



## TOWN of WILMINGTON

### DEPARTMENT OF PLANNING & CONSERVATION

121 GLEN ROAD, WILMINGTON, MA 01887 [www.wilmingtonma.gov](http://www.wilmingtonma.gov) (978) 658-8238

#### Planning Board Minutes November 1, 2022

The Planning Board met on Tuesday November 1, 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 October 5, 2022 minutes.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the October 5, 2022 minutes as written.

#### Form A

82 Lowell Street – “82 Lowell in Street in Wilmington, Massachusetts”, Stephen and Kelsey Downs, Applicants

#### MATERIALS CONSIDERED:

PLAN “82 Lowell in Street in Wilmington, Massachusetts”, dated October 31, 2022

PRESENT IN INTEREST – Doug Lees, Land Engineering

D. Lees told the Board the parcel is with R20 and groundwater. They want to cut off a little piece and Stephen downs is at the end of Commonwealth. R. Holland asked if it's a buildable lot and D. Lees said not alone. D. Lees said he made some changes that were requested.

Upon motion duly made and seconded it was unanimously

VOTED: To receive the ANR Plan and Application #22-07 for 82 Lowell Street, Map 40 Parcel 156 “82 Lowell in Street in Wilmington, Massachusetts”

Upon motion duly made and seconded it was unanimously

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application Map 40 Parcel 156 - “82 Lowell in Street in Wilmington, Massachusetts” #22-07 for 82 Lowell Street, Map 40 Parcel 156 - “Approval Not Required Plan”

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled, “82 Lowell in Street in Wilmington, Massachusetts”, dated October 31, 2022

RECEIVED  
TOWN CLERK  
2023 FEB - 2 AM 10:50  
TOWN OF WILMINGTON, MA

## **Matters of Appointment**

### **Public Hearing - Sign Special Permit #22-01 for 374 Main Street - Map 42 Parcel 11 John Peterson, Applicant**

#### **MATERIALS CONSIDERED:**

SIGN SPECIFICATIONS dated June 15, 2022

#### **PRESENT IN INTEREST – John Peterson**

J. Peterson told the Board the proposed sign would be entrance and exit at 374 Main Street. They would be double sided. He said the reason for the signs is there is a traffic light but it's still a little tricky leaving the parking lot. The owner would like illuminated signs so their customer can find them easier. They also feel that if someone enters the wrong way there could be a crash and they hope the signs will prevent that from happening. J. Peterson said they are asking for the relief of 2 sq.ft. T. Boland said it's not the location, it's just the size and J. Peterson said that was correct. T. Boland asked how tall the existing signs are and J. Peterson said 32" and they would like theirs a foot taller. T. Boland asked how close it would be to the sidewalk and J. Peterson said 15'. S. Hennigan asked if it will block the sight line and J. Peterson said no. He said he went out there and checked. V. Gingrich reviewed the conditions of approval.

Upon motion duly made and seconded, it was unanimously

**VOTED:** To close the public hearing and approve the Sign Special Permit #22-01 for two (2) 45" x 14" (4.375 sq. ft.) illuminated directional signs, one reading "Enter" and the other "Exit". The application was filed with the Planning Board on October 7, 2022. Said property is located at 374 Main Street and shown on Assessor's Map 42 Parcel 11.

The public hearing was opened and closed on November 1, 2022. By a motion duly made and seconded, the Board voted to approve the Special Permit, as presented, under the provisions of Section 6.3.6 of the Zoning Bylaws of the Town of Wilmington. Approval is subject to the following Findings and Conditions.

#### **MATERIALS:**

No materials in addition to the Sign Specifications were submitted into the public record.

#### **FINDINGS:**

1. The signage to be erected is on a parcel on Map 42 Parcel 11 on the Town of Wilmington's Assessor's Map.
2. The Planning Board determined that the sign should be permitted in the public interest.
3. The application materials comply with the requirements of Section 6.3 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.
5. The applicant has sufficiently demonstrated that the proposed signs will not impede sight distances for drivers.

### **CONDITIONS:**

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

1. This Special Permit shall be valid for this owner and these proposed signs only. Any change in ownership or change in signage shall be reviewed by the Planning Board.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
3. If the sign has not been erected within two (2) years of a Special Permit approval, the approval shall lapse and then a new application, fees and public hearing will be required, provided that if there is an appeal to the Land Court within twenty (20) days after the decision has been filed in the office of the Town Clerk, and/or the two-year period shall run from the date of the final decision on the appeal.
4. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees, and all tenants.
5. Bylaw Exception: (Section 6.3.6.2.c) "Granted" two signs measuring 4.375 sq. ft. where 2 sq. ft. is the maximum directional sign size.
6. Bylaw Exception: (Section 6.3.6.1.a) "Granted" two 45" high directional signs where 42" is the maximum height.
8. All provisions of the Wilmington Zoning Bylaw pertaining to signage (Section 6.3) will be met unless an exception is specifically provided in this decision.

### **Continued 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**

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

#### **MATERIALS CONSIDERED:**

PLANNING REVIEW LETTER dated October 3, 2022

ENGINEERING MEMO dated October 4, 2022

Upon motion duly made and seconded it was unanimously

**VOTED:** To extend the action deadline to December 31, 2022 for Site Plan Review #22-16, Stormwater Management Permit #22-13

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 December 6, 2022 at 7:50 p.m. in the Town Auditorium.

**Public Hearing – Site Plan Review #22-19 and Stormwater Management Permit #22-15 for 40-50 Fordham Road - Map 91 Parcels 131 & 131A, Map 99 Parcel 1 - Anne R. Garr for HRP Fordham, LLC, Applicant**

A request to open the public hearing and continue to the next Planning Board meeting was received.

**MATERIALS CONSIDERED:**

PLAN "Site Plan For Tenant Improvement At 40-50 Fordham Road Wilmington, MA, Assessors Map 91 Lots 131 & 131A, Assessors Map 99 Lot 1" dated January 13, 2020 and last revised September 16, 2022

NARRATIVE dated September 16, 2022

TRAFFIC MEMO dated September 16, 2022

PARKING BREAKDOWN received September 21, 2022

E-MAIL from R. O'Connell dated October 26, 2022

Upon motion duly made and seconded it was

VOTED: To open the public hearing for Site Plan Review #22-19 and Stormwater Management Permit #22-15 for 40-50 Fordham Road, Map 91 Parcels 131 & 131A, and Map 99 Parcel 1.

Upon motion duly made and seconded it was

VOTED: To continue the public hearing for Site Plan Review #22-19 and Stormwater Management Permit #22-15 for 40-50 Fordham Road, Map 91 Parcels 131 & 131A, and Map 99 Parcel 1 to December 6, 2022 at 8:00 in 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 extend the action deadline and continue the public hearing was received.

**MATERIALS CONSIDERED:**

ACTION DEADLINE EXTENSION dated October 25, 2022

E-MAIL from Attorney Michael J. Newhouse dated October 28, 2022

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action 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 December 31, 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 December 6, 2022 at 8:10 p.m. in the Town Hall Auditorium.

**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**

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

**MATERIALS CONSIDERED:**

LETTER from Attorney Robert G. Peterson, Jr. dated October 28, 2022

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline to December 31, 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 December 6, 2022 at 8:20 p.m. in the Town Hall Auditorium.

**Public Hearing – Site Plan Review #22-20 and Ground Water Protection District Special Permit #22-06 for 700 Main Street – Map 44 Parcel 73A - Jim Glowacki for Textron Systems Corp., Applicant**

PRESENT IN INTEREST – Rich Hollworth, VHB  
Elizabeth Spath, Cushman & Wakefield

**MATERIALS CONSIDERED:**

COVER LETTER from D. Fenstermacher dated October 3, 2022

R. Hollworth told the Board as part of the original approval there was a condition to discontinue the use of the existing fire pond and update the fire pump service. He said due to the procurement of the pump, there is a 46-week lead time and Textron has made numerous efforts to advance it. Since there is a condition that states a year maximum to install the pump and the lead time is 46-weeks once ordered, an extension will be needed. E. Spath said the contractor received a building permit in September and when they ordered the pump, they were given a 38-week lead time (9 ½ months). Originally they thought it would be a 6-8 week lead time but with the current industry, lead times are not able to meet that. R. Hollworth requested the extension go to December 2023. E. Spath said June 2023 is the scheduled installation, but it will take 10 weeks. She said it should be completed by September or October but in case something goes wrong they are asking for a couple of additional months. There were no questions from the audience.

V. Gingrich reviewed the conditions of approval and said the condition that is being amended is #26 of the Site Plan Review approval and the date will be changed to December 31, 2023. She said everything else remains the same.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Site Plan Review #22-20 for 700 Main Street, Map 48 Parcel 73A.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Site Plan Review #22-20 for 700 Main Street as shown on plan entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised May 26, 2022, prepared by David H. Fenstermacher, P.E., and Russell J. Bousquet, P.L.S., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110. Said property is located at 700 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 48 Parcel 73A.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening and closing on November 1, 2022, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Jim Glowacki, 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 the contemplated site plan development for property addressed at 700 Main Street for an amendment to the previously approved Site Plan (#22-08) and Stormwater Management Permit (#22-05) to revise the condition regarding the discontinuance of the fire pump, as shown on plan entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised May 26, 2022, prepared by David H. Fenstermacher, P.E., and Russell J. Bousquet, P.L.S., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110, submitted on October 7, 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

Cover Letter and Manufacturer Information, dated October 3, 2022

#### **FINDINGS:**

1. The Project site is shown on Map 48 Parcel 73A 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.
5. The Project has been granted a Ground Water Protection District Section 6.6.7.7 Special Permit #20-06 in conjunction with Site Plan Review.
6. This approval amends Site Plan Review Approval #22-08.

### **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.
8. The Applicant's Engineer shall confirm each building's fire protection loop can be isolated for maintenance purposes without losing fire protection for both buildings.
9. The Applicant's fire protection engineer shall verify that the fire protection loop is designed to support the use of hydrants on-site (by WFD) while fire sprinkler system for the building(s) are activated.
10. The proposed fire department connection shall be coordinated with the Wilmington Fire Department. Fire department connections shall be located along the building in a location free of parking and landscaping obstructions.

#### **PRIOR TO THE START OF CONSTRUCTION:**

11. CCTV inspection revealed a discharge within the existing sewerage system upstream of SMH1 (which was flowing at 25% capacity) of potential excessive I/I. Prior to Start of Construction, the source of discharge shall be investigated and identified. If determined to be I/I, this discharge shall be eliminated from the sewer system.

12. The existing sewer pipe entering existing sewer manhole (just upstream of the pump station from an unidentified structure) shall be investigated for potential I/I source. If the sewer pipe and structure are no longer in service, the pipe shall be properly abandoned, and sewer manhole hole plugged/sealed to prevent any further I/I entering the system.
13. 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.
14. 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.
15. 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.
16. 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.

#### **DURING CONSTRUCTION:**

17. 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.
18. 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.
19. Sewer pipeline rehabilitation and manhole rehabilitation shall be completed in accordance with the plan set.
20. The Applicant shall coordinate with the Wilmington Fire Department to review the proposed gated entrances/egress to ensure future emergency response to the facility is not compromised or delayed.
21. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Lowell Street. Street sweeping and replacement of the stones for the construction entrance may be needed from time to time throughout the phases of construction. The Applicant will be responsible for immediate removal of any sediment tracked onto Lowell Street during the course of construction, as directed by Town staff.
22. The Applicant shall notify the Engineering Division in writing prior to any unsuitable earth material being removed from the site and provide an estimated quantity. If the total earth removal exceeds 450 cubic yards, an Earth Removal Permit will be required.
23. As indicated on the plan, the existing roof leader from Building 9 shall be disconnected from the sewer system. This connection will need to be properly abandoned at the sewer manhole to avoid any future I/I from entering the sewer system.

#### **POST CONSTRUCTION:**

24. The Applicant shall perform a radio signal strength survey at the facility to ensure proper Emergency Responder Radio Coverage.
25. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them within 30 days of completion.
26. The Owner/Applicant has agreed to and shall discontinue use of the on-site fire pond and connect its fire protection system to the municipal water supply by December 31, 2023.



27. The Owner shall provide emergency access through all security gates to the satisfaction of the Wilmington Fire Department.
28. The Owner shall maintain or replace landscaping, benches, 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, benches, and fencing in presentable and healthy condition.
29. 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.
30. 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.
31. 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.
32. Snow shall be removed from the site within seven days following a snow event to ensure adequate parking and circulation.
33. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
34. 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 approve with conditions Ground Water Protection District (GWPD) Section 6.6.7.7 Special Permit #22-06 for 700 Main Street as shown on plan entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised May 26, 2022, prepared by David H. Fenstermacher, P.E., and Russell J. Bousquet, P.L.S., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110. Said property is located at 700 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 48 Parcel 73A.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening and closing on November 1, 2022 by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Jim Glowacki, under the provisions of Sections 6.6.8.1 and 6.6.7.7 of the Zoning Bylaws of the Town of Wilmington to consider GWPD Special Permit #22-06 as shown on plan entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised May 26, 2022, prepared by David H. Fenstermacher, P.E., and Russell J. Bousquet, P.L.S., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110, submitted on October 7, 2022, (the "Site Plan") (the "Project"), and do hereby vote to GRANT the Special Permit subject to the Findings and Conditions below.

**MATERIALS:**

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

Description

Cover Letter and Manufacturer Information, dated October 3, 2022

**FINDINGS:**

1. The proposed project renders the site more than 15% impervious at 34.6%.
2. Infiltration is provided on-site to meet the requirements of Section 6.6.7.7 of the Wilmington Zoning Bylaw.
3. This Special Permit approval is an amendment to the previously granted GWPD Special Permit #21-02 and is granted in conjunction with Site Plan Review #22-20.
4. The Applicant satisfactorily addressed the comments made by the Planning Board.

**CONDITIONS:**

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

1. This Special Permit for GWPD Section 6.6.7.7 of the Zoning Bylaws allows 34.6% impervious surface at 700 Main Street shall be valid for this use only.
2. The Project shall be constructed and operated in accordance with the Site Plan.
3. 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.
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. All recharge areas and systems shall be maintained in full working order by the owner.
6. The Stormwater Management System Operations and Maintenance (O&M) Manual, and Long-Term Pollution Prevention Plan (LTPPP) for the Textron Building Remodel dated October 2021 shall be recorded at the Registry of Deeds prior to any issuance of a Certificate of Occupancy.
7. The Applicant has agreed to discontinue use of the on-site fire pond and connect its fire protection service to the municipal water supply by December 31, 2023.

**Public Hearing – Site Plan Review #22-21 for 175 Lowell Street - Map 48 Parcel 73C  
Daniel Mora for Wilmington Lowell Owner LLC, Applicant**

PRESENT IN INTEREST: Daniel Mora, National Development  
Rich Hollworth, VHB

**MATERIALS CONSIDERED:**

PLAN "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised September 7, 2022

OVERLAY PLAN "Wilmington Industrial, 201A Lowell St., Wilmington, MA 01887, dated June 5, 2022

D. Mora told the Board they are proposing a modification to the elevation of the building and surrounding grades. He said they would like to raise the elevation by 1 ¼'. He showed the plan which had the modifications highlighted. To avoid hauling the crushed concrete waste offsite they are proposing an increased elevation and grade modification. He said there will be some stormwater structures elevated as well. They provided a street view showing the increase of grade. P. Moser asked if the blue slope got closer to the road but still meets its limits and D. Mora said it yes.

V. Gingrich talked about the draft conditions. She said from the previous approval, the only change is the wording on condition #21, Earth Removal Bylaw.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Site Plan Review #22-21 for 175 Lowell Street, Map 48 Parcel 73C.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Site Plan Review #22-21 for 175 Lowell Street as shown on plan entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised September 7, 2022, prepared by David H. Fenstermacher, P.E., and Russell J. Bousquet, P.L.S., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110. Said property is located at 175 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 48 Parcel 73C.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening and closing on November 1, 2022, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Daniel Mora, 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 the amendment to the previously approved Site Plan (#22-05), to modify the grading, as shown on plan entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised September 7, 2022, prepared by David H. Fenstermacher, P.E., and Russell J. Bousquet, P.L.S., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110, submitted on October 7, 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

"Overall Grading and Drainage Plan" dated July 7, 2022

#### **FINDINGS:**

1. The Project site is shown on Map 48 Parcel 73C 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.
5. The Project has been granted a Ground Water Protection District Section 6.6.7.7 Special Permit #20-03 in conjunction with Site Plan Review.
6. Signage shown on the plan will require a Special Permit from the Planning Board.
7. This approval amends Site Plan Review Approval #22-05.

### **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.
8. The Applicant's Engineer shall confirm each building's fire protection loop can be isolated for maintenance purposes without losing fire protection for both buildings.
9. The Applicant's fire protection engineer shall verify that the fire protection loop is designed to support the use of hydrants on-site (by WFD) while fire sprinkler system for the building(s) are activated.
10. The proposed fire department connection shall be coordinated with the Wilmington Fire Department. Fire department connections shall be located along the building in a location free of parking and landscaping obstructions.

11. The Applicant shall perform a site walk with the Wilmington Fire Department to confirm all existing hydrants (to remain in place) will be orientated correctly with respect to the proposed site layout.
12. Design plans for the restriping on Lowell Street, shown conceptually on the plan entitled "Driveway Realignment, Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, MA," prepared by VHB and dated July 2021, shall be submitted to the Department of Planning & Conservation and Engineering Division for review and approval.

#### **PRIOR TO THE START OF CONSTRUCTION:**

13. 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.
14. 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.
15. 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.
16. 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.
17. Notice of start of construction shall be distributed to abutting properties two (2) weeks prior to the commencement of work.

#### **DURING CONSTRUCTION:**

18. 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.
19. 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.
20. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Lowell Street. Street sweeping and replacement of the stones for the construction entrance may be needed from time to time throughout the phases of construction. The Applicant will be responsible for immediate removal of any sediment tracked onto Lowell Street during the course of construction, as directed by Town staff.
21. 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:**

22. Prior to Occupancy, the Applicant has agreed to provide to the Town of Wilmington a ninety-nine (99) year lease for public use, including but not limited to active recreational use, of the existing open space located on the west side of Maple Meadow Brook for \$1 per annum in a form as approved by the Town's counsel and agreed upon by the Applicant and the Town prior to execution, with both parties acting reasonably and in good faith, an initial draft of which has been provided by the Applicant to the Town's counsel prior to the date hereof.

23. Restriping on Lowell Street shall be completed per the design plans required in Condition #12.
24. The relocation of the sewer line from 205 Lowell Street shall be completed per the approved plan. Any changes to the relocation plan shall be reviewed by the Director of Planning & Conservation and Town Engineer.
25. The Applicant shall install a toxic gas monitoring system inside the proposed warehouse.
26. The Applicant shall perform a radio signal strength survey at the facility to ensure proper Emergency Responder Radio Coverage.
27. All rooftop HVAC equipment shall be screened.
28. 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.
29. 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.

#### **POST CONSTRUCTION:**

30. The Owner shall be responsible for removing and maintaining vegetation along the site frontage consistently to ensure that sight lines remain unobstructed at the site driveway intersections with Lowell Street.
31. The Owner shall maintain or replace landscaping, benches, 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, benches, and fencing in presentable and healthy condition.
32. 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.
33. 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.
34. 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.
35. Snow shall be removed from the site within seven days following a snow event to ensure adequate parking and circulation.
36. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
37. 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 endorse plan for 175 Lowell Street entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised September 7, 2022, prepared by David H. Fenstermacher, P.E., and Russell J. Bousquet, P.L.S., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110.

**Public Hearing – Non-Conforming Lot Special Permit #22-01 for  
41 Westdale Avenue - Map 72 Parcel 5 & 16 - Northeastern Development Corp., Applicant**

PRESENT IN INTEREST: Kristen Costa, L.A. Associates  
Doug Lees, Land Engineering

**MATERIALS CONSIDERED:**

PLAN "Special Permit Plan, 41 Westdale Ave., Wilmington, Massachusetts" dated September 29, 2022

ENGINEERING MEMO dated November 1, 2022

D. Lees told the Board the applicant is proposing to construct a single-family home on an existing non-confirming lot. He said the lot is 10,000 sf, 50 ft of frontage. It is located on Westdale Avenue and Nickerson Avenue and has frontage on both lots as part of a 1924 subdivision. The applicant proposes to have the house facing the Westdale Avenue side, driven by the test pits and soils. The soils on the Nickerson Avenue site are more suitable for a septic. It will be similar to 39 Westdale Avenue. Nickerson Avenue is an accepted way. D. Lees talked about the Town Engineer's concerns. He said there is a concern regarding snow storage and no place for a potential turnaround. He said there is additional snow storage at the end of the wooded area. D. Lees said at CDTR, there was talk about extending the pavement about 10' to gain additional snow storage. T. Boland asked about turnaround. V. Gingrich said they are being asked to look at ½ circle, hammerhead or what opportunities exist to make the situation a little better within the right-of-way. D. Lees said they can make a semi-circle on their side in front of the house. T. Boland asked what dimensions Engineering is looking for with respect the turn-around and snow storage. V. Gingrich said they are asking the applicant to look at improving the situation. T. Boland said if the pavement is extending there will be a cascading problem. D. Lees said there is no turnaround down Nickerson either. T. Boland said it is nice to make things better when we have the opportunity. R. Holland asked if this will accommodate the fire department. D. Lees said the Fire Department was more concerned about snow. P. Moser suggested gravel instead of pavement for the snow storage area. T. Boland said the Board is open to the Special Permit, but Engineering and Fire Department concerns need to be addressed. V. Gingrich suggested D. Lees should come up with ideas and reviews the with DPW. D. Lees said at CDTR the main concern was snow storage, not the turnaround. V. Gingrich said if they can improve circulation a bit and provide an area for snow storage, that's probably the idea. D. Lees said the snow would need to be stored on the turnaround so that would not be a solution. R. Holland talked about an 81G on Swain Road and there was a turnaround and there was another on Pomfret so those are examples. V. Gingrich asked D. Lees to show what he is proposing. D. Lees said the house and driveway would move back 10'. T. Boland said he thinks that is better than what exists now.

Resident, J. Almeida, 13 Nickerson Avenue, said they are at the end of Westdale and the street is in bad shape. He said they get flooded out when there are heavy rains. He said if anything can be done to improve that it would be great for them. J. Lewis, 13 Nickerson Avenue, asked

how far the house will be on the property line because she said her shed had to be 20' from the property line. D. Lees said the house will be 13' off the property line. J. Lewis asked if there will be a wall on the Nickerson Avenue side. T. Boland said they 96' as a reference point and 98' towards the house. Resident M. Allaben, 11 Nickerson Avenue said he is the abutting lot on the Nickerson side. He asked about the stormwater that would be shifting, flowing onto his yard or flooding the street. He said there is a swamp on the other side. He asked how the surrounding properties would be affected. D. Lees said the groundwater shouldn't be affected. J. Lewis said this permit is to build a house on a non-conforming lot and T. Boland said yes.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Special Permit for Nonconforming Lot #22-01 for 41 Westdale Avenue, Map 72 Parcels 5 & 16 to December 6, 2022, at 8:30 p.m. in the Town Hall Auditorium.

**Public Hearing – Site Plan Review #22-22, Stormwater Management Permit #22-16, Ground Water Protection District #22-07 & Sign Special Permit #22-02 for 800 Salem Street Map R1 Parcel 24 - David Wilkonson for WCV-800 Salem LLC, Applicant**

PRESENT IN INTEREST: Matt Costa, Beals Associates  
Larry Beals, Beals Associates  
David Wilkonson, Camber Development  
Tucker Kelton, Camber Development  
Brandon Nelson, Camber Development  
Teddy Kearney, Wheelock Street Capital  
Ken Hyszcak, Dacon

**MATERIALS CONSIDERED:**

PLAN "Plans to Accompany Permit Documents for Warehouse Facility, 800 Salem Street, Wilmington, Massachusetts" dated October 6, 2022  
STORMWATER MANAGEMENT REPORT dated October 2022  
TRAFFIC IMPACT ASSESSMENT dated September 2022  
OPERATION & MAINTENANCE CONTROL PLAN dated October 6, 2022  
RESPONSE TO COMMENTS from Craig Newhouse dated September 6, 2022

L. Beals told the Board the sandy area on the bottom of the plan is occupied by Lynch. He told the Board he has his whole development team at the meeting everyone hears comments being made. He said traffic is always an issue on every project so they will provide the information on that and said they will answer any questions the Board may have. He talked about the different permit approvals that are needed for this construction. L. Beals said they need a letter of map amendment with FEMA. When FEMA produced the flood zone maps for this area the grade is at least 100' above the actual flood elevation. He said there is a line that goes through the site that was just drawn in. He said the location of this site is attractive. He said on the left side of the drawing is I-93. He said Rte. 62 provides direct access to it and for many years it's been used as a sand and gravel operation. L. Beals said he and M. Costa did a tremendous amount of research on the site. He and M. Costa walked the site, flew a drone over it and they went in a canoe to explore the shoreline to figure out the resources and how they could protect them. They looked at aerial photos dating as far back as the 30's. He said it appears it's had this type of use since the late 30's. He said the current owner runs a great operation since there is no erosion out there. He said the retaining walls are in the right locations but none the less it is not a stable site. He said with this development they hope to bring a lot of stability to the site. L.



Beals said there are large wetland resource areas. He said the Town owns the large wetland to the left and they also have several wellfields. He talked about Martins Pond and surrounding businesses. L. Beals talked about Rte. 62 and said they would reserve as much vegetation as they can along Rte. 62. He talked about the large stormwater management area along the wetland resource area. He said due to past experiences with the Planning Board, they know how important architecture is. He believes they are proposing an attractive building. M. Costa said the building is 237,880 sq.ft. and 940' long and 265' in width. He said with the warehouse use there will be 5% office, approximately 12,000 sq.ft. and parking requirements are met. There are 322 total parking spaces. There are 6 electric parking spaces. The building is designed to accommodate two tenants. The building will be concrete panels construction. He said they asked for 57 reserve parking for future use. He said there are 49 truck loading docks in the back, 2 entry drive in doors, as well as 33 trailer spaces. There is a water storage tank for fire protection system that they are working the design out with the Fire Protection Engineer as well as the town. M. Costa said for site circulation they use the two existing access points. He said they have a lot of landscaping to restore the buffers. They added some dense evergreen screening near the roadway. He said there is an underground infiltration system. He said they have rain gardens and water quality swales. He said there is a big increase in protection over what is currently there. He said the public utilities are out in the roadway that they will connect to and there will be on-site septic system which needs Board of Health approval. M. Costa said they are in the Ground Water Protection District and General Industrial District. He said the elevation they are proposing is 90 and the current site is about 79 so the grade will be slightly raised. He said there will be parking in the front and loading operations in the back. M. Costa said traffic is likely going to be a concern. He said their traffic consultant has studied the area and most of the traffic goes towards the highway. With the current operation there are about 414 trips per day but there will be a 1.4% reduction but during peak hours it may increase to 1.6%. There will be a reduction of 18 vehicles in the peak hour with an increase of 8 in some of those intersections during peak hour. He said they identified some mitigation they will be working through. He said there are some issues with the unsignalized intersections. He said the traffic consultant is working to create some signal timing plans and some functional reports to assist the town on how to address the issues. He described the proposed building with large glass windows and heavy landscaping along the front. He said the building is 40' in height. There will be heavy landscaping with 108 deciduous trees, 214 shrubs and 70 evergreen trees. For the interior landscaping the town requires 5% landscaping for the parking lots, and they met the requirement.

T. Boland asked about parking on the east end and the west end, he asked about the reserve spots, he asked for an explanation. M. Costa said there are 41 spaces. T. Boland asked why are there spaces on the east side if there is no known tenant on that side? M. Costa said if the tenant doesn't need all those spaces, they will just grass and landscape it. He said the stormwater design to account for the parking spaces. T. Boland asked if there is no tenant on that side of the building, would there be no parking spaces? M. Costa said it's an auxiliary parking. V. Gingrich said at CDTR it was discussed to show the parking that would be built. She said if less would need to be built, the applicant would submit a special permit application. T. Boland asked about the 90' elevation. M. Costa said there is 80' stockpile so they will be using it onsite rather than getting rid of it and creating more truck traffic. P. Moser asked if the typical traffic now is dump trucks and M. Costa said yes and there can also be trailers. L. Beals said the dump trucks will be replaced by tractor trailers. P. Moser pointed out there will be a traffic study, but tractor trailers are long and will need more time pulling out and may block traffic longer. T. Boland asked that they speak about the traffic signals and timing at Rte. 62 and I-93. M. Costa said Wobrun Street intersection has a signal, but the ramps do not. He said they will be looking to optimize that. V. Gingrich said the peer review process has been

initiated. L. Beals said they will be removing the invasive plants and replacing them with native species. R. Holland said with their massive roof they should take advantage and use solar. She also suggested using sky lights.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-22, Stormwater Management Permit #22-16, Groundwater Protection District Special Permit #22-07 and Sign Special Permit #22-02 for 800 Salem Street, Map R1 Parcel 24 to December 6, 2022 at 8:40 p.m. in the Town Hall Auditorium.

**Public Hearing –Site Plan Review #22-23 and Stormwater Management Permit #22-17 for 38 Upton Drive – Map R1 Parcel 18 - Michael Cantalupa for DIV 36-38 Upton, LLC c/o The Davis Co. Applicant**

PRESENT IN INTEREST: Matt Costa, Beals Associates  
Benjamin Masselink, The Davis Companies

MATERIALS CONSIDERED:

PLAN “Plans to Accompany Permit Document for Upton Park” dated October 7, 2021 and last revised September 14, 2022

FLOOR PLAN dated September 29, 2021

OPERATION AND MAINTENANCE CONTROL PLAN dated October 7, 2021

STORMWATER MANAGEMENT REPORT dated October 2021

TRAFFIC MEMORANDUM dated September 14, 2022

ENGINEERING MEMO dated November 1, 2022

M. Costa told the Board they went to Zoning Board of Appeals and were before the Planning Board in March 2021 and received approval for Site Plan Review. He said they recently filed with the Zoning Board of Appeals for additional uses, such as limited manufacturing, general manufacturing, research and development and light industrial. B. Masselink told the Board they are moving toward flex type users based on the economy. He said they are not revising the site plan but they are trying to expand the uses. T. Boland said that the Board will be interested in the traffic peer review. M. Costa said they will be filing a special permit for two free standing signs.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-23 and Stormwater Management Permit #22-17 for 38 Upton Drive to December 6, 2022 at 8:50 p.m. in the Town Hall Auditorium.

**Public Hearing – Site Plan Review #22-24, Stormwater Management Permit #22-18 and Parking Relief Special Permit #22-04 for 326 Ballardvale Street - Map R3 Parcel 25A  
Hamid Jaffari for Reading Municipal, Applicant**

PRESENT IN INTEREST: Robert G. Peterson, Esq.  
Hamid Jaffari, RMLD  
Tim Williams, Allen & Major

**MATERIALS CONSIDERED:**

PLAN "Site Development Plans for, Public Utility Development, 326 Ballardvale Street, Wilmington, MA" dated September 6, 2022 and last revised October 6, 2022

DRAINAGE REPORT dated October 6, 2022

ENGINEERING MEMO dated November 1, 2022

Attorney R. Peterson said Reading Light proposes to build a high voltage electrical substation. He said the site is across from Charles River Laboratories. T. Williams talked about the 3 ½ acre parcel. He said they had the wetland delineated and they have an intermittent stream. He said the wetland areas are dictating what can be done on the site. He talked about the no build buffer. He said there is also the 500-year FEMA flood plain that runs through the site. T. Williams talked about the elevation and said the peak is about 127, 130 and then it falls off to elevation 13. He showed the intermittent stream on a plan that he found prior to subdivisions. He said the site had been previously developed. T. Williams said they are proposing a substation. He said he received comments from the Town Engineer and there are concerns about the curb cut. He said the curb cut was designed to accommodate fire truck movement. He said he included a truck turning movement in the plan. He said the proposed substation will also have two transformers with associated towers. He said the BEES area is a storage area. Reading Municipal Light wants the opportunity to install a 10,000 sq.ft. storage building. He said they may not build it but they want it permitted for the future. He said there is no parking associated with this project. T. Williams said if it gets visited, it's once a week. He said they are proposing all gravel, 3/4" crushed stone. There will be a paved driveway up to the point of entry into the substation. The existing driveway will be reconstructed. He said he included a landscaping plan, and the tree line will remain. He said they will be installing a block retaining wall in the area where there is drop-off. T. Williams said they received a negative determination from the Conservation Commission. He submitted a full erosion control plan as well as a demo. He said there is some ledge so there will be some blasting associated with this. He explained how Reading Light will take the water and gas and run it up the site driveway from Ballardvale Street. He said there are some concerns about the sewer line. He talked about Stormwater Management and said the captured roof runoff and from the paved surfaces will go into an underground detentions system. He said they met with the Fire Department, and they can meet their requirements to access the site in case of an emergency. Attorney, R. Peterson said they will meet with the Town Engineer to discuss his concerns regarding Stormwater Management.

T. Boland questioned the permitting of the 10,000 sq. ft. building and asked if they will build it in the future or possibly not at all. H. Jaffari said the substation will be built first and the building later.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-24 and Stormwater Management Permit #22-18 for 326 Ballardvale Street to December 6, 2022 at 9:00 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 the applicant submitted a revised layout which was included in the meeting packet. She said it shows additional landscaping and addresses some of the concerns. She said she is meeting with them to discuss sewer and they are still working out the traffic concerns. V. Gingrich said they will do full plans based on the concept plan. She said at the next Planning Board meeting they may want to discuss recommendations.

### **Case 11-22 for 278 Lowell Street – Map 72 Parcel 1B – Ronald Reppuci and Andrew Thain, Applicants**

V. Gingrich said the use was appealed by residents to the ZBA. She said it was the Building Inspector's decision was appealed so she will leave it up to the Board if they want to make a recommendation.

Upon motion duly made and seconded, it was by a vote of 5-0

VOTED: To defer to the Building Inspector and Zoning Board of Appeals on the matter of determining use since it is not within the purview of the Planning Board.

## **Old Business**

There was no Old Business

## **New Business**

### **Site Plan Waiver Request #22-07 for 335 Main Street – Map 42 Parcel 24 John Johnston, Applicant**

#### **MATERIALS CONSIDERED:**

PLAN dated January 8, 2013 and last revised March 8, 2021

PARKING CHART received October 19, 2022

LETTER for John Johnston received October 19, 2022

V. Gingrich said this is for the Iron Clad Spinning on Main Street. It was some sort of salon, and the applicant wants to switch back to a salon. R. Holland asked if it was near the Dog Daycare on Main Street and V. Gingrich said it is near EJ's Pizza.

Upon motion duly made and seconded it was

VOTED: To approve the request to waive Site Plan Review for a change in use back to a Personal Service Shop for Rejuvenate Full Body Spa. Parking requirements are being met.

**Site Plan Waiver Request #22-08 for 1 Progress Way – Map 56 Parcel 110A  
Guy Compagnone, Applicant**

**MATERIALS CONSIDERED:**

PLAN “Demolition Plan” dated February 23, 2022

ENGINEERING MEMO dated October 31, 2022

G. Compagnone said they will comply with the recommendations. He said it’s interior fit up with minor modifications to the ramp. He said there is a ramp on the outside of the building that allows the tenant to drive a truck inside. The truck is substantial and has difficulty making the turn. They will be removing 8’ and reshape the bottom of the ramp. He said there is an illicit wastewater line inside the building. They will remove that and put a 1500-gallon discharge holding tank in the parking lot. T. Boland asked if they will have additional pavement. G. Compagnone said no additional pavement. V. Gingrich said the Town Engineer issued comments and they agreed to comply.

Upon motion duly made and seconded it was

**VOTED:** To approve the request to waive Site Plan Review for site improvements shown on plan entitled “GSA Wilmington, Garage, 1 Progress Way, Wilmington, MA” dated February 23, 2022, including interior modifications as well as modifications to the existing concrete ramp, surrounding asphalt, fence, and removal of an illicit discharge. As outlined in the letter dated November 1, 2022 from Eugene Sullivan, P.E., the following shall be provided; a stamped survey plan, an illicit discharge statement and an updated as-built, and a report from the inspection of the existing stormwater systems for required maintenance.

**Site Plan Waiver Request #22-09 for 200 Research Drive – Map R3 Parcel 402  
Scott Foberg for P.S.I., Applicant**

**MATERIALS CONSIDERED:**

PLAN “Wilmington Technology Park, Ballardvale Street, Wilmington, Mass” dated May 2, 1988 and last revised July 27, 1994

ENGINEERING MEMO dated October 31, 2022

RESPONSE TO COMMENTS dated November 1, 2022

OPEN SPACE LETTER dated November 14, 2022

S. Foberg told the Board he represents the contractor and tenant. They are looking to install a 14’x19’ concrete pad for nitrogen storage tank. He said the tenant requested this.

T. Boland read the Town Engineer’s comments which pointed out the site plan is from 1988. T. Boland asked if more recent plan can be found. He asked V. Gingrich if a more recent plan is not provided, would the Town Engineer accept the submitted plan. V. Gingrich said this is the proposed plan from 1988 and it’s unclear what the actual open space is. She said they started brainstorming to see who may have the plan. T. Boland talked about the engineering concerns. V. Gingrich said the Board has never approved a waiver without an existing conditions plan. R. Holland asked about the property size and S. Foberg said it is 18 acres. T. Boland suggested a marked-up version of the plan on record. V. Gingrich said this is a proposed plan before they built so it is not accurate. T. Boland suggested they make the plan accurate. S. Hennigan said this is an assumption that it is accurate. P. Moser said they could add an appendix of the existing buildings out there. P. Moser asked if this is for just the pad only or pad and tank. S.

Foberg said it's for both. V. Gingrich asked if the Board wants more information or would the Board like to make it conditional. T. Boland said the Board can say that as long as the Town Engineer is satisfied but that is a big condition. R. Holland suggested tabling this until the next meeting.

Upon motion duly made and seconded it was

VOTED: To table the decision for Site Plan Review Waiver Request #22-09 for 200 Research Drive, Map R3 Parcel 402 to December 6, 2022 in the Town Hall Auditorium.

### **Discussion**

#### **Multi-Family Zoning District Requirement for MBTA Communities - Section 3A Zoning**

V. Gingrich said she met with the Select Board about Multi-Family requirements. She said there is a requirement for a capacity of 1200 units within that district. She used 635 Main Street as an example. She said that site goes to Butters Row and our zoning allows 10 units per acre, so they constructed 49 units, but they put them on the smaller portion of the site. She said if you only look at the portion that is built on it brings up to about 30 units per acre. She said DHCD is going to come out with their compliance model. V. Gingrich said the next step is to submit an action plan by the end of January to stay in compliance. She said it is general. She said one option is that we do not comply. P. Moser asked if they are saying we cannot require above 10% affordable in the district and V. Gingrich said DHCD issued the change that you can range between 10% & 20% but over 10% you need to show that it is feasible. V. Gingrich said if the town does not comply it will not be eligible for MassWorks grants or Housing Choice grants and ineligible for the local capital projects fund. She said our Housing Authority would lose 10% of its funding. V. Gingrich told the Board that Woburn is already noncompliant. P. Moser said it would be nice if the town could make the zone where it is already built. V. Gingrich said that is an option. She said it is too soon to throw in the towel. P. Moser asked if this affect communities with commuter rail and V. Gingrich said it is pretty much every community in the region.

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

VOTED: To adjourn the meeting at 10:48 p.m.

NEXT PLANNING BOARD MEETING: December 6, 2022

Respectfully submitted;



Cheryl Licciardi  
Recording Clerk