



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes October 4, 2022

The Planning Board met on Tuesday October 4, 2022 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Terence Boland, Chair, Randi Holland, Sean Hennigan, Angela Marcolina and Peter Moser. Valerie Gingrich, Director of Planning & Conservation and Jayne Wierzbicki, Planner/Economic Development Coordinator were also present.

Minutes

The Planning Board reviewed the August 2, 2022 and September 13, 2022 minutes.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the August 2, 2022 and September 13, 2022 minutes as written.

Form A

There were no ANR plans to review.

Matters of Appointment

Public Hearing –Site Plan Review #22-16, Stormwater Management Permit #22-13 and Ground Water Protection District Special Permit #22-05 for 208 Main Street Map 44 Parcel 178B – Gabriel Schuchman Alrig USA Development, LLC, Applicant

PRESENT IN INTEREST – Katie Olyha, Stonefield Engineering & Design
Jake Modestow, Stonefield Engineering & Design

MATERIALS CONSIDERED:

PLAN "Site Plan for Alrig USA, Proposed Multi-Tenant Development, Map 44 Lot 178B & 178C, 208 Main Street (State Route 38), Town of Wilmington, Middlesex County, Massachusetts" dated August 30, 2022

ARCHITECTURALS received September 6, 2022

STORMWATER MANAGEMENT REPORT dated August 8, 2022

TRAFFIC IMPACT STUDY dated July 15, 2022

PLANNING REVIEW LETTER dated October 3, 2022

ENGINEERING MEMO dated October 4, 2022

K. Olyha told the Board the proposed redevelopment is of the existing Rite Aid lot located at 208 Main Street at the intersection of Richmond Street and Main Street. The site is located in the General Business District with commercial development to the north and existing McDonalds with drive-thru to the south and the site is 1.32 acres and served with 66 parking spaces. She showed the site plan and said the applicant is proposing to raze the existing building to construct a 6,915-sf. multi-tenant facility with drive-thru. They are proposing a Chipotle with a pickup window. She said there are no menu boards on the outside and the drive-thru is exclusively for mobile order pickup. If a customer wishes to place an order on site, they must go into the building. There is an approximately 215 sf. patio out front exclusively for Chipotle use. The drive-up lane provides 10 stacking spaces which complies with the 8 spaces

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required for special permit regulations. To the right are two additional retail facilities. The redevelopment proposes 77 parking spaces where 52 are required. There are two enclosed trash containers for the three tenants as well as a loading space that complies with the loading requirement and will be used by all three tenants. Access to the site will be through the signalized access through Main Street. K. Olyha said they are aware of the challenges and crash issues with the site. She said they are working with the Town and DOT to come up with a solution to remedy issues. K. Olyha said they are proposing a reduction in impervious area which will improve on water quality and water recharge. She said they would like to reutilize the existing stormwater system. She said they have prepared landscape and photometric plans, stormwater management report and a traffic impact assessment. She said after meeting with CDTR, the applicant has requested to continue the public hearing. V. Gingrich said the Town Engineer's comments were received today and forwarded to the applicant. T. Boland questioned the alignment for the entrance and Rte. 38 and how it would work. He said there is not a lot of queuing space at the light and not a lot is being done about that. He suggested putting parking in the back and pull the building forward. He said one of the most important things is how the intersection aligns with the entrance keeping in mind it is still the exit for McDonalds as well. P. Moser said it is awkward coming out of McDonalds at the light and the Board would like to know what will change and what will remain the same. J. Modestow said moving the drive isle and changing the configuration needs a signoff from McDonalds. He said the applicant reached out to McDonalds. They are looking into making a difference. A. Marcolina asked if it is also the exit for the daycare. There was no answer to her question. V. Gingrich said one of the recommendations is that a traffic peer review be completed. T. Boland said it is important to have a traffic peer review. There were no questions from the audience.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-16, Stormwater Management Permit #22-13 and Ground Water Protection District Special Permit #22-05 for 208 Main Street, Map 44 Parcel 178B to November 1, 2022 at 7:35 p.m. in Room 9 of the Town Hall.

Public Hearing – Site Plan Review #22-18, Stormwater Management Permit #22-14 for 278 Lowell Street – Map 72 Parcel 1B - Keith Ronan, Applicant

PRESENT IN INTEREST – Robert G. Peterson, Jr., Esq.

MATERIALS CONSIDERED:

PLAN "Proposed Commercial Building for Wrap Solutions, 278 Lowell Street, (Tax Map 72 Lot 1B) Wilmington, Massachusetts 01887" dated September 7, 2022
DRAINAGE CALCULATIONS AND STORMWATRE MANAGEMENT PLAN dated September 7, 2022
RENDERING dated April 4, 2022
ELEVATION PLAN dated July 28, 2022
TRIP GENERATION SUMMARY dated September 8, 2022
LETTER from Attorney Robert G. Peterson, Jr. dated September 20, 2022

Attorney R. Peterson, Jr. said they are here for 278 Lowell Street. He said they received approval for the site at the August Planning Board meeting and there was an appeal filed relative to the Parking Special Permit. He said this application will do away with the need for the special parking permit. T. Boland said the parking is what was shown at the July meeting when asked if parking could be made to conform and Attorney R. Peterson, Jr. said it is and

the only change is with stormwater to accommodate the additional 15 spaces. V. Gingrich said there are no comments from staff.

Resident, Andrew Thain, 25 Nickerson Avenue, said he and the neighbors have legal representation and have filed an appeal to challenge the proposed use. He said they finally received a response from the Building Inspector and the hearing will take place November 9th. A. Thain said their legal representation was unable to attend this hearing because of the Jewish holidays. He asked why the Planning Board would proceed with the hearing and site plan approval if there is a challenge of the use which is scheduled November 9th. A. Thain said they acknowledge they cannot appeal site plan review but do not know why the Planning Board would be proceeding. Attorney R. Peterson, Jr. said the appeal is separate from what is being discussed at this hearing. T. Boland explained that the Planning Board reviews applications for Site Plan and Stormwater and anything under its jurisdiction. A. Thain asked that a condition be added to the decision that no additional site work be done until all appeal/challenges regarding the permissibility at this site are exhausted. Attorney R. Peterson, Jr. said the Board should not be discussing the appeal and should only be discussing the Site Plan Review and Stormwater and the abutter will be heard at the Zoning Board of Appeals. T. Boland said the resident is asking for a condition to be added to this site plan approval and he said he is unsure as to whether the Board is allowed to put what he is asking in as a condition. A. Thain said he is concerned about an unsafe site and if work starts, what's the safety for the town. He said if the use isn't permitted, he thinks that's dangerous to the site and to the space. T. Boland said the Planning Board does not make assumptions on what an outcome of an appeal will be. A. Thain said he is asking for time for the appeal process. T. Boland said the Board is doing what it typically does, and it would be out of the ordinary to issue an approval with that condition. A. Thain asked if building permits could be issued once the Planning Board issues its approval. V. Gingrich said the Board does not issue building permits. It reviews site plan, stormwater, lighting, and any other components of the site plan and if it meets requirements of the town's regulations, the Board is to approve it. She said the Board will treat this application the same as it does with every other review. T. Boland said he agreed with V. Gingrich, and it will be handled like any other review. There were no other comments from the audience. The Board reviewed the conditions of approval. V. Gingrich said the approval is the same as last time without the special permit for parking.

Upon motion duly made and seconded it was

VOTED: To close the public for Site Plan Review #22-18 and Stormwater Management Permit #22-14 for 278 Lowell Street.

Upon motion duly made and seconded it was

VOTED: To approve with conditions Site Plan Review #22-18 for 278 Lowell Street as shown on plan entitled "Proposed Commercial Building for Wrap Solutions, 278 Lowell Street, (Tax Map 72 Lot 1B), Wilmington, Massachusetts 01887", dated September 7, 2022, prepared by Richard A. Salvo, P.E., Engineering Alliance, Inc., 194 Central Street, Saugus, MA 01906 and George C. Collins, P.L.S., Boston Survey, Inc., Unit C-4 Shipway Place, Charlestown, MA 02129. Said property is located at 278 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 72 Parcel 1B.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening and closing on October 4, 2022, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Keith Ronan, under the provisions of Section 6.5 of the Zoning Bylaws of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider a new 10,000 square foot commercial building, associated stormwater management facilities, and site work, as shown on plan entitled "Proposed Commercial Building for Wrap Solutions, 278 Lowell Street, (Tax Map 72 Lot 1B), Wilmington, Massachusetts 01887", dated September 7, 2022, prepared by Richard A. Salvo, P.E., Engineering Alliance, Inc., 194 Central Street, Saugus, MA 01906 and George C. Collins, P.L.S., Boston Survey, Inc., Unit C-4 Shipway Place, Charlestown, MA 02129, submitted on September 10, 2022, (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:

Description

"Trip Generation for Proposed Automotive Services Development" dated September 8, 2022, prepared by Scott W. Thornton, P.E., Vanasse & Associates Inc., 35 New England Business Center Drive, Suite 140, Andover, MA 01810

"Rendering" dated April 4, 2022, prepared by J.P.L. Consulting

Elevations and Floor Plans dated July 28, 2022, last revised October 3, 2022, prepared by J.P.L. Consulting

"Drainage Calculations and Stormwater Management Plan" dated September 7, 2022

FINDINGS:

1. The Project site is shown on Map 72 Parcel 1B 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 Bylaws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.

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. Minor field adjustments may be approved by the Director of Planning & Conservation.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

7. The Wilmington Fire Department shall review and approve building plans.

PRIOR TO THE START OF CONSTRUCTION:

8. 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 meeting.
9. At the time of the pre-construction meeting, the Applicant shall provide evidence that all required local, state, and federal permits and approvals have been obtained.
10. The Applicant shall demonstrate compliance with NPDES Construction General Permit filing requirements and shall submit a copy of the Stormwater Pollution Prevention Plan to the Department of Planning & Conservation and Engineering Division.
11. Erosion controls shall be installed around all areas of work as a limit of disturbance and shall be inspected by the Department of Planning & Conservation at least two (2) business days prior to the start of construction.
12. Notice of start of construction shall be distributed to abutting properties two (2) weeks prior to the commencement of work.

DURING CONSTRUCTION:

13. 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.
14. 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.
15. It is the responsibility of the Applicant to adhere to the Town's Earth Removal Bylaw (Section 32 of the Town's Inhabitant By-laws) and file for a permit through the Board of Selectmen, if necessary.

PRIOR TO OCCUPANCY:

16. The Applicant shall perform a radio signal strength survey at the facility to ensure proper Emergency Responder Radio Coverage.
17. The Operation and Maintenance Plan shall be recorded at the Registry of Deeds.
18. Prior to the issuance of Occupancy, As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
19. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy. In the event that winter season conditions prohibit final landscaping and/or finish paving course from being installed prior to occupancy, the Applicant may post a bond, in a form and amount acceptable to the Director of Planning & Conservation and Town Engineer, covering the cost of completion. This will be considered on a case-by-case basis. The Applicant must have received all other required Department signoffs on Occupancy prior to eligibility.
20. The Applicant has agreed to donate and shall provide a fully executed drainage easement to the Town of Wilmington for future operation and maintenance of the existing municipal drainage infrastructure located along the parcel's frontage. Said easement shall be provided as depicted on the approved and endorsed site plan set.

POST CONSTRUCTION:

21. 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.
22. Dumpster service shall only occur during business hours.
23. 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.
24. 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.
25. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project shall be the Owner's responsibility.
26. Snow shall be removed from the site within seven days following a snow event to ensure adequate parking and circulation.
27. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
28. 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

VOTED: To issues Stormwater Management Permit #22-14 for 278 Lowell 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**

October 5, 2022

ISSUED for Property located at 278 Lowell Street, Wilmington, Massachusetts (Map 72 Parcel 1B)

Case No.: Stormwater Management Permit #22-14

Applicant: Keith Ronan, Sign Solutions Unlimited, Inc., 53 Tamarack Road, Reading, MA 01867

The Wilmington Planning Board has reviewed and approved the Stormwater Management application Plan entitled "Proposed Commercial Building for Wrap Solutions, 278 Lowell Street, (Tax Map 72 Lot 1B), Wilmington, Massachusetts 01887", dated September 7, 2022, prepared by Richard A. Salvo, P.E., Engineering Alliance, Inc., 194 Central Street, Saugus, MA 01906 and George C. Collins, P.L.S., Boston Survey, Inc., Unit C-4 Shipway Place, Charlestown, MA 02129. Said property is located at 278 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 72 Parcel 1B, material originally submitted on September 10, 2022, subject to the following conditions:

MATERIALS:

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

Description

"Trip Generation for Proposed Automotive Services Development" dated September 8, 2022, prepared by Scott W. Thornton, P.E., Vanasse & Associates Inc., 35 New England Business Center Drive, Suite 140, Andover, MA 01810

"Rendering" dated April 4, 2022, prepared by J.P.L. Consulting

Elevations and Floor Plans dated July 28, 2022, last revised October 3, 2022, prepared by J.P.L. Consulting

"Drainage Calculations and Stormwater Management Plan" dated September 7, 2022

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 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 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 Stormwater Management Operation and Maintenance (O&M) Plan shall be recorded at the Registry of Deeds prior to any issuance of a Certificate of Occupancy.

ISSUED ON October 5, 2022

Upon motion duly made and seconded it was

VOTED: To endorse Site Plan Review #22-18 plan for 278 Lowell Street entitled "Proposed Commercial Building for Wrap Solutions, 278 Lowell Street, (Tax Map 72 Lot 1B), Wilmington, Massachusetts 01887", dated September 7, 2022, prepared by Richard A. Salvo, P.E., Engineering Alliance, Inc., 194 Central Street, Saugus, MA 01906 and George C. Collins, P.L.S., Boston Survey, Inc., Unit C-4 Shipway Place, Charlestown, MA 02129. Said property is located at 278 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 72 Parcel 1B.

**Public Hearing – Site Plan Review #22-17 and Parking Relief Special Permit #22-03
353 Middlesex Avenue – Map 79 Parcel 31B - John O'Donnell, Applicant**

PRESENT IN INTEREST – Eugene T. Sullivan
Kurt Wagner, Iron Mountain

MATERIALS CONSIDERED:

PLAN "Site Improvement Plan" dated September 6, 2022
LETTER for resident Peter Reinhart dated September 23, 2022
PLANNING REVIEW LETTER dated October 3, 2022
REQUEST TO CONTINUE LETTER dated September 9, 2022
ENGINEERING MEMO dated October 4, 2022

E. Sullivan, Jr. told the Board this is at the old Dinette World near Channel Building. They are doing a lot of work now to the façade. He said there are a lot of changes being proposed due to the new tenant. The building is a little more than 42,000 sf. The tenant stores fine art. He compared it to a self-storage but for fine arts. He said there is an office component along Middlesex Avenue with 6 to 8 people working daily. He said fencing will be added around the perimeter of the property for security because the products in the building are very expensive. E. Sullivan said they are making a few changes to the perimeter of the building by eliminating concrete pads. He said there is a loading platform at the southern end of the building that will be replaced with a conventional loading dock. They're bringing in new electrical service to the building. He said they are not adding any new impervious areas and will be restriping the parking lot along the front, about 17 parking spaces that are maintained but will be restriped to include a handicap access. E. Sullivan said they are putting up fencing to help stop unwanted overnight parking. They have a 20' landscaper buffer between the property and First Avenue with some street trees and 6' high fence for screening lights. E. Sullivan said he received letters from staff and a letter from a resident of Wilmington as well. He said the biggest issue is with stormwater. He said currently the water washes off the roof and flows down towards the brook untreated. He said they have some ideas of what they can do to improve the situation.

T. Boland said the plan is missing a lot of detail on what it will look like, the detail on the fence and detail on the trees. He said that is important when there is a site plan improvement. He said there is a 50' wide right of way. E. Sullivan said it is fully paved so they will make it a 30' wide road down the middle. V. Gingrich said at CDTR meeting it was discussed that the edge of pavement and fencing could cause a problem and it was discussed generally to see what the applicant could propose for a solution. R. Holland asked if they will be resurfacing the existing pavement and E. Sullivan said yes. T. Boland said in the abutter's letter he talks about the services that are from Middlesex Avenue. T. Boland asked how far he needs to go to get service and E. Sullivan said the electric will go underground and there will be a transformer. He said with the water they would like to come off the existing service, but he needs to prove they'll be enough pressure to the Deputy Fire Chief. T. Boland asked if the water is fire based and E. Sullivan said yes. T. Boland asked about the rooftop equipment and K. Wagner said there are condensers on the roof. T. Boland asked if there will be tall dehumidifiers on the roof and the answer was no.

Resident, P. Reinhart, 318 Middlesex Avenue, said he submitted a lot of questions, and none were answered but now he has more. He said Reading Light is being blocked with the fence and he is unsure if there is an easement. He asked about snow removal and where they will store the snow. P. Reinhart asked about the gate and if there would have a warning alarm every time it opens and closes, and E. Sullivan said it's a manual gate. He asked if there will be a sign

for no overnight truck parking. He said trucks coming off the highway always park and stay in the lot. E. Sullivan said that is the reason for the fence. K. Wagner said he is aware of random folks using the property. He said the fencing is for security too and they feel safe in Wilmington, but they keep noticing trucks. He said they are looking to be a good neighbor. P. Moser asked about the roof AC. K. Wagner said most of the equipment is on the inside. T. Boland asked, with respect to lot E, if anything will be stored outside. K. Wagner said there may be an off-duty truck parking there. He said there will be no extra dumpsters or outdoor storage. T. Boland asked what size the trucks are. K. Wagner said they are 16' to 24' box trucks. T. Boland asked if they owned the trucks and K. Wagner said yes. P. Reinhart asked the hours of operation and K. Wagner said their standard hours of operation are Monday through Friday 8 am to 5 pm. T. Boland said a lighting plan is needed to make sure lighting doesn't spill over to residents. He said the lights should be facing straight down. P. Reinhart asked about the landscaping and said the property was all landscaped but when Dinette World took it over, they removed all the landscaping. T. Boland said the Fire Department is going to want the 20' to get all around the building. He told P. Reinhart that most of the comments on his letter were also addressed by the Town Engineer. He suggested that E. Sullivan respond to both Planning and Engineering's comment letter/memo and E. Sullivan said he would. E. Sullivan said he knows what needs to be done. Resident, H. Dentali, 7 First Avenue, said the lot is paved but it's supposed to be dense impervious buffer zone. She mentioned the fence and asked where the red maples will be going. E. Sullivan showed her the red maples on the plan and explained what will be done. H. Dentali told K. Wagner the tractor trailers are still parking right beside the cones he placed. K. Wagner said he is aware of that. B. Fitzgerald, 330 Middlesex Avenue, said she likes the project. She said she's seen a lot of changes to the site including when Dinette World removed the landscaping to illegally put parking in the front which has made it a cut through to get to the other side. She believes it's a liability because the cars fly through the parking lot. She talked about the construction lights blaring through her house. B. Fitzgerald said she is concerned about the fence because she doesn't like the look of a chain-link fence with the white strips going through. E. Sullivan told he it is not a chain-link and it is decorative aluminum fence. She said she would like to see the architectural. E. Sullivan said the facade is part of a previous approval. E. Sullivan showed where the fencing will go.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline for Site Plan Review #22-16 for 353 Middlesex Avenue to December 31, 2022

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-16 and Parking Relief Special Permit #22-05 for 353 Middlesex Avenue, Map 79 Parcel 31B to December 6, 2022 at 7:35 p.m. in Room 9 of the Town Hall Auditorium.

Continued Public Hearing – Birch Street Definitive Subdivision #22-01 and Stormwater Management Permit #22-12 – Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 Haralambos Katsikis, Applicant

A request to continue the public hearing was received.

MATERIALS CONSIDERED:

REQUEST TO CONTINUE LETTER dated September 30, 2022

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision Application #22-01 and Stormwater Management Permit #22-12 for Birch Street, Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 to November 1, 2022 at 7:45 p.m. in Room 9 of the Town Hall.

Continued Public Hearing – Site Plan Review #22-15, Stormwater Management Permit #22-11, Ground Water Protection District Special Permit #22-03, Inclusionary Housing Special Permit #22-01 and Multi-Family Special Permit #22-01 for Cross Street - Map 40 Parcel 11 – One Cross, LLC, Applicant

MATERIALS CONSIDERED:

Plan "Proposed Permit Site Plans, Cross Street, Wilmington, Massachusetts" dated May 11, 2022 and last revised September 28, 2022

FLOOR PLAN dated September 28, 2022

RENDERINGS received August 19, 2022

STORMWATER ANALYSIS & CALCULATIONS dated May 11, 2022 and last revised September 28, 2022

PLANNING REVIEW LETTER dated September 21, 2022

ENGINEERING MEMO dated September 22, 2022

RESPONSE TO COMMENTS LETTER from Michael Juliano dated September 15, 2022

RESPONSE LETTERS TO ENGINEERING AND PLANNING COMMENTS from Attorney Robert G. Peterson, Jr. dated September 29, 2022

PRESENT IN INTEREST – Robert G. Peterson, Jr., Esq.
Ben Minnix, Eaglebrook Engineering

Attorney R. Peterson, Jr. told the Board the original plans showed 2 multifamily residential structures with 8 units per building with two floors. The Conservation Commission had a concern with the work in the 15' no disturb policy that they would like to maintain as well as the buildings being too close to the 50' setback policy. He said they revised the plans to have a 3-story building with 18 residential units with associated parking, landscaping and stormwater management and he hopes the Conservation Commission likes their improvements to the site. He said they are capturing stormwater runoff from Cross Street to alleviate issues currently there that lead to flooding from Main Street onto Cross Street as well as a wall to protect the wetlands.

B. Minnix showed the architectural drawings like the building in Wakefield. He said they are proposing 1 building with 18 residential units with the building being closest to Main Street. The parking lot is further north of Cross Street. He said there are 36 proposed parking spaces, enough for 2 for each residential unit. B. Minnix said they discussed additional spaces for visitor parking but there was concern so they are meeting the minimum number per zoning.

He said if they provided additional parking, they would come closer to the wetlands. He said they do not believe they would need all 36 spaces since most of the units are 1-bedroom. He said they pulled the retaining wall away from the wetland and were able to reduce the impervious area. He said they incorporated the stormwater system for the runoff from Cross Street. He showed the catch basins located near each driveway. He said that is beyond the stormwater requirement to improve the runoff from Cross Street. B. Minnix said there will be an infiltration system in the parking lot to capture and retain the stormwater runoff from the parking lot and the roof and meets the Massachusetts stormwater regulations. Attorney R. Peterson, Jr. said they received comment letters from Planning and Engineering and all comments have been addressed and revised plans have been submitted and they understand that the plans have not been reviewed yet. B. Minnix said they know they need to address the sewer capacity analysis and traffic peer review study, but financially it makes more sense to see what the Conservation Commissions decision is before committing to the additional cost. T. Boland said the south area is a little hard to understand what that will look like. B. Minnix explained that MassDOT has approval for construction that will start in 2024-2025 where the intersection of Main Street and Cross Street will be realigned with a traffic light so MassDOT is proposing to extend the sidewalk and install guardrail and vertical granite curbing. B. Minnix said they will pick up the sidewalk where DOT leaves off and meet the sidewalk in front of the building on Cross Street. T. Boland asked if the roadway pavement goes up to the sidewalk and B. Minnix said yes. T. Boland asked if inside the sidewalk toward the building will be grass and B. Minnix said yes. T. Boland said Cross Street gets narrow near the proposed building where it is 28' but in front of the parking lot it is 24' and asked the reason. B. Minnix said the sidewalk is along the edge of pavement and if they pushed it back toward the wetland they would be pushing it further to the private lot. He said as you near Lowell Street there is some room to push the sidewalk into the parking lot but approximately 3-4' then you still would have variable width between the width of the existing parking spaces for Yentile Farm. T. Boland asked if there is a setback that keeps them from pushing it back. Attorney R. Peterson said a parking setback of 20' and T. Boland said that is 20' to the property line. B. Minnix said if it was going to be a consistent width of roadway, they will take another look at it. T. Boland said if there is a way to widen it, it should be done. B. Minnix talked about utilities, to the north there is a utility pole, there is a hydrant 2 ½ ' off of pavement so they would have to move the hydrant as well so there would be two things that would need to be moved. Attorney R. Peterson asked if T. Boland is concerned about the narrow area where the island is where he is talking about. P. Moser asked what kind of building foundation it is and B. Minnix said it is slab on grade. P. Moser said it is close to the retaining wall. B. Minnix said the Fire Department wanted a minimum of 10' and they are showing 12' with a bump out in the back for utility room. P. Moser suggested they look at the wall and loads from foundation if the foundation is close enough to the wall to affect the design of the wall. B. Minnix said the Building Department would request a stamp from a structural engineer for a wall of that size and magnitude. There were no questions from the audience.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline to November 30, 2022 for Site Plan Review #22-15, and Stormwater Management Permit #22-11.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-15, Stormwater Management Permit #22-11, Groundwater Protection District Special Permit #22-03, Multi-Family Special Permit #22-01 and Inclusionary Housing Special Permit #22-01 for Cross Street to November 1, 2022 at 7:55 p.m. in Room 9 of the Town Hall.

Continued Public Hearing – Definitive Subdivision #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive off Marion Street - Map 5 Parcels 2J, 3, 3A, 3C, 3D, & 3E - Craig Newhouse, Applicant

PRESENT IN INTEREST: Kristen Costa, L.A. Associates
Craig Newhouse

MATERIALS CONSIDERED:

PLAN "Definitive Subdivision Plan, Eagleview Subdivision, Marion Street, Wilmington, Massachusetts" dated December 8, 2021 and last revised September 4, 2022

STORMWATER MANAGEMENT REPORT dated December 8, 2021 and last revised September 4, 2022

TRAFFIC STUDY from GPI dated September 6, 2022

RESPONSE TO COMMENTS from Craig Newhouse dated September 6, 2022

E-MAIL from Kristen Costa dated September 29, 2022

K. Costa said they are here to give an update but not ready to respond to comments of the Town Engineer. She said it is a challenging site with a lot of drainage issues and concerns. She said they added drainage at the cul-de-sac and a detention basin in front of lot 1. She said they relocated catch basins to redirect runoff and minimize runoff to Marion Street. She said the owner was able to acquire abutting property with a small section in the front and they have mitigated some drainage on Marion Street, and it is a low elevation. She said the water is being discharged onto private property and not being treated and they are hoping to correct all that. She talked about a culvert that is being replaced. K. Costa said they met with another botanist. She said the other concern the Town Engineer had was with the drainage on the lots. She said there was some confusion on their end, but both of their engineers are involved at this point. She said another problem is turning the house on lot 6. She said the way the drainage was designed made it difficult to turn the house but with the new drainage design that will happen and be more appealing for everyone. She talked about a site line assessment and met with a traffic engineer who recommended some clearing for sight distance and signage. K. Costa said she met with Fire and Police about the name of the road, and they were hoping to keep it Eagleview Drive but since it may take years to connect to the other section, they will need to change the name for safety purposes. K. Costa said the botanist flagged an area that was an intermittent stream they were unaware of. She said they proposed no grass strip for the road and sidewalks, and she asked if the Board will consider one sidewalk instead of two or reducing the roadway width. T. Boland asked what the road width is now, and K. Costa said 28'. R. Holland said they have eliminated the sidewalk on one side in the past, but the board would like to get away from that. T. Boland said it is in the bylaw for a reason. P. Moser said there is a comment from the Town Engineer regarding the length of the road and the applicant is requesting a waiver. P. Moser asked for the reasoning. K. Costa said she was not sure.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Definitive Subdivision Plan #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive off Marion Street to December 31, 2022.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision Plan #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive to October 4, 2022 at 8:25 p.m. in the Town Hall Auditorium.

Board of Appeals

Continued - Case 6-22 for 100-104 West Street - Map 71 Parcels 3 & 5 – 100 West Street LLC, Applicant

V. Gingrich said there was a concept plan. She said they replaced the town homes with parking and V. Gingrich said she will comment that the parking is not an ideal location. She said landscaping in that frontage could probably be a better solution there. V. Gingrich said the Fire Department did not like the location of the playground because it restricts their access. She said they will meet with the applicant next week to go over the changes. T. Boland said he understands the location of the visitor parking. She said there are not engineering plans because they needed an idea for the concept first. P. Moser said there was a peer review of the sewer with 2 options. He said they didn't comment that on the sewer would be running 24/7. V. Gingrich said she will take that comment back.

Case 10-22 for 36 & 38 Upton Drive - Map R1 Parcel 18 – Michael Cantalupa, Applicant

V. Gingrich said they would like to attract manufacturing and R&D uses at that location. They said the site plan itself does not change and the parking requirements wouldn't change but the traffic trips will change with the different uses. She said maybe the Board would like to recommend the Zoning Board of Appeals ask for a traffic Peer Review of the traffic study and depending on the traffic they maybe should come back to the Planning Board. She said the town is being told there are not specific uses in mind. S. Hennigan said if it's a change of use they would come back to Planning and V. Gingrich said a change in use would trigger Site Plan Review. V. Gingrich said the proposed change of use should come back to the Planning Board and they should have a traffic peer review. There was discussion as to why the applicant is going to the Zoning Board of Appeals. V. Gingrich explained that R&D and manufacturing use are special permit uses through the Zoning Board of Appeals.

Old Business

There was no Old Business

New Business

Request to release building lot 13 (Assessor's Map 10 Lot 5L for 9 Darby Lane)
Highland Estates Definitive Subdivision #19-02 - James Castellano, Applicant

MATERIALS CONSIDERED:

E-MAIL from Jim Castellano dated August 24, 2024

V. Gingrich said surety was received for all the lots so it's fine to release the lot since there is an approved septic plan.

Upon motion duly made and seconded it was

VOTED: To release lots 13 (Assessor's Map 10 Lot 5L for 9 Darby Lane). Surety in the amount of two hundred forty thousand, one hundred twenty-three dollars and zero cents (\$240,123.00) had previously been presented in the form of a Tri-Party Agreement.

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

VOTED: To adjourn the meeting at 9:45 p.m.

NEXT PLANNING BOARD MEETING: November 1, 2022

Respectfully submitted,


Cheryl Licciardi
Recording Clerk

