



TOWN of WILMINGTON
DEPARTMENT OF PLANNING & CONSERVATION
121 GLEN ROAD, WILMINGTON, MA 01887 www.wilmingtonma.gov

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TOWN OF WILMINGTON, MA
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Planning Board Minutes
January 7, 2020

The Planning Board met on Tuesday, January 7, 2020 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chair; Randi Holland, Angela Marcolina, Terence Boland and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation, and Sierra Pelletier, Assistant Planner were also present.

Minutes

There were no minutes to review.

Form A

1 Analog Way & 804 Woburn Street – Maps 46 & 47 Parcels 130 & 2, “Lot Consolidation Plan, Assessors Map 46 Lot 130, Assessors Map 47 Lot 2, 1 Analog Way & 804 Woburn Street, Wilmington, MA 01887”, Craig Bergeron for Analog Devices, Applicant

S. Pelletier said they are eliminating a lot line to make one lot. V. Gingrich said it has to do with the address. They want it to be One Analog Way and the Assessor is not going to combine addresses and won't change it until the eliminate the other lot.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #19-04 for 1 Analog Way & 804 Woburn Street – Maps 46 & 47 Parcels 130 & 2, “1 Analog Way & 804 Woburn Street, Wilmington, MA 01887” dated November 22, 2019 and last revised December 23, 2019, Jonathan Ricker for Craig Bergeron for Applicant

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #19-04 for 1 Analog Way & 804 Woburn Street – Maps 46 & 47 Parcels 130 & 2, “1 Analog Way & 804 Woburn, Wilmington, MA 01887” dated November 22, 2019 and last revised December 23, 2019, Jonathan Ricker for Craig Bergeron for Applicant

The Board endorsed the plan.

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

A request to continue the public hearing for Conservation Subdivision Design Special Permit #19-01 for 79 Nichols Street was received.

PLANS "Yield, Grading & Drainage Plan" dated December 18, 2019
STORMWATER HYDROCAD REPORT dated December 6, 2019
RESPONSE TO COMMENTS LETTER from Wayne Keefer received December 31, 2019
RESPONSE TO TRAFFIC LETTER from Shaun Kelly dated January 7, 2020
LETTER from Jill Elmstrom Mann dated January 7, 2020
ENGINEERING MEMO dated January 6, 2020

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 4, 2020 at 7:30 p.m. in the Town Hall Auditorium.

Continued Public Hearing – Definitive Subdivision #19-03 & Stormwater Management Permit #19-13 for Jackie Drive – 635 Main Street – Map 40 Parcel 1 – Art Hayden, Applicant

A request to extend the action deadline and continue the public hearing was received.

MATERIALS CONSIDERED:

LETTER from Jon Tilton dated December 19, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action to February 4, 2020 and continue the public hearing for Definitive Subdivision #19-03 and Stormwater Management Permit #19-13 for 635 Main Street to February 4, 2020 at 8:00 p.m. in the Town Hall Auditorium.

Continued Public Hearing - Site Plan Review #18-15, Stormwater Management Permit #18-13 and Multi-Family Special Permit #18-01 for 635 Main Street – Map 40 Parcel 1 Massachusetts Equity Investors, LLC, Applicant

PRESENT IN INTEREST: Jon Tilton, Williams & Sparages
Jaqueline Welch
Daniel M. Skolski, DMS Design

MATERIALS CONSIDERED:

PLAN "635 Main Street, Wilmington, MA" dated October 18, 2018, and last revised November 19, 2019
ELEVATIONS "Wilmington Apartments, Main Street, Wilmington, MA" dated October 4, 2018
ELEVATIONS "Wilmington Townhouses, 635-645 Main Street, Wilmington, MA" dated December 17, 2019
LIGHTING DETAILS received December 17, 2019
RESPONSE to PLANNING DEPARTMENT COMMENTS dated November 18, 2019
PLANNING REVIEW LETTER dated January 7, 2020
ENGINEERING MEMO dated January 6, 2020

J. Tilton explained the changes he made from the last meeting. He said with Town House 1 he provided a side access out with a walkway to the patio area and there is no back access. He added an erosion control plan with details. He revised the handicap crosswalk. J. Tilton said there were some minor changes based on the Planning Director's memo.

M. Sorrentino read comments into the record.

V. Gingrich said most comments are minor but asked the Board for clarity on the wall/fence. J. Tilton said the architect can explain the fence. D. Skolski said there is a stone wall with some pillars and he said there is lighting at every doorway and every balcony. He said he included cut-sheets of the lights. He said they understood the Board felt the street side looked more like a back and that has been changed. He said the Town Houses look different than the apartments. R. Holland said the design has improved and is acceptable. M. Sorrentino asked if the color of the rendering is what will be there and D. Skolski said yes. D. Skolski said there will not be corrugated metal on the building because they do not believe it is appropriate for this town. T. Boland asked about the height of the fence even though it was discussed at the last meeting. J. Tilton said the street side is 4 ½ feet and on the Town House side it's 3 ½'. J. Tilton said his plan shows the lower fence and the architect drawing shows a higher fence. R. Holland said it looks like metal fence. J. Tilton said his plans shows the heights and he references the architectural drawings for the design.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #18-15 and Stormwater Management Permit #18-13 to February 28, 2020.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street to February 4, 2019 at 7:45 p.m. in Room 9 of the Town Hall.

**Continued Public Hearing – Site Plan review #19-15 for 4 & 6 Waltham Street – Map 79
Parcels 31C & 31D – Attorney Adam Braillard, Prince Lobel Type LLP for Eco-Site Inc.,
Applicant**

PRESENT IN INTEREST: Adam Braillard, Prince Lobel Type LLC
Matthew Graubart, Major Engineering

MATERIALS CONSIDERED:

PLAN "MA0017A, Anderson Property, 6 Waltham Street, Wilmington, MA 01887, Middlesex County" dated June 26, 2019 and last revised December 24, 2019

WAIVER REQUEST LETTER dated October 10, 2019, received December 27, 2019

WETLAND BUFFER ASSESSMENT dated December 2, 2019, received December 9, 2019

A. Braillard said the applicant filed with the Zoning Board in 2016 and it was denied. The applicant litigated and mid-2019 the court ordered the Zoning Board of Appeals to grant the special permit. The applicant filed a building permit and the Town required the applicant file Site Plan Review and Stormwater Management Permit. The Planning Board asked for additional information and that was provided. The applicant requested that the balloon test be waived.

M. Sorrentino asked if the applicant can point out where it says they do not have to adhere to the Town's bylaw. He said there are residents that wanted to see the balloon test and the Board would like to see the applicant perform the balloon test. He said either the applicant performs the test or it will be made a condition of approval. He said the applicant should

adhere to the bylaw. A. Braillard said he is not authorized to continue the hearing past January. M. Sorrentino asked how he is representing the applicant if he is unable to extend the action deadline or continue the public hearing. A. Braillard said he is requesting the Board make a decision. M. Sorrentino said it is his recommendation to the Board that they adhere to the Town's bylaws. He said the balloon test will be made a condition. M. Sorrentino said the Board is not disputing their right to install the tower or the height that it will be. The Board is not disputing the layout but the Board wants the balloon test done because it is being requested by the residents. T. Boland questioned the letter dated December 18, 2019 and asked if Town Counsel can respond. V. Gingrich said she spoke with Town Counsel and the court order spoke of Board of Appeals and was silent on Site Plan Review. T. Boland said that when the resident was present at the previous meeting and asked that the bylaw be followed, the applicant was willing to honor her request and now that she is not present, the applicant is going back on it's word. M. Sorrentino said he has no problem closing the public hearing but wanted the condition added that the balloon test be done before any permits are issued. T. Boland said it was our Town Counsel's opinion that the court's ruling did not include Site Plan Review and this is part of the Site Plan Review process. V. Gingrich said that was correct. A. Braillard said his client feels that the court order supersedes the Town's bylaws with respect to that provision including Site Plan Review. T. Boland asked why they even came for Site Plan Review. A. Braillard said he agreed there should have been more detail. R. Holland said the ruling was for the Zoning Board's denial. S. Hennigan read under the Findings the findings, the Board waives....and V. Gingrich said that would be changed. M. Sorrentino asked if the Board would like to close the public hearing and add the balloon test as a condition and the Board agreed. A. Braillard asked if those are made a condition but are not completed before the decision, how does that work? V. Gingrich said it will be a condition prior to endorsement or prior to building permit.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #19-15 and Stormwater Management Permit #19-16 for 4 & 6 Waltham Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #19-15 for 4 & 6 Waltham Street as shown on plan entitled "MA0017A/Anderson Property, 4BN1336E, Site Address, 6 Waltham Street, Wilmington, MA 10887", dated June 26, 2019 and last revised December 24, 2019, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054. Said property is located at 4 & 6 Waltham Street and shown on Assessor's Map 79 Parcels 31C & 31D.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on November 5, 2019 and closing on January 7, 2020, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Attorney Adam Braillard, under the provisions of Sections 6.5 and 6.8 of the Zoning Bylaws of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan development for property addressed at 4 & 6 Waltham Street for constructing a 120-foot monopole style wireless communications tower and installing eight panel antennas with eight remote radio units, as shown on plan entitled "MA0017A/Anderson Property, 4BN1336E, Site Address 6 Waltham Street, Wilmington, MA 10887", dated June 26, 2019 and last revised

December 24, 2019, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, submitted on October 10, 2019, (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>
October 10, 2019	"Application for Site Plan Approval" letter, prepared by Adam F. Brailard, Prince Lobel Tye LLP, 1 International Place #3700, Boston, MA 02110, dated October 10, 2019.
October 10, 2019	"Waiver Requests, in connection with, Site Plan Review Application Submittal Requirements" letter, prepared by Adam F. Brailard, Prince Lobel Tye LLP, 1 International Place #3700, Boston, MA 02110, dated October 10, 2019.
October 10, 2019	"120' Ehresmann Engineering, Inc. Monopole" letter, prepared by Jerry Gustad, Ehresmann Engineering, Inc., 4400 West 31 st Street, Yankton, SD, 57078, dated May 7, 2019.
October 10, 2019	"Federal Airways & Airspace Summary Report: New Construction Antenna Structure", dated August 23, 2016.
October 10, 2019	Letter from Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, dated October 8, 2019.
October 10, 2019	"ULS License, AWS (1710-1755 MHz and 2110-2155 MHz) License – WQPG202 – T-Mobile License LLC", undated.
October 10, 2019	Town of Wilmington Board of Appeals Amended Decision, Case 2-17, dated May 17, 2019.
October 10, 2019	The Commonwealth of Massachusetts Town of Wilmington Board of Appeals Notice of Special Permit, dated May 8, 2019.
October 10, 2019	Stormwater Pollution Prevention Plan, prepared by Damian Alexander Schmalz, P.E., Dewberry Engineers Inc., 280 Summer Street 10 th Floor, Boston, MA 02210, dated November 4, 2016.
November 20, 2019	Soil Management Plan, prepared by Melody Dufrane, CBRE, 70 West Red Oak Lane White, Plains, NY 10604, dated April 23, 2019.
November 20, 2019	"Site Plan Review #19-15 for Eco-Site, 4&6 Waltham Street, Map 79 Parcels 31C & 31D, Construction Question posed at Community Development Technical Review Team meeting held on Monday

October 28, 2019" memorandum, prepared by Chad Curry, Eco-Site, dated October 30, 2019.

- November 20, 2019 "Stormwater Management Permit Application, and Supplemental Information for a Previously Filed Site Plan Review" letter, prepared by Adam F. Braillard, Prince Lobel Tye LLP, 1 International Place #3700, Boston, MA 02110, dated November 19, 2019.
- November 20, 2019 "Environmental Buffer Analysis" memorandum, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, dated November 18, 2019.
- November 20, 2019 Stormwater Analysis, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, dated November 18, 2019.
- November 20, 2019 Operation and Maintenance/Long Term Pollution Prevention Plan, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, dated November 18, 2019.
- December 2, 2019 "Construction Method for De-Watering" memorandum, prepared by Rob Sobota, Eco-Site, dated November 25, 2019.
- December 6, 2019 "Wetland and Stream Buffer Assessment" memorandum, prepared by Kevin Jamieson, PWS, Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, dated December 2, 2019.
- December 19, 2019 Response to Denial of Waiver Requests, prepared by Adam F. Braillard, Prince Lobel Tye LLP, 1 International Place #3700, Boston, MA 02110, dated December 18, 2019.

FINDINGS:

1. The Project site is shown on Map 79 Parcels 31C & 31D on the Site Plan.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards, and guidelines of Sections 6.5 and 6.8 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 Sections 6.5 and 6.8 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations, except as contained in the specific Conditions that follow.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.

CONDITIONS:

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

GENERAL:

1. The Project shall be constructed and operated in accordance with the Site Plan.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
3. 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.
4. The Project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
5. Any revisions shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the Applicant must submit revised plans to the Planning Board for approval.
6. Any proposed beacon lighting would require a new application to the Planning Board.
7. During construction, work shall not start before 7:00 a.m. and shall be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment shall not be started before 7:00 a.m.

PRIOR TO ENDORSEMENT:

8. The plans shall be revised to darken the hatching denoting the gravel portion of the compound.
9. The Applicant shall provide the photo simulation required in Section 6.8.6.2 of the Zoning Bylaw and view test required in Section 6.8.6.3 of the Zoning Bylaw.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

10. The Wilmington Fire Department shall review and approve all building plans.
11. The Applicant shall provide Project approval from the Massachusetts Bay Transportation Authority (MBTA). Any changes resulting from the MBTA's review shall be reviewed and approved by the Planning Board.

PRIOR TO START OF CONSTRUCTION:

12. A pre-construction meeting shall be scheduled with the Department of Planning & Conservation and Town Engineer. The developer shall submit a construction schedule at the time of the pre-construction conference.
13. Erosion controls shall be installed in accordance with the Stormwater Management Plan and shall be inspected by the Department of Planning & Conservation at least two (2) business days prior to the start of construction.

DURING CONSTRUCTION:

14. All site work shall be done in accordance with the Soil Management Plan and approved Construction Method for De-Watering.

15. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.

PRIOR TO OCCUPANCY:

16. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
17. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy.

POST CONSTRUCTION:

18. The Owner shall maintain or replace landscaping and fencing as shown on the approved Site Plan for the duration of the use. The Owner shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
19. The Owner shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Project site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
20. The Owner 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 Owner shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long-term pollution prevention plan to the Department of Planning & Conservation.
21. The Project shall be operated in accordance with the Operation and Maintenance/Long Term Pollution Prevention Plan.
22. Snow shall be removed from the site in a timely manner following a snow event to ensure adequate access to the compound.
23. Final As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue Stormwater Management Permit #19-16 for 4 & 6 Waltham Street as follows:

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

January 9, 2020

ISSUED for Property located at 4 & 6 Waltham Street, Wilmington, Massachusetts (Map 79
Parcels 31C & 31D)

Case No.: Stormwater Management Permit #19-16

Applicant: Adam F. Braillard, Esq., Prince Lobel Tye LLP, 1 International Place #3700,
Boston, MA 02110

The Wilmington Planning Board has reviewed and approved the Stormwater Management Permit application and plan entitled, "MA0017A/Anderson Property, 4BN1336E, Site Address 6 Waltham Street, Wilmington, MA 10887", dated June 26, 2019 and last revised December 24, 2019, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, for the property located at 4 & 6 Waltham Street and shown on Assessor's Map 79 Parcels 31C & 31D, material originally submitted on November 20, 2019, subject to the following conditions:

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
November 20, 2019	Stormwater Pollution Prevention Plan, prepared by Damian Alexander Schmalz, P.E., Dewberry Engineers Inc., 280 Summer Street 10 th Floor, Boston, MA 02210, dated November 4, 2016.
November 20, 2019	Soil Management Plan, prepared by Melody Dufrane, CBRE, 70 West Red Oak Lane White, Plains, NY 10604, dated April 23, 2019.
November 20, 2019	"Stormwater Management Permit Application, and Supplemental Information for a Previously Filed Site Plan Review" letter, prepared by Adam F. Braillard, Prince Lobel Tye LLP, 1 International Place #3700, Boston, MA 02110, dated November 19, 2019.
November 20, 2019	Stormwater Analysis, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, dated November 18, 2019.
November 20, 2019	Operation and Maintenance/Long Term Pollution Prevention Plan, prepared by Petros E. Tsoukalas, P.E., Maser Consulting P.A., 2000 Midlantic Drive, Suite 100, Mount Laurel, NJ 08054, dated November 18, 2019.
December 2, 2019	"Construction Method for De-Watering" memorandum, prepared by Rob Sobota, Eco-Site, dated November 25, 2019.

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 per the Operation and Maintenance/Long Term Pollution Prevention Plan dated November 18, 2019 and adhere to the Stormwater Pollution Prevention Plan dated November 4, 2016. Maintenance requirements for the site shall remain in perpetuity with the parcel.
6. To the maximum extent practicable, the development shall provide on-site infiltration and meet the Recharge Additional Performance Standards as specified in Appendix E of the Town of Wilmington Comprehensive Stormwater Management Regulations adopted February 2, 2010 and last amended on October 2, 2018.

SPECIAL CONDITIONS

1. Erosion controls shall be placed around all areas of disturbance and shall be inspected by the Department of Planning & Conservation two (2) business days prior to the start of any land disturbing or land altering activity.
2. The Applicant shall give reasonable notice to the Engineering Division prior to installing any foundation or any other critical design components.
3. De-watering practices shall follow the methods described in the memorandum entitled, "Construction Method for De-Watering", prepared by Rob Sobota, Eco-Site, dated November 25, 2019. Any deviation will be considered a violation of this Permit.
4. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

ISSUED ON January 9, 2020

Continued Public Hearing - Site Plan Review #19-17 & Stormwater Management Permit #19-14 for 228 Andover Street - Map R1 Parcel 18C – Richard Penna, Arrow Paper, Applicant

A request to extend the action deadline and continue the public hearing was received.

MATERIALS CONSIDERED:

LETTER from Robert Peterson dated December 21, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #19-17 and Stormwater Management Permit #19-14 for 228 Andover Street to February 28, 2020.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-17 and Stormwater Management Permit #19-14 to February 4, 2020 at 8:15 p.m. in Town Hall Auditorium.

Continued Public Hearing - Site Plan Review #19-18 & Stormwater Management Permit #19-15 for 100-110 Fordham Road - Map 91 Parcel 121 – Fordham Park LLC, Applicant

PRESENT IN INTEREST: Attorney Jill Mann, Mann & Mann, P.C.
Adam Binnie, Carlisle Capital
Jeff Merritt, Granite Engineering
Brent Cole, Granite Engineering

MATERIALS CONSIDERED:

PLAN "Non-Residential Site Plan, 100-110 Fordham Road, Wilmington, Massachusetts" dated November 7, 2019 and last revised December 4, 2019 and "ALTA/NSPS, Land Title Survey Plan, 100-110 Fordham Road, Wilmington, Massachusetts" dated July 12, 2018 and last revised August 24, 2018
STORMWATER REPORT dated November 24, 2019, received December 5, 2019
LETTER for tenant improvements from Derek Keil dated December 9, 2019
TRAFFIC PATTERN EXHIBIT dated November 7, 2019 and last revised December 4, 2019
TRAFFIC MEMORANDUM dated December 5, 2019
PLANNING REVIEW LETTER dated December 26, 2019
ENGINEERING MEMO dated January 6, 2020

J. Mann said they received comments from the Town Engineer relative to the stormwater management plan as well as comments from the Planning Department relative to planning. They were unable to address all stormwater concerns but are ready to discuss some with the Board. She said they are able to address all the Planning Board comments. J. Mann said stormwater requirements will need to be addressed but all of the concerns addressed in V. Gingrich's letter have been addressed. She said in addressing planning concerns, snow storage was added and they contacted D. McKnight of NorthReading because they are proposing improvements to Concord Street. She said Vanasse is doing the improvements for North Reading and Vanasse happens to be their traffic engineer as well. J. Mann said their project does not impact the improvements North Reading is doing and North Reading's project does not impact this project. It is an overall improvement. She said the next plan will show each landscaped area of the parking area and there will be a table to show that the parking lot open space percentage is actually 5%. J. Mann said one of the other comments was that each building must have the necessary handicap parking. She said the handicap parking was shown for the entire site so they will break it down and show handicap parking for each building so they will need to add some spaces but they are still able to comply with the regulations. J. Mann said there was also a question about the pedestrian access issues. They relocated some of the parking areas for buildings B and C because it's where they enter and exit the building so they provided pedestrian access as requested. She said the landscape buffer will be addressed. J. Mann said there is an existing condition presently at the site and that's the northwest corner. They need the parking so they are not touching it and it is an existing condition.

J. Merritt explained the property is 40 acres off of Fordham Road and it is Highway Industrial. He showed the pieces of the site that are already developed with buildings A, B, C, and D. J. Merritt said about a year ago they came before the Board to raise the roof on building D and that is near completion. This proposal is reconfiguration and circulation and more efficient parking throughout the site. He said the access off Fordham Road remains as is. He said there will be no work in the zone two area that was permitted last year. The ban staging and loading areas are dedicated maneuvering areas for the tenant. J. Merritt said the parking configuration is a more efficient layout. He said the site was once a Volkswagen dealership

but it's inefficient as far as parking layout. J. Merritt said they did not increase impervious area but laid out a more efficient parking. He said the stippled and hatched areas of the plan shows areas dedicated to the building D tenant and labeled overnight long-term storage where vans will park. There is an area in front of building B that is stippled and that is for tenant of building D.

M. Sorrentino read the comments into the record.

J. Merritt said they received Engineering comments and understand what he is looking for. He made arrangements to meet with the Town Engineer. M. Sorrentino asked if no survey was done and J. Merritt said a full survey was done and utilities were located by a utility locating company. They also compiled from GIS and other record plans and tests. He will let the Town Engineer know all that was done once he meets with him. M. Sorrentino questioned the ALTA survey and J. Merritt said it is typically done for banks. J. Mann said it allows title insurance.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #19-18 and Stormwater Management Permit #19-15 for 100-110 Fordham Road to February 28, 2020.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-18 and Stormwater Management Permit #19-15 for 100-110 Fordham Road to February 4, 2020 at 8:30 p.m. in the Town Hall Auditorium.

Public Hearing – Definitive Subdivision #19-04 & Stormwater Management Permit #19-17 for 203 Lowell Street – Map 48 Parcel 73 – William Yetman, Applicant

PRESENT IN INTEREST: Doug Lee, Land Engineering & Environmental Services
Jaqueline Welch

MATERIALS CONSIDERED:

PLAN "Definitive Subdivision Plan, Veterans Way, Wilmington, Massachusetts" dated November 22, 2019

STORMWATER MANAGEMENT & EROSION CONTROL PLAN dated November 22, 2019

PLANNING REVIEW LETTER dated December 26, 2024

LETTER from Doug Lees dated November 22, 2019

D. Lees said they were here last month with a preliminary plan. It's a 3 lots subdivision with lots ranging from .7 to 2.2 acres with 345' of new roadway off Woburn Street across from the entrance of Lucci's. This plan is to lock in the zoning for the Site Plan that was previously approved. He said he has a list of things that he needs to update on the plan to comply with the Town's updated Subdivision Regulations. The curbing needs to be granite. He said he requested to waive not to locate all the trees on site. M. Sorrentino asked that the purpose of the application be explained. V. Gingrich said the applicant filed the preliminary subdivision plan to freeze the zoning prior to the Town adopting an inclusionary zoning bylaw. That froze the zoning so the applicant would not have to provide affordable units that would be required with the new zoning. She said the preliminary plan had been filed to freeze zoning and a definitive plan must be filed within 7 months to keep the zoning frozen for 7 or 8 years. R. Holland said this definitive subdivision plan does not match the multi-family plan. V. Gingrich

said it doesn't have to. R. Holland asked why it looks like 4 lots and D. Lees said there is a drainage and utility easement. D. Lees asked for a tree waiver to not locate all the trees. D. Lees said with the new regulations he would have to redo all the topo. M. Sorrentino said just do it. M. Sorrentino said there will be no waivers.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision #19-04 and Stormwater Management Permit #19-17 for 203 Lowell Street to February 4, 2020 at 8:45 p.m. in the Town Hall Auditorium.

Board of Appeals

At its meeting on Tuesday, January 7, 2020, the Planning Board voted to recommend as follows:

Case 1-20 for 613 Main Street – Map 29 Parcel 11S

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. Groundwater recharge is proposed to mitigate the increase in impervious area in the Groundwater Protection District. The project recently received Site Plan Review, Stormwater Management Permit, and Parking Relief Special Permit approval. Decisions are included.

Case 2-20 for 2 King Street Ext – Map 53 Parcel 10B

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. The proposed second story addition and farmers porch do not appear to be more detrimental to the neighborhood.

Old Business

Discuss Stormwater Bylaw changes and potential zoning changes

V. Gingrich said most parcels in the McDonald Road are zoned R60 and that is the largest lot zoning requiring 60,000 sf. for a lot with 50 ft for a front setback and 25' for side and rear setbacks. She said most parcels in the area are not 60,000 sf. She said a lot of residents bring proposed rezoning articles to Town Meeting because zoning doesn't match what's in that area but rezoning is best done in large chunks on an area wide basis, not spot by spot zoning. V. Gingrich said the Board had been requesting that she look at this for quite some time since we get petitions every year to rezone parcels in this area. She said for Town Meeting she came up with rezoning the R60 parcels to R20. V. Gingrich handed out a map saying the R60 should be rezoned to R20, which requires a 20,000 sq.ft. lot which is about ½ and acre that requires a 40 ft. front setback and a 20ft. side and rear setback so it's a smaller requirement. She said the parcels already zoned R10 where the requirement is 10,000 sq.ft. and they are the smallest residential zone and they would just remain unchanged. She said the reason why this is being brought forward is because she did not want the whole area rezoned as R10 because most of the parcels are bigger than 10,000 sf. This rezoning allows for a bit of relief

from the rear and side setbacks. This also eliminates the number of new lots that could be created.

Resident, R. Grasso, 15 Royal Street, said when he moved to Wilmington 44 years ago all the lots were R20 and he said coming from the city that was more land than he could handle. He asked why all that was changed to R60 and now they want to go back to R20. V. Gingrich said she does not know the answer. She said it looks as though the less developed areas were zoned R60 to limit development potential. R. Grasso said he renovated his house 15 years ago and he added was a replacement deck. He told the contractor to pull a permit at Town Hall and the contractor came back and told him he had a nonconforming lot. He said the Town made this problem for him and in order to have his deck built, he had to go before the Board of Appeals and because he borders Tewksbury, he had to notify Tewksbury abutters as well. His project was stopped until he received proper approval so he's aggravated that now the Town wants to go back to the way the zoning was when he moved in the neighborhood. V. Gingrich said a corner lot is difficult because you have two front yards and you need a greater setback than a side setback. Resident, J. Mellon, 8 McGrane Road asked how many lots could be further subdivided with this zoning change and V. Gingrich said there are 1 or 2 lots that can be subdivided easily. She said there are a couple lots that have access problems where you may have to build a portion of a roadway and there is 4 or 5 where you would have to tear down a new house to get another lot. J. Mellon said he sees no issue with bringing lots into compliance but McDonald Road is one of the worst access roads in Wilmington. M. Sorrentino told members of the audience that McDonald Road will be repaved once North Wilmington Estates is completed. J. Mellon asked if anything will be done about the corners and V. Gingrich said no just repaving but that's why she thought this rezoning would be a better fit in the neighborhood because it limits the number of lots that come out of the rezoning. Resident, H. Gynh, 16 McDonald Road said she is on the border of R10 zoned homes. She asked if rezoning will negatively impact her neighbors who are in R10 zones? V. Gingrich said the R10 will remain unchanged. She said they will just change R60 to R20. She said one of the potential cons people could talk about is if you rezone, you could potentially get more parcels. She said there is limited potential for getting two lots from one. Resident, V. Maclellan, 14 McDonald Road, asked if it would allow people to make changes where they normally would not be permitted to and V. Gingrich said the setback requirements would be about 5' less on each side which could make a difference. V. Gingrich said you would have more room to do something without going to the Board of Appeals. R. Holland pointed out that if changing the zone makes their lot conforming, they would not have to go to the Board of Appeals because it's hard to meet the current setbacks. M. Sorrentino told the audience that this rezoning affects his lot as well since he lives on Curtis Street. V. Gingrich explained the process of this rezoning saying it is a proposal before the Board and the Board will decide if they want to put this as an article for Town Meeting for a vote. This would be an article that residents can comment on at the Joint Public Meeting of the Finance Committee and Planning Board. She said it then goes to Town Meeting for a vote which requires a 2/3 vote. Resident, B. Nally, 5 Pineview Road said he had to go through a rezoning for his son to build next to him. He has seen a number of articles go before Town Meeting to rezone and usually the Planning Board is against it because it's spot zoning so he thinks this is a good idea but the drawback he sees is that it is a wet area and there are some small lots that may have drainage issues. He said he would support this as an article. R. Grasso asked if this article would just change zoning from R60 to R20 and not that residents can ask for it to be changed to a different zone. R. Holland said it either gets rezoned to R20 or it remains the same. V. Gingrich said if anyone has further questions, they should call the Planning Office. She said the Joint Public Hearing with the Finance Committee to discuss the Articles for Town Meeting is tentatively scheduled for March 17, 2020.

New Business

Draft decision for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street, Map 40 Parcel 1, Massachusetts Equity Investors, LLC, Applicant

Upon motion duly made and seconded, it was unanimously

VOTED: To table the decision for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street until the next Planning Board meeting.

Request to endorse plans for Site Plan Review #19-07 for 773 Salem Street Map R1 Parcel 23 – Ryan Lynch, Smartlink LLC for AT&T, Applicant

MATERIALS CONSIDERED:

PLAN "Wilmington MA, Salem Street, MAL03079, FA# 10141346" dated August 30, 2018 and last revised January 2, 2020

Upon motion duly made and seconded, it was unanimously

VOTED: To endorse Site Plan Review #19-07 for 773 Salem Street, plan entitled "AT&T, LTE 3C/4C/5C, Wilmington, MA Salem Street", Sheets T1 through S3, dated August 30, 2018 and last revised January 2, 2020, prepared by John S. Stevens, P.E., Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205. Said property is located at 773 Salem Street, Wilmington, MA 01887 and shown on Assessor's Map R1 Parcel 23.

Request to endorse plans for Site Plan Review #19-13 for 900 Main Street Map 24 Parcel 33A – Michael Scully, M.J. Scully & Co., Applicant

MATERIALS CONSIDERED:

PLAN "Site Plan, 900 Main Street" dated August 27, 2019 and last revised December 13, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To endorse Site Plan Review #19-13 for 900 Main Street, plan entitled "Site Plan, 900 Main Street", dated August 27, 2019 and last revised December 13, 2019, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864. Said property is located at 900 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 24 Parcel 33A.

Request to endorse plans for Definitive Subdivision #19-02 & Stormwater Management Permit #19-09 for Highland Estates - Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, James V. Castellano, Lily Oak Hill, LLC, Applicant

MATERIALS CONSIDERED:

PLAN "Highland Estates, Tax Map 10 Lots 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, 45 Hopkins Street, Wilmington, Massachusetts" May 10, 2019 and last revised January 3, 2020.

Upon motion duly made and seconded, it was unanimously

VOTED: To endorse Definitive Subdivision #19-02 for Highland Estates, plan entitled "Highland Estates, Tax Map 10 Lots 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, 45 Hopkins Street, Wilmington, Massachusetts," dated May 10, 2019 and last revised January 3, 2020, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053, for the property located at 45 and 47 Hopkins Street, 8 Sarafina's Way, and abutting parcels off Sarafina's Way, Peabody Avenue, Lynn Avenue, and Reading Avenue, and shown on Assessor's Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A.

Request to release surety for 81G Application #18-01 for Sherwood Road – Map 8 Parcel 18 Jonathan Langone, Applicant

MATERIALS CONSIDERED:

LETTER from Jonathan Langone, Langone Development Group, dated December 16, 2019
ENGINEERING MEMO dated December 24, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To reduce surety in the amount of forty four thousand, five hundred and five dollars and zero cents (\$44,505.00) for the above referenced project. The remaining four thousand, four hundred fifty-one dollars and zero cents (\$4,451.00) will be held for up to one year after paving occurred (November 2019). Surety was presented in the form of an IOLTA check.

Request to extend the completion deadline to December 31, 2021 for North Wilmington Estates Definitive Subdivision #09-02 – Map R2 Parcels 1 & 1A, Peter J. Nicosia, Esquire for Applicant

PRESENT IN INTEREST: Peter Nicosia, Nicosia & Associates, P.C.
Stephen Lawrenson

MATERIALS CONSIDERED:

LETTER from Peter Nicosia dated December 17, 2019

P. Nicosia said he wanted to make the Board aware of what is happening at North Wilmington Estates in as far as which houses are finished and which ones are in the constructions stages. He said he later extension than what they will need. M. Sorrentino asked what the original completion date was and V. Gingrich said it's passed. P. Nicosia said things are moving fast now. S. Lawrenson said the more difficult homes were built first. He said there are 8 lots with common driveways and 6 have been sold and there is a foundation on the 7th. M. Sorrentino said curbing is in and S. Lawrenson said sidewalks will go in once there is no frost. M. Sorrentino asked if there is a final coat on McGrane Road and S. Lawrenson said there is no final coat.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the completion deadline for North Wilmington Estates Definitive Subdivision #9-02 to December 31, 2021.

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

VOTED: To adjourn the meeting at 10:00 p.m.

NEXT PLANNING BOARD MEETING: February 4, 2020

Respectfully submitted,

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

Cheryl Licciardi
Recording Clerk