



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes

October 2, 2018

The Planning Board met on Tuesday, October 2, 2018 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chair; Randi Holland; Terence Boland; David Shed; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation & Sierra Pelletier, Assistant Planner were also present.

Minutes

The Planning Board reviewed the August 7, 2018 and September 11, 2018 minutes.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the August 7, 2018 minutes as written

Upon motion duly made and seconded, with four in favor and one abstention (D. Shedd) it was

VOTED: To approve the September 11, 2018 minutes as written

Form A

There were no Form A applications to review.

Matters of Appointment

Review modifications to Rules and Regulations for Comprehensive Stormwater Management Bylaw

V. Gingrich told the Board this is a change to make the Stormwater Regulations more in sync with what we actually practice. She said right now the Board has to take action within 21 days of submission of a Stormwater Management Permit application unless an extension is granted. Stormwater Management Permit applications are often submitted with Site Plan Review or some other application, which has a longer timeline for review and action, and we need more time to review them. She said when a Stormwater Management Permit is submitted in conjunction with another application, the deadline for the Stormwater Management Permit will coincide with the other application so we wouldn't have to get an extension. V. Gingrich told the Board since we often don't even meet within 21 days of receiving an application, we need to get an extension where they apply so this change will correct that. She said there is an administrative change as well to Section 13. When the regulations were previously amended, that section was not renumbered. R. Holland asked if the administrative change has to be advertised separately. V. Gingrich said it is part of this change.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the modifications to the Rules and Regulations for Comprehensive Stormwater Management Bylaw as drafted.

Continued Public Hearing – Site Plan Review 18-12 and Stormwater Management Permit #18-11 for 911 Main Street - Map 25 Parcel 4 M.T. Pokkets Realty Trust, Applicant

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

MATERIALS CONSIDERED:

PLANS "Site Plan Review, 917 Main Street, Wilmington, MA" dated August 15, 2018
ENGINEERING MEMO dated September 5, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline to November 20, 2018 for Site Plan Review #18-12 and Stormwater Management Permit #18-11 for 911 Main Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #18-12 and Stormwater Management Permit #18-11 for 911 Main Street to November 13, 2018 at 7:45 p.m. in Room 9 of the Town Hall.

Public Hearing – 81G Application #18-02 for 1 Hudson Street - Map 70 Parcel 82A Robert Marini for Richard Rapacki, Applicant

PRESENT IN INTEREST: Patrick Grant

MATERIALS CONSIDERED:

PLANS "Roadway Improvement Plan, 1 Hudson St., Wilmington, MA 01877" dated August 16, 2018
ENGINEERING MEMO dated September 27, 2018

P. Grant said the applicant plans to extend his driveway. He said the plans were updated to include the two changes requested. V. Gingrich said Jordan Street is off of Salem Street to the South of Salem Street and it dead ends to Hudson Street which is a paper street. At the dead end, 1 Hudson Street has a circular driveway right now that has a paved half circle on the property and a gravel portion is located within in the paper street. She said the home owner is proposing to pave that portion to round out the half circle. It would create turn-around for the end of the street.

M. Sorrentino read the Engineering memo into the record.

V. Gingrich said there is an existing house and they are adding pavement to the end of the paper street. The Town Engineer feels this will make the street improved for trash pickup and other trucks.

D. Shedd said the plans are tough to read. P. Grant said they were sent to the Conservation Commission initially so there are setbacks and many things are for Conservation. He pointed out the existing changes for Planning. D. Shedd asked if there is a radius on the plan and T. Boland said there is no radius. P. Grant said that could be added to the plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline to November 30, 2018 for 81G Application #18-02 for 1 Hudson Street, Map 70 Parcel 82A.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for 81G Application #18-02 for 1 Hudson Street,
Map 70 Parcel 82A.

**Continued Public Hearing – 81G Application #18-01 for Sherwood Road
Map 8 Parcel 18 - Jonathan Langone, Applicant**

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

MATERIALS CONSIDERED:

PLANS "Sherwood Road Improvement Plan in Wilmington, Massachusetts" dated August 14, 2018

ENGINEERING MEMO dated September 5, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for 81G Application #18-01 for Sherwood Road to
November 30, 2018.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for 81G Application #18-01 for Sherwood Road to
November 13, 2018 at 8:00 p.m. in Room 9 at the Town Hall.

**Continued Public Hearing – Definitive Subdivision #18-02, Site Plan Review #18-02
Stormwater Management Permit #18-08 for 362 Middlesex Avenue - Map 89 Parcel 6A
Benjamin Osgood for Bettering LLC, Applicant**

PRESENT IN INTEREST: Benjamin Osgood, Ranger Engineering & Design
Paul Kneeland

MATERIALS CONSIDERED:

PLANS "Definitive Plan, 362 Middlesex Avenue, Wilmington, MA" prepared by Benjamin C. Osgood; PE: Ranger Engineering & Design, LLC, 13 Branch Street, Suite 101, Methuen, MA 01844, dated May 25, 2018

STORMWATER REPORT dated May 9, 2018

STORMWATER MANAGEMENT REPORT dated May 30, 2018

TRAFFIC IMPACT STUDY dated May 2, 2018

MEMORANDUM from Kenneth P. Cram, Bayside Engineering dated May 24, 2018

ENGINEERING MEMO dated September 11, 2018

LETTERS from Benjamin Osgood dated July 24, 2018

LETTERS from Paul Kneeland dated August 7, 2018 and September 5, 2018

B. Osgood said he will review the changes made to the plan that address the comments made at the last hearing. He said he added a center island to the road. He said a comment from the Fire Department was they wanted a mountable curb along the center island. The size of the building is the same as the last time. The patio is now on the end of the building, before it was in the back. A second patio was added but may not be constructed. The landscape offset to the back property line to the parking lot was increased to 20'. There is a segment of block wall along the back with an 8' stockade fence that will go around the property, shielding the residential properties. There is a landscape barrier and they show snow storage. He said the parking layout on the north side of the build was relocated. The dumpster pad was moved

away from the abutting properties. B. Osgood said they also showed site lighting. He said there are standard parking lot lights. He said there are down cast units, similar to those in apartment complexes, and they shine down. He discussed the grading and drainage and said it is a consistent 3 ½ % slope that meets the regulations. He said with respect to the stormwater system, there is one buried detention system and one buried infiltration treatment system. There is a wet swale and there are 4 tree box filters which are basically a catch basin with a tree filter. B. Osgood said that with respect to stormwater, they are 95% there with the Town Engineer being satisfied with stormwater drainage. He said with respect to the turning radius plans, they used the largest fire truck with the widest turning radius and it fits within the designed cul-de-sac and can maneuver with plenty of room. He submitted a photometric plan which shows the light intensity at ground level. This was done by the lighting manufacturer and they designed it so there is 0 light at the property lines abutting residential properties and 0 light going off the property line. The lighting stays on the site. He showed a picture of the lighting intensity. He said he submitted revised floor plans which didn't change much but were revised because the location of the patio changed. He said the rendering was revised with some doorway changes.

M. Sorrentino read Town Engineer comments into the record.

B. Osgood responded saying he spoke to the Town Engineer. He said the new photometric plan submitted does not spill any light over the property line. B. Osgood said they added additional spot grades to clarify that they are not low spots but actually high. He said they raised the grade somewhat so the pond will act as a wet swale that will provide additional treatment when the groundwater is low. B. Osgood said they added a deep sump manhole. He indicated that all comments in the Engineering memo have been addressed and said the tree box filters are a package filter bought from the manufacturer out of Connecticut. He said he provided additional details. B. Osgood said if the tree is in the high groundwater, he can set it on a slab; it will not pull groundwater out. That change was made. Additional changes were made to runoff rates.

D. Shedd asked B. Osgood to talk about the building elevations. B. Osgood said brick, metal roof, and painted aluminum frame windows. D. Shedd said the lighting design was done by the manufacturer and suggested the plan be stamped by an engineer or have another engineer review it. B. Osgood said it was reviewed by Wilmington Town Engineer but he can have someone stamp it. D. Shedd asked him to go through the waivers. B. Osgood said there are two waivers with respect to the roadway width. He said in the Zoning Bylaw, it list one width and in another sections it lists a wider width. He said there is some contradiction. D. Shedd asked about the second waiver, which is for the pavement depth. B. Osgood said 6" pavement depth is way too much for a roadway that will have this type of use. He said that depth is more for an industrial area like Ballardvale where you have trucks coming in and out regularly. Here there is a very low truck count and they are small trucks. D. Shedd said he is concerned that 10 - 15 years from now, if the tenant is not in the building anymore, it is a unique building and if these waivers are approved it might be tough to get another tenant. If a new tenant wants the driveway to be a public way someday, it may be tough if the pavement depth or width doesn't meet the standards. T. Boland asked to see the floor plan again. B. Osgood said it is basically the same but he added an access way to the patio and eliminated an office to add another access to the second patio and eliminated one of the offices.

M. Sorrentino asked if he will be ready for the next meeting and B. Osgood said he would be ready to submit revised plans for the next hearing.

Resident, C. Pendergast, 7 Pinewood Road, asked if they could go over the floor plan. B. Osgood said being the engineer, he deals with the outside of the building but he would go

through building interior. He said once through the front entrance there is a large community room. There are admission staff and offices. The resident rooms are along the outside of the building. There is a corridor with some public bathrooms and some additional offices. There is a TV lounge. There is a cafeteria, kitchen, sprinkler rooms and more offices. Resident, J. Gaudreau, 5 Ella Avenue, said she is concerned about the exits. She asked how many exits there are in case of an emergency. B. Osgood said it is designed per the building code. He said there are three. J. Gaudreau asked if there is a fire-hydrant in the back of the property and B. Osgood said yes. She asked about the quality of the windows because of the noise from the train. B. Osgood said they meet the building code. P. Kneeland said they will have an aluminum frame system with thick glass and the residents should not hear noise. He does not feel that noise will be an issue. J. Gaudreau asked if there are doors for each bedroom. B. Osgood said they will all have their own entrance into the hallway. Resident, J. Buckley, 6 Pinewood Road, asked if patients have access to the patio. B. Osgood said yes but it is enclosed and they cannot leave it. J. Buckley asked if there is a fence along the tracks. B. Osgood said there is some landscape screening but no fence along the tracks. He said there will be a 4' chain-link fence around the pond. Resident, J. Rebiero, 2 Judith Road, asked if there will be another interdepartmental review. M. Sorrentino said the applicant's engineer will submit revised plans that will be reviewed. V. Gingrich said the plans are distributed to the departments and comments are received from different departments and then provided to the project engineer and applicant. Resident, F. West, 2 Birchwood Road, said he is a lifelong resident and agrees with D. Shedd that they should meet roadway requirements and not receive a waiver and he said another word for waiver is variance. M. Sorrentino said a waiver and variance are two different things and he pointed out there is a discrepancy with our Subdivision Rules and Regulations. Resident, K. Richards, 31 Shady Lane Drive, asked the Planning Board Chair to define the difference between a waiver and a variance. M. Sorrentino said the Board of Appeals grants variances and the Planning Board grants waivers to a developer based upon a good layout. K. Richards asked if the number of beds is the same, which is 48, and B. Osgood said yes. K. Richards asked if the number of days patients can stay is the same. M. Sorrentino said that is not a questions for him. She also asked what the roadway frontage is. B. Osgood said there are two lots and they both have over 125' of frontage. M. Sorrentino asked if she meant setback from the roadway. B. Osgood explained in the back the setback is 50' with a 20' landscape from the property line. M. Sorrentino asked how wide the pavement is in the back and B. Osgood said there is a 22' aisle and there are 18' spaces in the back. K. Richards asked about the fire-trucks accessing the property and wanted to know if it was taken into account when there is snow and snowbanks. B. Osgood said the entire roadway will be cleared and the fire truck will get through. He showed the snow storage area on the plan and said there are different areas they can pile snow. K. Richards asked if there would be snow put on Middlesex Avenue. B. Osgood said there is a space near the gas station where snow can be piled. She asked what the facility is now being called. B. Osgood said he is the engineer for the project so he does not have that information. P. Kneeland suggested looking at the last meeting minutes. K. Richards said the name of the facility has changed many times at the meeting and M. Sorrentino said the Planning Board reviews site plan. P. Kneeland said that were recent terminology changes with the state and there is a sensitivity with the way people who are affected by drugs are labeled. Resident, S. Sullivan, 60 Lawrence Street, asked that the landscape buffer doesn't get ruined by the snow storage. She is concerned about an agreement for the cul-de-sac and asked if there will be an agreement in perpetuity for the maintenance of it. She said it is technically part of Rte 62 and not a private way. She asked how you can take a piece of Rte 62 and make it a private way. She asked what happens if they go out of business and another company comes in and would they have to maintain the cul-de-sac as a private way?

M. Sorrentino said it is not part of Rte 62. S. Sullivan said technically it is part of Rte 62 and they are using it to get frontage. M. Sorrentino said they get frontage on the road to give them

access to the property. V. Gingrich explained the difference between a private way and public way is a public way has been accepted through the Town Meeting process. S. Sullivan asked if the address will be 362 Middlesex Avenue or have a separate name. B. Osgood said there will be a new name for the new road and which has to go through the fire department for acceptance/approval. M. Sorrentino said they have to make sure the name is not similar to other street names in town. Resident, J. Xavier, 40 Oakdale Road, asked why there is no layout for a kitchen and if the septic was sized for a commercial kitchen. M. Sorrentino said the septic was sized for the facility and approved by the Board of Health. B. Osgood said these are preliminary layout plans so as it goes through the process the plans may change for the permit application. J. Xavier asked if this is a closed facility with no visitors other than workers. B. Osgood said the facility does not have visitors. P. Kneeland said this has gone before the Board of Health and approved for the commercial kitchen, number of beds and community room. M. Sorrentino said it is regulated by the state as to what they needed to size it for. Resident, J. Kline, 34 Oakdale Road, said he thinks there will be a lot of trucks for delivering food, ambulances, fire trucks, garbage trucks and they seem to be heavy trucks, not little vans. B. Osgood explained roadway pavements are designed under highway design guides. He said he has been involved where truck trips are 400 - 500 truck trips a day at 100,000 pounds a-piece. B. Osgood said a garbage truck is 60,000 pounds and comes once a week. J. Kline asked what will happen in the future. B. Osgood said this site is never going to be a trucking facility and the design will accommodate the vehicles. P. Kneeland said nobody will be driving at a high speed down the road. Resident, R. Fasulo, 28 Marjorie Road, asked the Chairman to cite the two bylaws that have a conflict and asked if this is the first time there has been a conflicting bylaw. M. Sorrentino said this is not the first time there is a conflicting bylaw. M. Sorrentino said at every Town Meeting there are house cleaning articles to our zoning bylaws. R. Fasulo asked when the loophole was identified and M. Sorrentino explained this is not a loophole. It's a conflict. V. Gingrich said the Subdivision Regulations were written in 1975 and have not really been updated since. She said she is working on a draft to update them. V. Gingrich said the conflict came up because of this project. She explained the Board does not see industrial subdivisions happening anymore and said in our design standards we require a pavement width of 32' with a ROW of 50' and in the next section where it talks about construction we separate out subdivisions other than residential subdivisions and in that section it says pavement must be 42' wide and 60' for ROW. R. Fasulo asked when Wilmington residents can see a fix to this. V. Gingrich said Subdivision Rules and Regulations do not go to Town Meeting. They go through Planning Board with public process. She said she hates to promise because the Board has not seen the draft but she said sometime in the next 6 months. She said the Board will hold a public hearing to go over the revisions. R. Fasulo said he expects the Board to hold the applicant to the same standard they would hold anyone else in town to. He said he wants to make sure everyone gets treated fairly. M. Sorrentino asked him who hasn't been treated fairly. M. Sorrentino said the Board treats everyone properly and offered the previous meeting minutes and told R. Fasulo he took offense to what he implied.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Definitive Subdivision #18-02, Site Plan Review #18-02, Stormwater Management Permit #18-08 for 362 Middlesex Avenue to November 30, 2018.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision #18-02, Site Plan Review #18-02, Stormwater Management Permit #18-08 for 362 Middlesex Avenue to November 13, 2018 at 8:15 p.m. in Room 9 of the Town Hall.

**Continued Site Plan Review #18-09 and Stormwater Management Permit #18-09 for
220 Main Street, Map 44 Parcel 178D – Richard Williams, Williams & Sparages for Nouria
Retail Energy, Inc. and JAM Enterprises, LLC, Applicant**

PRESENT IN INTEREST: Don Conn, Esq.
Rich Williams, Williams & Sparages
Dan Mills, MDM
Michael Snow

MATERIALS CONSIDERED:

PLANS "Existing Conditions Plan" prepared by Richard L. Williams, P.E., dated June 26, 2018
REVIEW LETTER dated July 31, 2018
ENGINEERING MEMO dated August 6, 2018
LETTER from September 5, 2018

D. Conn told the Board they were before them August 7th seeking to construct a carwash on the former Sonic site of 220 Main Street. He said the Board had a number of concerns and revised plans were submitted to the Planning Department. One concern was about the separation of the Learning Experience as well as the vehicles exiting onto Rte. 38. D. Conn said there was concern about the access to the adjoining parcel that they have no legal rights to.

R. Williams told the Board he answered all comments. He said the big change is that the current plan flips the building so people drive around the north side of the building and there are two stations to queue up, go through the building and exit through the parking lot onto Main Street. There is an in and out for the Learning Experience separate from the car wash. He added calculations for increased impervious area and added some green space to the side of the building and some islands providing separation. R. Williams said he changed the grading to address some issues with puddles on the site. He eliminated four parking spaces in the northwest corner of the site so that larger vehicles can make the turn easier.

M. Sorrentino read comments into record.

R. Williams said in the package that he has for the Board, he has drainage calculations to address the Town Engineer's concerns. He said there will be regrading. R. Williams said the applicant requested to keep both water mains and the site contractor has contacted the state to get the ball rolling on that and it will be indicated on the plan. R. Williams said a traffic study is being submitted tonight that will address traffic concerns. R. Williams says the traffic study indicated the applicant has no right to use the abutting property for access. R. Williams said the pavement markings in the revised package have been updated.

D. Mills said he reviewed ITE statistics for number of vehicle trips for the carwash and said they are much lower compared to a fast food restaurant. M. Sorrentino asked if it is much lower between the hours of 7:00 am and 9:00 am or 4:00 pm and 6:00 pm? D. Mills said Sonic wasn't open for breakfast but a restaurant that could go in at this site could be. He said they redistributed the traffic at the site. Two lanes have been developed, one going in and one going out with some striping between the two drive aisles. D. Mills said there is a morning drop off and evening pickup for the Learning Experience. There may be overlap in the evening peak hours. He said they provided 20 vehicles stacked where the town requires 12. He compared the volume of this site to Triton car wash in town and one in Marlboro and it compared fairly well to ITE standards. V. Gingrich asked D. Mills if he looked at the turning movements within the site, specifically in the rear where the cars are exiting the carwash. D. Mills said he did not specifically. All Board members had the same concern. D. Mills agreed

to look at the site distance closer. M. Sorrentino asked if there is signage to the Learning Experience. M. Sorrentino asked if there is signage directing folks to the Learning Experience and R. Williams said they could add a directional sign.

D. Conn asked if the Board wanted the sound engineer, M. Snow from MTI in Maine to explain the noise study. He said his company specializes in solutions for carwashes. Nouria said they need to meet a noise ordinance. M. Snow said he found a site using the same equipment that will be used at the 220 Main Street site and found one in Old Orchard Beach Maine. It was the worst case scenario and he said he came up with a sound mapping. M. Snow said he needed to be able to prove it works so he mapped the sound and laid the results on top of the 220 Main Street facility. He said on the north side they would have to implement 15% sound mitigation. He said they told Nouria it could be done. He has reports and everything was successful. Management wanted to make sure there were alternate mitigating circumstances available in the event there were any issues. T. Boland asked what the 15% mitigation is and M. Snow said it's a fence used to create a 15% reduction in sound. He said it is a quiet site.

F. Taranto, King Triton owner, asked when the traffic study that compares this site to Triton car was done and D. Mills said August 16th and 18th. F. Taranto said that is the slowest month of the year. He said the slowest months are August, September and October. F. Taranto said they will be running over 120 cars an hour with two pay stations with a 100' tunnel. D. Conn said they were asked to conduct a traffic analysis and they complied with the Board's request. M. Sorrentino said the Board has not had a chance to review the information that was submitted today.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #18-09 and Stormwater Management Permit #18-09 to November 30, 2018

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for and continue the public hearing for Site Plan Review #18-09 and Stormwater Management Permit #18-09 for 220 Main Street to November 13, 2018 at 7:30 p.m. in Room 9 of the Town Hall.

Board of Appeals

At its meeting on Tuesday, October 2, 2018 the Planning Board voted to recommend as follows:

Case 17-18: 220 Main Street (Map 44 Parcel 178D)

Upon motion duly made and seconded, it was unanimously

VOTED: The Planning Board is currently reviewing this Project through Site Plan Review, and without pertinent information, such as the percentage of impervious coverage in the Groundwater Protection District, the Board is unable to make a recommendation at this time.

Case 18-18: 11 Commonwealth Avenue (Map 40 Parcel 168A)

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend disapproval. In the Board's opinion, a hardship has not been demonstrated.

Old Business

There was no Old Business to discuss

New Business

Decision for Site Plan Review #18-11 and Stormwater Management Permit #18-10 for 900 Salem Street - Map R1 Parcel 28 - Benevento Concrete, Inc., Applicant

PRESENT IN INTEREST: Attorney Robert Peterson
William Schneider, Benevento Companies

MATERIALS CONSIDERED:

PLANS "Proposed Concrete Plant, 900 Salem Street, Wilmington, Massachusetts," dated August 13, 2018 and Stormwater Management Plan, Benevento Concrete Plant II, Wilmington, Massachusetts, dated August 15, 2018

PROPOSAL #218071 PLANT REPLACEMENT, OUTLAW 100YD PER HOUR RMC PLANT, dated April 18, 2018

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION BUREAU OF RESOURCE PROTECTION DRINKING WATER PROGRAM REGISTRATION APPLICATION FOR UIC CLASS V STORMWATER INFILTRATION STRUCTURE, dated August 6, 2018

LETTER to MassDEP Bureau of Waste Prevention for Transfer of Ownership of LPA for Non-Fuel Emissions Approval Appl. #MBR-05-IND-005, from Christine M. Gibbons, dated February 21, 2017

ENGINEERING MEMO dated September 5, 2018

EMAIL from Danielle McKnight, North Reading Town Planner

R. Peterson told the Board he was in receipt of the draft decision and has no objection to any of the conditions but would ask that Condition No. 20 be modified which states the admix be kept in a sealed container physically in the plant. He said the admix is in a sealed container outside the building that connects directly to the building. V. Gingrich said the conditions were amended to include the changes requested by the Town Engineer and that Condition No. 20 will also be modified.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #18-11 for 900 Salem Street as shown on plan entitled, "Proposed Concrete Plant, 900 Salem Street, Wilmington, Massachusetts," prepared by Andrew M. Pojasek, P.E., Dana F. Perkins, Inc., 1057 East Street, Tewksbury, MA 01876, dated August 13, 2018. Said property is located at 900 Salem Street, Wilmington, MA 01887 and shown on Assessor's Map R1 Parcel 28.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 11, 2018, and closing on September 11, 2018, by a motion duly made and seconded on October 2, 2018, it was voted:

We, the Wilmington Planning Board, as requested by Charles Benevento, under the provisions of Section 6.5 of the Zoning Bylaw of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan for property addressed at 900

Salem Street for replacing an existing concrete plant with a new concrete plant and installation of stormwater management controls as shown on plan entitled, "Proposed Concrete Plant, 900 Salem Street, Wilmington, Massachusetts", prepared by Andrew M. Pojasek, P.E., Dana F. Perkins, Inc., 1057 East Street, Tewksbury, MA 01876, dated August 13, 2018, submitted on August 16, 2018, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

	<u>Date submitted</u>	<u>Description</u>
1.	August 16, 2018	Proposal #218071 Plant Replacement, Outlaw 100YD Per Hour RMC Plant, prepared by Treyco Manufacturing, Inc., dated April 18, 2018
2.	August 16, 2018	Massachusetts Department of Environmental Protection Bureau of Resource Protection Drinking Water Program Registration Application for UIC Class V Stormwater Infiltration Structure, prepared by Frank Postma, EA Engineering, Science, and Technology, Inc., PBC, 301 Metro Center Blvd., Suite 102, Warwick, RI 02886, dated August 6, 2018
3.	August 16, 2018	Stormwater Management Plan, Benevento Concrete Plant II, Wilmington, Massachusetts, prepared by Taber Midgely, P.E., EA Engineering, Science, and Technology, Inc., PBC, 301 Metro Center Blvd., Suite 102, Warwick, RI 02886, dated August 15, 2018
7.	August 16, 2018	Letter to MassDEP Bureau of Waste Prevention for Transfer of Ownership of LPA for Non-Fuel Emissions Approval Appl. #MBR-05-IND-005, prepared for MassDEP, prepared by Christine M. Gibbons, ETG/Engineering Technologies Group, Inc., dated February 21, 2017

FINDINGS:

1. The Project site is shown on Map R1 Parcel 28 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 Section 6.5 of the Wilmington Zoning By-Laws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Section 6.5 of the Wilmington Zoning Bylaw and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific Conditions that follow.

CONDITIONS:

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

GENERAL:

1. The Project shall be constructed and operated in accordance with the Site Plan.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
3. If no substantial construction has commenced within two (2) years of a site plan approval, the approval shall lapse and a new application, fees and public hearing will be required, provided that if there is an appeal to the Board of Appeals and/or to the courts, the two-year period shall run from the date of the final decision on the appeal.
4. The provisions of this conditional approval shall apply to and be binding upon the Applicant, its employees and all successors and assigns in interest or contract.
5. The project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
6. 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.
7. All maintenance responsibilities for any equipment structures installed for this project will remain with the Owner.

PRIOR TO ENDORSEMENT OF THE PLAN:

8. The Applicant shall provide an evaluation of the impact from the 100-year storm event to the Town Engineer and Department of Planning and Conservation for review and approval. A 24-hour total precipitation value of 6.5 inches may be used in the evaluation. The peak ponding elevation in the parking lot should be estimated to demonstrate no adverse impacts down gradient of the development area.
9. The Applicant shall provide data from an additional test pit on the west side of the proposed subsurface infiltration system to confirm the subsurface conditions are consistent with the testing performed on the east side.
10. The Erosion and Sediment Control Plan should be revised to reflect accurate Agency Contact information for the Town of Wilmington Engineering Division.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

11. The Wilmington Fire Department shall review and approve all building plans prior to construction.
12. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and the latest NPDES General Permit and corresponding Stormwater Pollution Prevention Plan.

PRIOR TO OCCUPANCY:

13. The Applicant shall give reasonable notice to the Engineering Department for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.
14. Final As-Built Plans in form(s) and format(s) acceptable to the Town shall be submitted to the Engineering Director and Director of Planning & Conservation prior to occupancy.

POST CONSTRUCTION:

15. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineering Director shall be submitted to the Engineering Director and Director of Planning & Conservation.
16. The Applicant shall use good housekeeping practices as outlined in the Operation and Maintenance Plan to maintain the site and keep it in good working condition. The Applicant shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long term pollution prevention plan to the Department of Planning & Conservation.
17. The Applicant shall limit the use of salt as a deicing agent since the Site is located within the Groundwater Protection District.
18. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located at 900 Salem Street shall be the Owner's responsibility.
19. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
20. All admixtures shall be kept in sealed containers.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve Stormwater Management Permit #18-10 for 900 Salem Street, Map R1, Parcel 28 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**

October 5, 2018

ISSUED for Property located at 900 Salem Street, Wilmington, Massachusetts (Map R1, Parcel 28)

Case No.: Stormwater Management Permit **#18-10**

Applicant: Mr. Charles Benevento, Benevento Companies, Inc., 900 Salem Street, Wilmington, MA 01887

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and plans entitled, "Benevento Sand and Stone Concrete Plant Stormwater, 800 & 900 Salem Street," Sheets 1 through 7, dated August 9, 2018; and "Stormwater Management Plan, Benevento Concrete Plant II, Wilmington, Massachusetts," prepared by Taber Midgely, P.E., EA Engineering, Science, and Technology, Inc., PBC, 301 Metro Center Blvd., Suite 102, Warwick, RI 02886, dated August 15, 2018; material submitted on August 16, 2018, subject to the following conditions:

Standard Conditions

1. Waivers granted: None
2. The development shall not alter the flow of stormwater runoff leaving the site, nor shall it alter the stormwater flow to any adjoining properties, public ways or wetland resource areas.

3. The development shall comply with the performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Handbook.
4. The applicant shall provide and maintain erosion and sedimentation controls until the site is permanently stabilized.
5. The applicant shall inspect and maintain the site and stormwater management systems. Maintenance requirements for the site shall remain in perpetuity with the parcel.
6. To the maximum extent practicable, the development shall provide on-site infiltration and meet the Recharge Additional Performance Standards as specified in Appendix E of the Town of Wilmington Comprehensive Stormwater Management Regulations adopted February 2, 2010 and last amended on December 4, 2012.

Special Conditions

1. Erosion controls shall be inspected by the Department of Planning & Conservation two (2) business days prior to the start of construction.
2. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to installing any stormwater management system or any other critical design components.
3. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
4. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

Request to waive Site Plan Review for 65 Industrial Way - 56 Parcel 122 Arthur Kanavos for 65 Industrial Way LLC, Applicant

MATERIALS CONSIDERED:

PLANS "Plot Plan in Wilmington, Mass." dated September 20, 2018

BOARD of APPEALS DECISIONS: Case 73-90, Case 67-91, 97-92, Case 70-94

LETTER from Arthur W. Kanavos dated September 21, 2018

V. Gingrich told the Board that A. Kanavos is the applicant and wants to change the scissor lift to a drive-in door. She said there is also a proposed forklift door. She said the building stays the same. V. Gingrich said that he meets parking requirements for the uses. She said she asked for the open space calculations but that was not provided. She said the issue is that the site is not striped for parking at all. She said the parking configuration is close but not what was approved. She said the Town Engineer wants to see a revised parking lot plan with striping plan with an engineer stamp.

M. Sorrentino read comments into the record.

D. Shedd asked if there is one existing door that he is changing and V. Gingrich said yes. M. Sorrentino asked if he would be eliminating any parking spaces in front of the door and V. Gingrich said no because it is currently a door. M. Sorrentino asked if he exceeds the number of parking spaces needed and V. Gingrich said yes.

Upon motion duly made and seconded, it was unanimously

VOTED: To deny the request to waive Site Plan Review for 65 Industrial Way for parking lot striping and changes to overhead door openings. The Board requires that a Site Plan Review application be filed so that the proposed parking layout can be reviewed for adequacy and compliance with parking design standards.

**Request to release lots 11 – 26 for Garden of Eden Definitive Subdivision # 16-01
Map 2 Parcels 201-206, 223-225, Map 3 Parcels 207-222, Northeastern Development,
Applicant**

MATERIALS CONSIDERED:

LETTER from Joseph A. Langone dated September 28, 2018

A request to release lots 11 through 26 for Garden of Eden Definitive Subdivision # 16-01 was received.

V. Gingrich said surety on the full amount was posted when the Board released lots 1 through 10. She said she checked and they have septic system designs which have been approved.

Upon motion duly made and seconded, it was unanimously

VOTED: To release lots 11 through 26 for Garden of Eden Definitive Subdivision # 16-01.

Director's Report

V. Gingrich told the Board that they had a workshop on inclusionary zoning. She said there was a decent turnout. V. Gingrich asked if they should have another workshop or address it at a Planning Board meeting. M. Sorrentino said do both. D. Shedd said he is curious about other towns. V. Gingrich said they are pulling things they like from each Town. She said there is a full range of examples of number of units. She said the goal is to give people enough information so that they can have a discussion of the draft bylaw. T. Boland asked where the rough draft bylaw is and V. Gingrich said there is not a rough draft at this point. She said they are thinking of maybe 8 units with a threshold requirement of 15%. She said it mirrors the 2004 Housing Plan. She said she would keep them posted.

M. Sorrentino asked what will happen for Town Meeting. V. Gingrich said the inclusionary bylaw and some small fixes and M. Sorrentino agreed that will be the priority.

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: November 13, 2018

Respectfully submitted,



Cheryl Licciardi
Recording Clerk