting via Zoom can do so by going to this link:

<https://us02web.zoom.us/j/87255394339?pwd=dlh2TzdXRlhDSE9HeUtmZXF4TGy3Zz09>

Members of the public who would like to listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 872 5539 4339 then press # and press # again at the next voice prompt. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by following the steps previously noted then press *9 on their telephone keypad or using the "raise hand" function on Zoom. This will notify the meeting host that the caller wishes to speak. In the event that despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the Town's website as soon as we are able.

Minutes

The Planning Board reviewed minutes of August 4, 2020, September 8, 2020, October 6, 2020, November 10, 2020, and December 8, 2020.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the August 4, 2020, September 8, 2020 and October 6, 2020 minutes as written.

Upon motion duly made and seconded, it was unanimously

VOTED: To table November 10, 2020 and December 8, 2020 minutes.

RECEIVED
TOWN CLERK
2021 FEB -4 PM 2:18
TOWN OF WILMINGTON, MA

Form A

20 Hopkins Street – Map 22 Parcel 13 – Plan of Land in Wilmington, Massachusetts (Middlesex County)”, Kenneth Chisholm, Trustee, Applicant

MATERIALS CONSIDERED:

PLAN “Plan of Land in Wilmington, Massachusetts (Middlesex County)”, dated November 12, 2020.

PERMISSION TO EXTEND THE ACTION DEADLINE dated December 11, 2020

S. Pelletier said they are dividing the parcel into lots three and four and giving lot four to K. Chisholm. V. Gingrich asked if lot three is a frontage exception lot. S. Pelletier said they are in R20 and it is a frontage exception lot. L. Roy said that they have more stringent regulations since it's registered land.

Upon motion duly made and seconded it was unanimously

VOTED: To receive the ANR Plan and Application #20-10 for 20 Hopkins Street – Map 22 Parcel 13, “Plan of Land in Wilmington, Massachusetts (Middlesex County)” Kenneth Chisholm, Applicant.

Upon motion duly made and seconded it was unanimously

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #20-10 for 20 Hopkins Street – Map 22 Parcel 13, “Plan of Land in Wilmington, Massachusetts (Middlesex County)” Kenneth Chisholm, Applicant.

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled, “Plan of Land in Wilmington, Massachusetts (Middlesex County)” dated November 12, 2020.

Matters of Appointment

Continued Public Hearing – Conservation Subdivision Design Special Permit #19-01 for 79 Nichols Street – Map 35 Parcel 29, Attorney Jill Elmstrom Mann for Golden Realty Trust, Applicant

PRESENT IN INTEREST: Attorney Jill Elmstrom Mann, Mann & Mann, P.C.

MATERIALS CONSIDERED:

PLAN “Conservation Subdivision, Nichols Street Condominium, Wilmington, Massachusetts” dated June 10, 2020 and last revised December 18, 2020, “Fire Turning” dated June 12, 2020 and “Site Line Study” dated December 18, 2020, “Yield, Grading & Drainage Plan” dated June 10, 2020 and received December 18, 2020 “Landscape Plan” dated December 16, 2020
STORMWATER MANAGEMENT PERMIT APPLICATION received December 18, 2020
PROJECT NARRATIVE and STORMWATER ANALYSIS dated August 13, 2020 and last revised December 18, 2020

WILMINGTON WATER & SEWER COMMISSION MINUTES OF MAY 21, 2020

HYDRAULIC ANALYSIS REPORT dated August 25, 2020 and received December 18, 2020

DCI & ARCADIS AGREEMENT dated September 4, 2020 and received December 18, 2020

DCI Earthwork Calculations received December 18, 2020

PROJECT NARRATIVE from Mann & Mann, P.C. dated December 18, 2020

LETTER of Sewer Calculations from Wayne Keefner dated August 13, 2020 and last revised December 18, 2020

PLANNING REVIEW LETTER dated January 5, 2020

RESPONSE LETTER from Wayne Keefner dated December 18, 2020 to September 8, 2020 Planning Review Letter and September 8, 2020 Engineering Review Letter

ENGINEERING MEMO dated January 5, 2021

Attorney J. Mann told the Board she submitted everything but the engineering response letter in the package so for that she apologized. She said they received comments from the Planning Department and Engineering Division that clearly showed the response letter was missing. V. Gingrich shared the Engineering Memo dated January 5, 2021. Attorney J. Mann said she would like the Town Engineer to review the project engineer's comments to see that all Town and Board concerns have been addressed including the concern regarding the firetruck. She said they reached out to the Fire Department for safety, and sight distance is met. W. Keefner said that time would be better spent having the Town Engineer reading through his response letter. T. Boland asked what comment letter was being referred to as the one he reviewed is dated January 5th. Attorney J. Mann said she submitted a package December 18th which should have included W. Keefner's response letter which would have addressed all the Town's comments. V. Gingrich shared the plan. J. Mann said they secured the right to install the sewer system and connect to the Wilmington sewer. She said the circle is being provided as a turnaround. She said they met with the Fire Department, and said to make the circle bigger goes against what they are trying to achieve because it creates more impervious pavement. The developer has agreed to sprinkler each home and she said the Fire Department agreed that was better. W. Keefner said there was concern that the large infiltration system wouldn't be able to handle the load of the ladder truck. He said he reached out to the ladder manufacturer as well as the subsurface structure manufacturer, so he believes that issue is resolved. He said the drainage works well and they will not deny that the site is tight. He said it meets the required setbacks. He said most of the comments were adequately addressed in his letter. Attorney J. Mann said she honored the request of Miss Bigfoot to have the walking trail along the Middlesex Canal. S. Pelletier said she has a comment to read from an abutter that was unable to attend the meeting. The abutter is at 81 Nichols Street. He is concerned that the project is tight on the lot and compared it to horse being shoved through mailbox and he is looking at the part that doesn't fit. M. Sorrentino asked if they had enough time to submit revised plans and W. Keefner said he thinks some of the comments are not relevant. He said he believes they are meeting all the requirements, and M. Sorrentino said the Board wants the Town Engineer's comments addressed properly within the plan set. He said there are two weeks to submit revised plans that address all departmental concerns.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Conservation Subdivision Design Special Permit #19-01 for 79 Nichols Street to February 2, 2021 at 7:30 p.m.

**Public Hearing – Sign Special Permit #20-02 for 205-207 Lowell Street - Map 48 Parcel 73B
Jessica Keys, Applicant**

PRESENT IN INTEREST: Jennifer Crowell, The Sign Center

MATERIALS CONSIDERED:

PLAN "ALTA/ACSM Land Title Survey in Wilmington, Mass., Preliminary Plan," dated November 30, 2007, prepared by Hayes Engineering, Inc.
RENDERING prepared by The Sign Center dated July 2, 2020
AUTHORIZATION LETTER from Patrick St. Pierre dated September 2, 2020
LETTER from Jessica Keys dated November 17, 2020

J. Cowell told the Board the applicant would like a second free standing sign at the Woburn Street entrance. She said in November they had a similar sign approved at the Lowell Street entrance. She said they are requesting the same sign for their second location. It will have black cut vinyl letters and provide a directory listing. M. Sorrentino asked V. Gingrich if the setback is good enough to not block any line of sights and V. Gingrich said it will need to meet the setback outside the right-of-way. J. Crowell asked if there is a 10' setback requirement from pavement. V. Gingrich answered, 10' from the right-of-way or property line. J. Crowell agreed. M. Sorrentino asked if the Board approves the sign, what condition the applicant was looking for and J. Crowell said the applicant has two entrances and would like a directory at each entrance. V. Gingrich said there is an existing sign located on 203 Lowell Street but it's for 205-207 Lowell Street so it is recommended that the Board require the off premise sign be removed and the Board agreed there will be two signs on 205-207 Lowell Street but the sign on 203 Lowell Street will be removed. J. Crowell agreed to remove the sign at 203 Lowell Street. V. Gingrich reviewed the draft decision with the Board and applicant.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Sign Special Permit #20-02 for 205-207 Lowell Street.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Sign Special Permit #20-02 for 205-207 Lowell Street for the installation of one (1) 30" x 48" (10 sq. ft.) freestanding sign structure for an industrial center with six (6) tenant panels at the Woburn Street entrance. The application was filed with the Planning Board on December 11, 2020. Said property is located at 205-207 Lowell Street and shown on Assessor's Map 48 Parcel 73B.

The public hearing was opened and closed on January 5, 2021. By a motion duly made and seconded, the Board voted to approve the Special Permit, as presented, under the provisions of Section 6.3.2 of the Zoning Bylaws of the Town of Wilmington. Approval is subject to the following Findings and Conditions.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
December 11, 2020	"ALTA/ACSM Land Title Survey in Wilmington, Mass., Preliminary Plan," dated November 30, 2007, prepared by Hayes Engineering, Inc., and edited by the Applicant December 11, 2020.

FINDINGS:

1. The signage to be erected is on Map 48 Parcel 73B on the Town of Wilmington's Assessor's Map.
2. The Planning Board determined that the 30" x 48" (10 sq. ft.) sign with six (6) removable tenant panels should be permitted in the public interest. The existing building is located a distance from Woburn Street and is not visible from the roadway.
3. The application materials comply with the requirements of Section 6.3 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.

CONDITIONS:

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

1. This Special Permit shall be valid for this proposed sign only. Any change in signage other than tenant panels shall be reviewed by the Planning Board.
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 the sign has 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.
4. This decision in no way invalidates any of the previous conditions required by the Planning Board on this property through Site Plan Review or other Special Permits.
5. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees, and all tenants.
6. The non-conforming freestanding sign structure located on the 203 Lowell Street property, shown on the above referenced site plan, shall be removed prior to construction of the sign structure at the Woburn Street entrance approved in this Special Permit.
7. Bylaw Exception: (Section 6.3.6.3.a) "Granted" one (1) 30" x 48" (10 sq. ft.) freestanding sign structure at the Woburn Street entrance, in addition to the existing freestanding sign structure on the driveway from Lowell Street, which exceeds the total number of allowed freestanding signs per building lot.
8. All provisions of the Wilmington Zoning Bylaw pertaining to signage (Section 6.3) will be met unless an exception is specifically provided in this decision.

Public Hearing – Parking Relief Special Permit #20-05 for 100 Eames Street - Map 38 Parcels 4 & 4C – 100 Eames Street, LLC, Applicant

PRESENT IN INTEREST: Attorney Robert G. Peterson
Jamie Gerrity, Gerrity Stone

MATERIALS CONSIDERED:

PLANS "Site Plan Review Documents, March 12, 2020 (Revised December 9, 2020) Gerrity Stone, 100 Eames Street, Wilmington, Massachusetts 01887" dated March 12, 2020 and last revised December 9, 2020

PARKING ANALYSIS EMAIL from Jamie Gerrity dated July 29, 2020
E-MAILS from Deputy Fire Chief Christopher Pozzi dated December 15, 2020 and
December 18, 2020
E-MAIL from Inspector of Buildings dated December 14, 2020

Attorney R. Peterson said there was a reclassification of the interior space. He said the original plan required 9 parking spaces for showroom space and that has not changed. The office originally showed 15 parking spaces and the new revised plan requires 20. He said the industrial space required 26 spaces and that has increased to 29. Attorney R. Peterson said the warehouse parking went from 17 spaces to 14. He said the new plans require an additional 5 parking spaces. He said the number of employees is not going to change and the building size does not change. V. Gingrich told the Board the site plan did not change. T. Boland asked if the Board if amending a previous approval and M. Sorrentino said yes. V. Gingrich reviewed the draft decision. She said the lot layout plan has been amended to reflect the updated parking requirements and the plan will need to be endorsed.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Parking Relief Special Permit #20-05 for 100 Eames Street.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions the Parking Relief Special Permit #20-05 for 100 Eames Street as shown on plan entitled: "Site Plan Review Documents, March 12, 2020 (Revised December 9 2020), Gerrity Stone, 100 Eames Street, Wilmington, Massachusetts 01887", dated March 12, 2020 and last revised December 9, 2020, prepared by Patrick J. McCarty, PE, McCarty Engineering, Inc., 42 Jungle Road, Leominster, MA 01453. Approval is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening and closing on January 5, 2021, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by James F. Gerrity, IV, under the provisions of Section 6.4.3.2 (Parking Relief) of the Zoning Bylaws of the Town of Wilmington to consider Parking Relief Special Permit #20-05 as shown on plan entitled: "Site Plan Review Documents, March 12, 2020 (Revised December 9 2020), Gerrity Stone, 100 Eames Street, Wilmington, Massachusetts 01887", dated March 12, 2020 and last revised December 9, 2020, prepared by Patrick J. McCarty, PE, McCarty Engineering, Inc., 42 Jungle Road, Leominster, MA 01453, 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>
December 10, 2020	"Endorsed Plan Set Summary" & "Current Proposed Plan Set Summary" Parking Calculations.

December 10, 2020

GerrityStone Parking Analysis, Email from Jamie Gerrity,
GerrityStone, dated July 29, 2020.

FINDINGS:

1. The proposed Project includes constructing a 44,400 square foot commercial/industrial building with associated site improvements within an already developed industrial site. The Project includes increasing the total number of parking spaces from 85 to 103. The approval is for the provision of 103 parking spaces.
2. The previous Parking Relief Special Permit #20-03 issued August 20, 2020 approved 103 proposed spaces where 154 were required. The approved plan included 4,915 sq. ft. of office use, 36,075 sq. ft. of industrial use, and 24,557 sq. ft. of warehouse use for AllCoat (western portion of the parcel); and 2,136 sq. ft. of retail use, 4,440 sq. ft. of office use, 20,686 sq. ft. of industrial use, and 17,056 sq. ft. of warehouse use for GerrityStone (eastern portion), requiring a total of 154 parking spaces. The presently proposed build-out has the same square footage of each use for AllCoat, but the uses for GerrityStone are amended as follows: 2,087 sq. ft. of retail use, 5,727 sq. ft. of office use, 22,793 sq. ft. of industrial use, and 13,711 sq. ft. of warehouse use. This change results in a total of 159 required parking spaces.
3. For AllCoat (western portion of the parcel), 44 spaces are proposed where 87 are required, and the Applicant has stated that the operations only require 25 spaces for its current and future employee count. For GerrityStone (eastern portion), 59 spaces are proposed where 72 are required. The Applicant has stated that they have a total of 45 on-site employees, 8 off-site employees that would rarely come to the site, and an average of 5-8 customers throughout each day, adding that it would be unlikely that more than 47 vehicles would be parked there at a time.
4. The Planning Board determined that in accordance with Section 6.4.3.2, the reduction in parking spaces can be granted without substantial detriment to the neighborhood.
5. 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 100 Eames Street shall be valid for GerrityStone and AllCoat only. Any change in tenant, ownership or use shall meet the parking requirements or apply for a Special Permit.
2. If construction has not commenced 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. The two-year period shall run from the date of the final decision on the appeal.
3. 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.
4. All conditions of Parking Relief Special Permit #20-03 issued August 20, 2020 shall remain in full force and effect.
5. In accordance with Parking Relief Special Permit #20-03 issued August 20, 2020, the Owner has agreed to and shall regularly trim vegetation along the property frontage within the Eames Street right-of-way to maintain sufficient intersection sight distance for vehicles, in accordance with the Traffic Peer Review letter from Wing Wong, dated June 18, 2020.

6. The Owner/Applicant shall coordinate with the Wilmington Fire Department regarding placement of the Fire Department Connection (FDC) for sufficient access that does not impact parking.

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan for Parking Relief Special Permit #20-05 for 100 Eames Street entitled: "Site Plan Review Documents, March 12, 2020 (Revised December 9 2020), Gerrity Stone, 100 Eames Street, Wilmington, Massachusetts 01887", dated March 12, 2020 and last revised December 9, 2020, prepared by Patrick J. McCarty, PE, McCarty Engineering, Inc., 42 Jungle Road, Leominster, MA 01453.

Board of Appeals

There were no Board of Appeals

Old Business

There was no Old Business

New Business

Request to endorse plans for 635 Main Street Definitive Subdivision – Map 40 Parcel 1 Jacqueline Welch, Applicant

MATERIALS CONSIDERED:

PLAN "Definitive Location Plan, Jackie Drive, Wilmington, MA", dated October 30, 2019 and last revised December 17, 2020.

Upon motion duly made and seconded, with four in favor and one opposed (R. Holland), it was

VOTED: To endorse plan entitled, "Definitive Location Plan, Jackie Drive, Wilmington, MA", dated October 30, 2019 and last revised December 17, 2020, prepared by Peter M. Blaisdell, Jr., P.E., Williams & Sparages Engineers, Planners, Surveyors, 189 North Main Street, Suite 101, Middleton, MA 01949.

Request to endorse plans for 635 Main Street – Site Plan Review and Multi-Family Special Permit – Map 40 Parcel 1 – Jacqueline Welch, Applicant

MATERIALS CONSIDERED:

PLAN "635 Main Street, Wilmington, MA", dated October 18, 2018 and last revised December 23, 2020.

Upon motion duly made and seconded with one opposed (R. Holland) it was

VOTED: To endorse plan entitled, "635 Main Street, Wilmington, MA", dated October 18, 2018 and last revised December 23, 2020, prepared by Peter M. Blaisdell, P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949. Said property is located for at 635 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 40 Parcel 1.

Request to extend the completion deadline for Murray Hill Definitive Subdivision #14-01 Map 4 Parcels 7 & 7A to February 5, 2022 – Craig S. Newhouse, Applicant

MATERIALS CONSIDERED:

LETTER requesting to extend the completion deadline for one year from Craig Newhouse, C.S. Newhouse Builders, Inc., dated December 7, 2020

V. Gingrich told the Board there was a request to extend the completion deadline to February 5, 2022. She said they all the houses are built. She said they were not able to get final roadwork done this past fall. M. Sorrentino asked why they pushed the completion date out so far. M. Sorrentino said if all the homes are built there is no reason for the remaining work not to be completed by spring. V. Gingrich said the remaining work needs to be done in warmer weather. She said the final pavement needs to be in place for 18 months.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the completion deadline for Murray Hill Definitive Subdivision #14-01 to August 31, 2021.

**Request to waive Site Plan Review #20-06 for 201 Lowell Street – Map 48 Parcel 73A
Jim Glowacki for Textron Systems Corporation, Applicant**

PRESENT IN INTEREST: Brittany Gesner, VHB
Carly Jones, Textron Systems
Jeremy Howell, Textron Systems
Cyndy Gibson-Murphy, Margulies Perruzzi Architects

MATERIALS CONSIDERED:

PLAN "Phase I Covered Storage Upgrade, 201 Lowell Street, Wilmington, MA" dated December 16, 2020

LETTER from Brittany Gesner dated December 22, 2020

B. Gesner told the Board this waiver is for a small HVAC upgrade to an existing external storage area on the site. The site is 61 acres and is between Lowell Street, Woburn Street and Maple Meadow Brook. She said the site has seven buildings currently and has been under the same ownership since the fifties. The property is in the General Industrial District and partially in Zone II. The project is proposed in the center of the site. There is an external storage area that was constructed in the fifties. The storage area is above ground consisting of concrete vaults covered in earth and vegetated with grass. The HVAC system in the shed has failed. A maintenance upgrade is being required by the state Fire Marshal. There is also underground duct work that connects the storage shed to the vaults and the duct work has failed and is filled with water. There are 5 components to the project: underground conduits for electric/data lines, new HVAC equipment, concrete pad increased by 2'x14', overhead duct work, and four 6'x6' areas of earth disturbance which will be temporary. M. Sorrentino asked if this is a long-term fix. C. Gibson-Murphy said it would be considered a long-term fix.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the request to waive Site Plan Review for 201 Lowell Street for the replacement of failed mechanical equipment and duct work at Textron's existing exterior covered storage. All approved work is reference in VHB's letter dated December 22, 2020 and shown on plan entitled "Phase I, Covered Storage

Upgrades, 201 Lowell Street, Wilmington, MA" dated December 16, 2020 and prepared by Brittany Gesner, P.E., VHB, 120 Front Street, Worcester, MA 01608.

Discussion

Potential Zoning Articles for Town Meeting

- **Groundwater Protection District Special Permit for Nonresidential Uses**
- **As of Right Restaurant Uses**
- **New Brew Pub Uses**
- **Mozart Avenue Area**

V. Gingrich said she added the draft language for the Board review. She changed the wording for the Brew Pub to give a limit on the percentage of brewing production they can do. She said the limit makes it so it's primarily a restaurant, not a brewery. M. Sorrentino asked if it is necessary to define what food is, and V. Gingrich said no. T. Boland said with respect to the 25%, he wanted to be on the low end to the middle and it seems as though that is where the Board is. S. Hennigan asked what is meant by "they will be allowed to sell to other establishments" and V. Gingrich said it will be wholesale. S. Hennigan asked if it can be sold to individuals and V. Gingrich said it can be sold only to establishments. S. Hennigan asked if establishment included package stores and places like Target and V. Gingrich said yes. M. Sorrentino asked if the wording should be changed to read "other alcohol selling establishments". T. Boland said this is not retail. A. Marcolina suggested the language, "establishments licensed to sell alcohol". There was a brief discussion. V. Gingrich asked if the Board was satisfied with the proposed articles, and if they were she would send them to Town Counsel for review. All members said they were satisfied and Town Counsel should review the language.

V. Gingrich said the Planning Department sent out letters to the residents of the Mozart Avenue/Bailey Road area asking them to attend the Planning Board meeting to discuss potential rezoning. The neighborhood consists of small lots ranging from 10,000 sq. ft. to 12,000 sq.ft. The area is zoned R20 and this idea for rezoning was brought to light this summer when a resident was denied a variance for a pool and contacted the Planning Department. She said from Marrietta Avenue to Bailey Road there is a cluster of undersized lots, so ideally they would rezone those lots from R20 to R10, which would decrease the setbacks a bit allowing a little more room for additions, pools and sheds, and those types of things. V. Gingrich said she spoke with some residents during the week and the one thing she heard a concern about is there are a couple of undeveloped Town owned parcels in that area. The concern was that rezoning would make those parcels easier or more likely to be developed in the future. She explained the process to acquire Town owned land and the fact that it is a lengthy process and how it goes through the Property Review Board to Town Manager and then to Town Meeting and then it goes out to bid. She told the residents that the Town doesn't give up parcels easily because they never know what the Town may need land for. V. Gingrich said she took a ride out there and said there is potential ledge. They are not flat, easy lots. The residents like the woods and would not like those parcels developed. V. Gingrich said that she talked to the residents about maybe eliminating those Town owned parcels from the area to be rezoned. She shared the map on her screen and said the two parcels on the edge could potentially not be rezoned. M. Sorrentino asked if the Planning Department has received negative feedback. V. Gingrich said the feedback was not negative but the residents would like to keep the woods as undeveloped land. Resident, A. Gigante, 11 Mozart Avenue, said years ago he wanted to put a very small sunroom on his house but was denied because of the R20 zoning. He is all in favor even though he has no plans to build and

he thanked the Board for bringing the article forward. Resident, R. Wickwire, 5 Bailey Road, said he and his wife are the ones who attempted to put a pool on their lot, applied for a variance, and it was denied. He thanked V. Gingrich for bringing this to the Board and thanked the Board for bringing the article to Town Meeting. Resident, M. Tompkins, 12 Mozart Avenue, abuts the Town owned parcels behind them. The other problem is the land is wet and his septic is in failure and he is in the process of having it redone, so putting more houses in the back gives him and his wife concern, but he has no objection to the rezoning. M. Sorrentino asked if there were more questions from the audience and there were not. S. Hennigan asked R. Wickwire if this rezoning would allow him to put in his pool. R. Wickwire said it may. R. Holland reminded the residents that although the Board is bringing the article to Town Meeting, it's Town Meeting that will decide whether to make the zoning change. M. Sorrentino said the Board makes the recommendation. Mrs. Tompkins asked when they would be notified if the Town land behind their home was taken off the table. V. Gingrich asked if the Town owned piece should be taken out of the rezoning. A. Gigante said the lots would still be buildable if they bought both parcels. Mrs. Tompkins said the Planning Director said it would be easier to build if it were rezoned so if it is off the table, that would be a benefit to keep it as Town land. V. Gingrich said it may be buildable today but the Town would have to do the title work to see if it was ever in common ownership or with other lots. She said the only difference would be that if it were rezoned it would be the correct size to be built on with the current zoning. She said the Town only puts a parcel out for bid if the parcel is deemed surplus. T. Boland asked if it's buildable without the lots being combined and V. Gingrich said it depends. T. Boland said it would have to be changed to R10, and combined and declared surplus then voted on at Town Meeting and then be built on. He asked if there is a buffer between the zones, such as 7 Bailey Road being affected if the lot next door is R20 instead of R10. V. Gingrich said that's the case when there is industrial and residential zones or commercial and residential, not just residential zones just next to one another. She said the town typically doesn't sell parcels. M. Sorrentino asked if someone purchased the two parcels and it wasn't grandfathered in, then how could the Board justify that they changed all the surrounding parcels to R10 but kept the Town parcels R20. He told the residents that he understood their concern about changing the wooded lot(s) but also said it would take a lot for someone to develop it. Mrs. Tompkins asked if it would be easier for someone to build on the Town parcels if they were rezoned and M. Sorrentino said there would be fewer hurdles to jump over. Mrs. Tompkins said that is a great concern and asked if any other residents were at this meeting that would speak out. There was not but M. Sorrentino said they may come to Town Meeting. V. Gingrich explained the whole process saying there will be a Joint Public Hearing in March and the Town Meeting is typically the first Saturday in May. She said this is the first step in the process. She encouraged the audience to reach out if they had thoughts or comments even after this meeting.

Remote Participation Policy

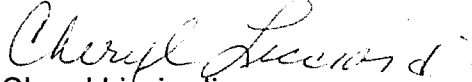
V. Gingrich told the Board that she incorporated the Board's thoughts and concerns in a memo she drafted for the Town Manager. She said there is a general concern for the individual that will be participating remotely. She read her memo to the Board. She asked the Board if they have any changes to let her know. M. Sorrentino said Zoom meetings are not always easy.

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

VOTED: To adjourn the meeting at 9:15 p.m.

NEXT PLANNING BOARD MEETING: February 2, 2021

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cheryl Licciardi".

Cheryl Licciardi
Recording Clerk