



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes November 5, 2019

The Planning Board met on Tuesday, November 5, 2019 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chair; Randi Holland; Angela Marcolina, Terence Boland and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation, and Sierra Pelletier, Assistant Planner were also present.

Minutes

The Planning Board reviewed the October 1, 2019 minutes.

Upon motion duly made and seconded, with four in favor and one abstention (Angela Marcolina), it was

VOTED: To approve the October 1, 2019 minutes as written.

Form A

There were no ANR plans to review.

Matters of Appointment

Continued Public Hearing - Site Plan Review #19-11 & Stormwater Management Permit #19-08 for 225 Andover Street – Map R1 Parcel 108 - Timothy J. MacDonald for American Maplewood Properties, LLC, Applicant

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

MATERIALS CONSIDERED:

E-MAIL from Attorney Robert G. Peterson dated November 1, 2019

Upon motion duly made and seconded, it was

VOTED: To extend the action deadline for Site Plan Review #19-11 & Stormwater Management Permit #19-08 for 225 Andover Street to December 31, 2019.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Site Plan Review #19-11 & Stormwater Management Permit #19-08 for 225 Andover Street to December 3, 2019 at 7:30 pm.

RECEIVED
TOWN CLERK
2020 JUL -8 AM 10:45
TOWN OF WILMINGTON, MA

**Continued Public Hearing - Site Plan Review #19-07 for 773 Salem Street
Map R1 Parcel 23 - Ryan Lynch, SmartLink LLC for AT&T, Applicant**

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

MATERIALS CONSIDERED:

E-MAIL from Ryan Lynch dated October 24, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #19-07 for 773 Salem Street to December 3, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-07 for 773 Salem Street to December 3, 2019 at 7:40 p.m. in Room 9 of the Town Hall.

**Public Hearing - Site Plan Review #19-13 & Stormwater Management Permit
#19-11 for 900 Main Street - Map 24 Parcel 33A – Michael Scully, M.J. Scully & Co.,
Applicant**

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

MATERIALS CONSIDERED:

E-MAIL from Robert Peterson dated November 1, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #19-13 & Stormwater Management Permit #19-11 for 900 Main Street - Map 24 Parcel 33A – Michael Scully, M.J. Scully & Co. to December 31, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-13 & Stormwater Management Permit #19-11 for 900 Main Street - Map 24 Parcel 33A – Michael Scully, M.J. Scully & Co. to December 3, 2019 at 7:45 p.m. in Room 9 of the Town Hall.

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

PRESENT IN INTEREST: Attorney Charles Houghton, Esq.
Jack Szemplinski, Benchmark Engineering, Inc.
James Castellano
Anthony Castellano

MATERIALS CONSIDERED:

PLAN "Highland Estates, 45 Hopkins Street, Wilmington, Massachusetts" dated May 10, 2019

and last revised October 18, 2019

STORMWATER MANAGEMENT & EROSION CONTROL REPORT dated May 10, 2019 and last revised October 15, 2019

SHORT TRAFFIC STUDY dated June 10, 2019 and last revised October 21, 2019

ENGINEERING MEMO dated November 5, 2019

REVIEW LETTER dated October 31, 2019

RESPONSE LETTER to Town Engineer from Jack Szemplinski dated October 21, 2019

RESPONSE LETTER to Planning from Jack Szemplinski dated October 21, 2019

RESPONSE LETTER to Conservation Agent from Jack Szemplinski dated October 21, 2019

J. Szemplinski said in response to staff letters, he amended a number of things. First, he said there is a 30' buffer around pond 2 and they are not encroaching on the 30' wetland setback. He said the Town Engineer wanted the road straightened a bit so J. Szemplinski introduced a short reverse curve. To accomplish this, he eliminated the sidewalk from Hopkins Street to the visiting parking area. He said he corrected the septic system locations that were a problem. He met with S. Newhouse and she had issues with a couple of septic systems so he is proposing a forced main underneath the isolated wetland. It will be about 165' disturbance on a temporary basis. The houses will be moved forward closer to the road, which will create a nice backyard. J. Szemplinski said they have accomplished satisfying the concerns. M. Sorrentino asked to revisit the 90° angle and read the Engineering memo into the record. J. Szemplinski said the reverse curb is minimal and you cannot see it. He said it's at the intersection so cars should be traveling at a low speed. He said he is not sure what else can be done at that intersection but he is happy to have a conversation with the Town Engineer.

V. Gingrich asked J. Szemplinski to explain how the wetland disturbance will be temporary. He said they will run a 2" flexible pipe underneath and then restore everything back to its natural condition. He said the septic tank is next to the house. V. Gingrich said a temporary disturbance of the wetland will be more acceptable. V. Gingrich advised J. Szemplinski that he will need to file with the Army Corps. as well. V. Gingrich explained that the goal of a CSD is to avoid impacts to a wetland area. J. Szemplinski said technically it can be filled and V. Gingrich pointed out that the Planning Board is looking at this as a Conservation Subdivision. J. Castellano said the pipe will be sleeved. J. Castellano said he has installed forced mains running hundreds of feet up streets and it's not difficult. J. Castellano said that the Board of Health Director thought this was a reasonable idea. M. Sorrentino asked if lot 10 was the only lot with a pump and J. Castellano said there are a couple of others that have pumps. J. Szemplinski explained that none of the others involve wetland crossings. J. Castellano said the 2" main would be sleeved through a schedule 40, 4" pipe so it will be protected. T. Boland asked what the applicant is trying to avoid by doing this and asked if there is a problem with the setback of lot 9. He said they will use a light excavation machine. V. Gingrich told the Board they have not seen the plans with the revised septic yet. R. Holland asked how many total lots and J. Szemplinski said 17 lots plus one with an existing house. J. Castellano asked if the Board would consider granting an approval but M. Sorrentino explained that the hearing will be continued one more time and a decision will be issued at the next hearing.

C. Houghton said he sent in a draft HOA. M. Sorrentino asked if there were any concerns from the audience and there was none.

Upon motion duly made and seconded, it was

VOTED: To extend the action deadline to December 31, 2019 for Definitive Subdivision #19-02 & Stormwater Management Permit #19-09 for Highland Estates.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Definitive Subdivision #19-02 & Stormwater Management Permit #19-09 for Highland Estates to December 3, 2019 at 8:00 p.m. in Room 9 of the Town Hall.

**Continued Public Hearing - Site Plan Review #19-06, Stormwater Management Permit #19-05 & Parking Special Permit #19-01 for 613 Main Street - Map 29 Parcel 11A
Brian McCarthy, RJ O'Connell & Associates for Bryan Blake, The Seyon Group,
Applicant**

PRESENT IN INTEREST: Brian McCarthy, RJ O'Connell
Greg Hughes, The Seyon Group
James Winn, Ron Müller & Associates

MATERIALS CONSIDERED:

PLAN "Site Plan for Redevelopment of 613 Main Street, Wilmington, MA"
dated April 15, 2019 and last revised October 18, 2019
STORMWATER REPORT dated April 15, 2019 and updated October 18, 2019
TRUCK MANEUVERING PLAN dated October 18, 2019
ENGINEERING MEMO dated November 5, 2019
LETTERS from Brian McCarthy dated October 21, 2019

B. McCarty said he responded to comments that he received from the Planning Department, Engineering Department, and Green International and resubmitted revised plans. The revised documents have been reviewed and he received additional comments from Engineering and Green International. He said the Town Engineer said the comment regarding MBTA review could be conditioned for site plan approval. He said he has been meeting with them. B. McCarthy said the Town Engineer recommended a condition of approval that he provides a calculation of any unsuitable source that is removed from the site prior to it being removed and if the total exceeds 450 cubic yards, they will need to apply for an earth removal permit. He said the Town Engineer agrees with his request about the remaining drain pipes that are inaccessible at this time due to heavy vegetation around the area and couldn't get the video truck close enough. He said the Town Engineer said at the time of construction they will have better access to get cameras into the pipe and provide the video at that time so it can be a condition of approval. B. McCarthy said with respect to the video inspection of the sanitary sewer, he said he completed a video inspection and found some heavy sludge. He provided the videos to the Town Engineer. B. McCarthy said the traffic peer reviewer letter said the property owner should regularly prune and trim. He said the off site truck route should be examined according to traffic peer reviewer. He said the Town is concerned about trucks using Cross Street so the owner has the ability to include in a tenant lease that the tenant's trucks avoid the use of Cross Street. He said large trucks trying to take a right onto Lowell Street cannot make that right turn so in the tenant lease, they would be advised that their trucks cannot make the right turn onto Lowell Street. He said there is concern that truck will travel outside the recorded easement lines on the access easement from Main Street into site when making turns at the intersection. B. McCarthy said that easement was established when the warehouse was constructed in the 1980's and has been used for truck access since that time. That easement is to provide cars and large truck access to this type of warehouse. The actual driveway is wider than the easement. He said there is no plan to change the access driveway. M. Sorrentino said there are questions about the applicant encroaching onto the

abutting properties. He asked who the abutting neighbor is and B. McCarthy said the easement runs through the Doucette properties at Charlies Auto Body, which is 611 Main Street. He said the owner has offered the abutter a substantial amount of money to increase the width of that easement. He said the offer made has not been accepted. He said the owner has the right to use that driveway.

M. Sorrentino asked that Green International speak.

C. Tobias, Green International, said there have been three rounds of responses back and forth and this is the final round. Many comments have been addressed but there are a few concerns. The first peer review was submitted in July and the second round in September and October. She listed the outstanding concerns: sight distance with the driveway - who has ownership and do you have the rights to trim the trees? If you do not have the rights, you need an agreement. The truck routes provided are the preferred truck routes and they do not represent the legal routes available. The Town does not have the right to restrict legal truck routes. She said you can put them in your tenant leases but the Town is powerless if they go against that. C. Tobias said trucks entering the site will encroach abutting properties. She said there has been some mitigation proposed related to MassDOT and that has a long timeline so that may happen after this project. She showed the 48' driveway opening and easement. M. Sorrentino asked how many trucks a day and C. Tobias said there was an increase in traffic. J. Winn said the building is a reduction size but with tree tenants as opposed to one. There was an addition of 44 trips total in the morning so 34 entering and 10 exiting and in the evening 13 entering and 37 exiting.

C. Tobias said the missing truck route is Eames Street to Woburn Street to Presidential Way. B. McCarthy asked what the issue is and C. Tobias said traffic study did not include the use of all the routes. B. McCarthy said there are many businesses and they are all using the truck routes. C. Tobias asked them to evaluate all the truck routes for impacts on traffic and any issues that arise from heavy vehicles. B. McCarthy asked if she was talking about trip generation. J. Winn said 20% will be truck traffic. B. McCarthy said there is a tree in the driveway and the trunk is over the right-of-way onto private property.

M. Sorrentino asked whose tree it is. G. Hughes said the trunk is on his property but the overhang is growing over the street. He said when the state project comes it is where the sidewalk is. M. Sorrentino said to be clear, the building is smaller and there are no tenants yet, and G. Hughes said no. M. Sorrentino said it's hard to know what size trucks will be there or if there will be an increase in truck traffic. G. Hughes they may have tenant that will have this need. M. Sorrentino said most of Town Engineer's comments can be added as conditions. He said the truck routes cannot be enforced. V. Gingrich said if the Board is comfortable with truck turning movement going outside the easement area and the fact that there are probably some things the applicant can do try to resolve that. S. Hennigan asked if the issue is with the egress is where the stop sign is and where the tree is. V. Gingrich said it's the turning movement coming south and the right turn into the site.

M. Sorrentino read the Town Engineer's memo. G. Hughes said they have made an offer and they are willing to work with their neighbors to be good neighbors. R. Holland said what is the ideal easement to come into the property and G. Hughes said it's at that turn and B. McCarthy said you would want 8' on each side.

Resident, T. Doucette, 21 Sheldon Avenue, said there is a real safety issue. He said trucks will swing in and out of the driveway 8' from where he is sitting in his office. He said there are

cars backing out right onto the easement. T. Doucette said he opposes what the applicant is proposing because of all the safety issues. He said there is 26' of roadway and he is concerned the trucks will swing into the easement. M. Sorrentino asked him to identify his property and T. Doucette said his family owns properties on both sides of the easement. He said there are 53' box trucks coming in and out daily, which are 83' with the tractor. M. Sorrentino said, the point the applicant has made is nothing will be different than what you have put up with for years. T. Doucette said it will be very different because there will be a lot more trucks and many safety issues. M. Sorrentino asked him to identify the safety issues. T. Doucette said the trucks will be passing 8' from his office. He said the tenants will be walking to get lunch. Resident, J. Bond, 197 Federal Street, said he and his wife are abutters. He asked what is meant by morning traffic. Are the hours 7 am to 12 pm? M. Sorrentino said when the traffic study is done, the peak hours are 6 to 8 in the morning and rush hour in the evening which is 4 to 6. He said peak morning and peak afternoons hours are used for traffic study. J. Bond asked if anyone knew the terms of truck traffic and how many people were employed by Sweet Heart Plastics 35 years ago. Nobody could answer that. B. McCarthy said the easement gives the applicant the right to use that driveway. J. Bond asked how many trucks did Sweet Heart Plastics agree could be used on the property. Nobody could answer that. J. Bond asked if everything was speculation or if the property owner had a recorded easement. B. McCarthy said there is a recorded easement that provided rights to use it like a street for access and maintain it and to install utilities in it. T. Doucette said he owns the tree that everyone is talking about and there is a fire hydrant between the easement and the tree.

There were no more questions from the audience.

T. Boland said there is an existing easement that has been used but the easement does not work for the intended use and technically never has. M. Sorrentino said you cannot take a right-hand turn without going onto someone else's property. T. Boland said it never worked and this Board cannot make a rule to make it work. V. Gingrich said she can write a condition that they would have to stay within their easement. M. Sorrentino said that cannot be enforced.

Upon motion duly made and seconded, it was

VOTED: To extend the action deadline for Site Plan Review #19-06 & Stormwater Management Permit #19-05 & Parking Special Permit #19-01 for 613 Main Street to December 31, 2019.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Site Plan Review #19-06, Stormwater Management Permit #19-05 and Parking Special Permit #19-01 for 613 Main Street to December 3, 2019 at 8:15 p.m. in Room 9 of the Town Hall.

**Continued Public Hearing - Site Plan Review #19-12 & Stormwater Management Permit #19-10
65 Industrial Way - Map 56 Parcel 122 – Arthur Kanavos for 65 Industrial Way, LLC,
Applicant**

PRESENT IN INTEREST: Arthur Kanavos

MATERIALS CONSIDERED:

PLAN "Proposed Parking Plan, 65 Industrial Way in Wilmington, Massachusetts" dated

August 12, 2019

OPERATION & MAINTENANCE MANUAL FOR STORM DRAINAGE FACILITIES

dated August 5, 2019

REVIEW LETTER dated August 30, 2019

A. Kanavos told the Board the only change is he is requesting an additional drive-in door. M. Sorrentino asked the applicant if he reviewed the draft conditions of approval and he said he had and has no issues with them.

Upon motion duly made and seconded, it was

VOTED: To close the public hearing for Site Plan Review #19-12 & Stormwater Management Permit #19-10 for 65 Industrial Way.

Upon motion duly made and seconded, it was

VOTED: To approve with conditions Site Plan Review #19-12 for 65 Industrial Way as shown on plan entitled, "Proposed Parking Plan, 65 Industrial Way in Wilmington, Massachusetts", dated August 12, 2019 and last revised November 1, 2019, prepared by Frederick W. Russell, Jr., P.E., 154 Aldrich Road, Wilmington, MA 01887. Said property is located at 65 Industrial Way, Wilmington, MA 01887 and shown on Assessor's Map 56 Parcel 122.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 10, 2019 and closing on November 5, 2019, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by 65 Industrial Way LLC, 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 65 Industrial Way for parking lot improvements and adding new doors to the existing building as shown on plan entitled "Proposed Parking Plan, 65 Industrial Way in Wilmington, Massachusetts", dated August 12, 2019 and last revised November 1, 2019, prepared by Frederick W. Russell, P.E., 154 Aldrich Road, Wilmington, MA 01887, submitted on August 14, 2019, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

Date submitted

Description

August 14, 2019

"Operation & Maintenance Manual for the Storm Drainage Facilities Located at: 65 Industrial Way, Wilmington, Massachusetts," prepared by Eugene T. Sullivan, P.E., Consulting Engineers, 230 Lowell Street, Suite 2A, Wilmington, MA 01887, and dated August 5, 2019.

FINDINGS:

1. The Project site is shown on Map 56 Parcel 122 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.

PRIOR TO CONSTRUCTION AND ISSUANCE OF A BUILDING PERMIT:

7. The Wilmington Fire Department shall review and approve all building plans prior to construction.
8. Prior to the commencement of construction, erosion controls shall be installed and shall be inspected by the Department of Planning & Conservation at least two (2) business days prior to the start of construction.

PRIOR TO OCCUPANCY:

9. The Operation & Maintenance Plan shall be recorded.

10. In the event that winter season conditions prohibit final landscaping and/or finish paving course and striping from being installed prior to tenant 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. All site work shall be completed in accordance with the approved site plans by October 1, 2020.

POST CONSTRUCTION:

11. 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.
12. No storage or dumpsters shall be placed within landscaped areas.
13. 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.
14. 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 Operation and Maintenance Plan to the Department of Planning & Conservation.
15. 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 and located within the site shall be the Owner's responsibility.
16. Snow in excess of the areas provided for snow storage on the Site Plan is to be removed from the site within five (5) days of a snow event. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
17. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Town Engineer and Director of Planning & Conservation.

Upon motion duly made and seconded, it was

VOTED: To issue the Stormwater Management Permit #19-10 for 65 Industrial Way 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**

November 8, 2019

ISSUED for Property located at 65 Industrial Way, Wilmington, Massachusetts (Map 56 Parcel 122)

Case No.: Stormwater Management Permit #19-10

Applicant: Mr. Arthur Kanavos, 65 Industrial Way LLC, 65 Industrial Way, Wilmington, MA 01887

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and Operation & Management Plan entitled "Proposed Parking Plan, 65 Industrial Way in Wilmington, Massachusetts", dated August 12, 2019 and last revised November 1,

2019, prepared by Frederick W. Russell, Jr., P.E., 154 Aldrich Road, Wilmington, MA 01887. Said property is located at 65 Industrial Way, Wilmington, MA 01887, and shown on Assessor's Map 56 Parcel 122, material originally submitted on August 14, 2019, subject to the following conditions:

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
August 14, 2019	"Operation & Maintenance Manual for the Storm Drainage Facilities Located at: 65 Industrial Way, Wilmington, Massachusetts," prepared by Eugene T. Sullivan, P.E., Consulting Engineers, 230 Lowell Street, Suite 2A, Wilmington, MA 01887, and dated August 5, 2019.

STANDARD CONDITIONS

1. Waivers granted: None
2. The development shall not alter the flow of stormwater runoff leaving the site, nor shall it alter the stormwater flow to any adjoining properties, public ways or wetland resource areas.
3. The development shall comply with the performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Handbook.
4. The Applicant shall provide and maintain erosion and sedimentation controls until the site is permanently stabilized.
5. The Applicant shall inspect and maintain the site 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. If applicable, a Stormwater Pollution Prevention Plan shall be submitted prior to any land disturbing activity at the site.
2. 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.
3. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.

4. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

ISSUED ON November 8, 2019

Upon motion duly made and seconded, it was

VOTED: To endorse plan for 65 Industrial Way entitled, "Proposed Parking Plan, 65 Industrial Way in Wilmington, Massachusetts", dated August 12, 2019 and last revised November 1, 2019, prepared by Frederick W. Russell, Jr., P.E., 154 Aldrich Road, Wilmington, MA 01887.

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

PRESENT IN INTEREST: Jon Tilton, Williams & Sparages
Brian Corrigan, Esq.
Shaun Kelly, Vanasse & Associates
Jaqueline Welch

MATERIALS CONSIDERED:

PLAN "635 Main Street, Wilmington, MA" dated October 18, 2018, last revised October 22, 2019
ELEVATIONS "Wilmington Town Houses, 635 Main Street, Wilmington, MA" dated November 18, 2019
ELEVATIONS "Wilmington Apartments, 635 Main Street, Wilmington, MA" dated October 4, 2018
STORMWATER REPORT dated October 23, 2018 and last revised October 22, 2019
PLANNING REVIEW LETTER dated November 1, 2019
ENGINEERING MEMO dated November 5, 2019

J. Tilton told the Board several revisions were made, but they are still proposing 10 townhouse units in the front with 39 residential units in the rear. The changes made are 2 access points, both 24' wide and meets MassDOT requirements. The parking was revised to 100 spaces when originally they had 98 spaces. They removed 2 spaces in the garage and turned it into a bike storage area. They relocated the dumpster for easy access. J. Tilton said they are proposing vertical granite curbing and some concrete curbing. He said they created better access to the snow storage area. He said they provided additional details with the retaining walls and landscaping in the front. He said he added ADA compliance to the plans and is still waiting for architectural drawings. J. Tilton said the Town Engineer's requests are all reasonable and all changes he's requesting can be made. He asked if the layout is acceptable to the Board.

M. Sorrentino read engineering comments into record.

J. Tilton said he shrunk the townhouse buildings from 22' to 18' and eliminated the porches in the rear.

W. Wong said with the new configuration, the wheelchair ramps are taken away so if you are in the crosswalk, there is longer a refuge area so he suggested adding some refuge. He said the

guardrail is shown as a flair end when it is called out as a tangent end so MassDOT has both those details. W. Wong said the applicant should add a stop bar for the approach coming out of garage. He said on Main Street, the applicant agreed to mitigation converting Rte. 38 Main Street to a double solid yellow line down the center from Lowell Street down to Cross Street.

T. Boland asked about the retaining wall with pedestrian scale and V. Gingrich asked J. Tilton for the detail of the retaining wall in the front. J. Tilton said he is hoping the architect will provide some scaled plans. She asked for the height on Main Street and J. Tilton said it is 3 ½' of wall with a little fence on top about 2 ½'. V. Gingrich said the question is if the wall is too high and creates a barricade along Main Street and if a shorter wall could do the same purpose. J. Tilton said they could change the wall and show some other examples. The rest of the Board had no more comments. There was no one in the audience that had comments.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #18-15 and Stormwater Management Permit #18-13 to December 31, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street to December 3, 2019 at 8:20 p.m. in Room 9 of the Town Hall.

**Public Hearing - Site Plan Review #18-09 & Stormwater Management Permit #18-09
220 Main Street – Map 44 Parcel 178D, Richard Smith, Nouria Retail Energy, Inc., Applicant**

PRESENT IN INTEREST: Joe Pandolfo
Jon Tilton, Williams & Sparages

MATERIALS CONSIDERED:

PLAN "Proposed Utility & Drainage Plan, #220 Main Street, Wilmington, MA", dated June 13, 2018 and last revised October 28, 2019, "Equipment Piping" dated June 18, 2019 and "Recovery Process" dated October 9, 2019

J. Tilton told the Board the applicant is proposing a reclaim water system to the car wash. Originally, it was wastewater discharged into the sewer system and with the reclaim system they will get 50% volume and putting it back into the car wash. A pit drain will collect the water and bring it to 3 reclaim tanks and then reuse the water. The point is to reduce the amount of water and reuse it over again. J. Pandolfo told the Board they were originally going to reclaim 15 or 20% of the water. He said they have been using this system in some of their other locations and found that it's very good and they can reclaim up to 50% of the water or more. He said by putting in 3 tanks in the ground allowing the sediments to settle and the last tank will have cleaner water to reuse. J. Tilton said they met with Department Heads at CDTR and everyone was happy.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #19-16 (Amendment to Site Plan Review #18-09) for 220 Main Street

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #19-16 (Amendment to Site Plan Review #18-09) for 220 Main Street as shown on plan entitled, "Proposed Utility & Drainage Plan, #220 Main Street, Wilmington, MA", dated June 13, 2018 and last revised October 28, 2019, prepared by Peter M. Blaisdell, Jr., P.E., Williams & Sparages, Engineers, Planners, Surveyors, 189 North Main Street, Suite 101, Middleton, MA 01949, for the property located at 220 Main Street and shown on Assessor's Map 44 Parcel 178D.

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

We, the Wilmington Planning Board, as requested by Nouria Retail Energy, Inc., 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 amending the contemplated site plan development for property addressed at 220 Main Street to install a water reclaim system for the car wash as shown on plan entitled "Proposed Utility & Drainage Plan, #220 Main Street, Wilmington, MA", dated June 13, 2018 and last revised October 28, 2019, prepared by Peter M. Blaisdell, Jr., P.E., Williams & Sparages, Engineers, Planners, Surveyors, 189 North Main Street, Suite 101, Middleton, MA 01949, submitted on October 10, 2019, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the requested amendments to the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
October 10, 2019	"Golden Nozzle Carwash, Wilmington, MA, Recovery Process", prepared by John O, 235 Riverside Industrial Parkway, Portland, ME 04102, dated October 9, 2019.
October 10, 2019	"Golden Nozzle Car Wash, 220 Main Street, Wilmington, MA, Equipment Piping," prepared by Maintenance Technology, Cad-de-Tech, 235 Riverside Industrial Parkway, Portland, ME 04102, dated June 18, 2019.

FINDINGS:

1. The Project site is shown on Map 44 Parcel 178D 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. All conditions of Site Plan Review Approval #18-09 issued March 8, 2019 remain in full force and effect.

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.
1. During construction work will not start before 7:00 a.m. and will be completed by 7:00 p.m. No work is allowed on Sundays and Holidays. Construction equipment will not be started before 7:00 a.m.

PRIOR TO OCCUPANCY:

2. Project review by the Town's cross connection consultant, Water Safety Services, Woburn, MA, shall be completed and submitted to the Department of Planning & Conservation, Department of Public Works Water & Sewer Division, and Engineering Division.
3. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
4. 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.
5. 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 tenant occupancy, the Applicant may post a bond, in a form and amount acceptable to the Planning Board 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 sign offs on Occupancy prior to eligibility.

POST CONSTRUCTION:

6. In order to allow for adequate vehicle queueing and maneuverability, there shall be no towel drying at the exit of the car wash.
7. Trash pick-up on the site shall occur during normal business hours.
8. 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.
9. 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.
10. 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 and located within the site shall be the Owner's responsibility.
11. Snow in excess of the areas provided for snow storage on the Site Plan is to be removed from the site within five (5) days of a snow event. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
12. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Engineer and Director of Planning & Conservation.

Upon motion duly made and seconded, it was unanimously

VOTED: To endorsed plan entitled, "Proposed Utility & Drainage Plan, #220 Main Street, Wilmington, MA", dated June 13, 2018 and last revised October 28, 2019, prepared by Peter M. Blaisdell, Jr., P.E., Williams & Sparages, Engineers, Planners, Surveyors, 189 North Main Street, Suite 101, Middleton, MA 01949.

Continued Public Hearing - Preliminary Subdivision #19-01 for 203 Lowell Street Map 48 Parcel 73 – Doug Lees, for Michael A. Howland, Applicant

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

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Preliminary Subdivision #19-01 for 203 Lowell Street to December 31, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Preliminary Subdivision #19-01 for 203 Lowell Street to December 3, 2019 at 8:30 p.m in Room 9 of the Town Hall.

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

A request to continue the public hearing was received.

MATERIALS CONSIDERED:

E-MAIL from Jill Elmstrom Mann dated November 5, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Conservation Subdivision Design Special Permit #19-01 for 79 Nichols Street to December 3, 2019 at 8:45 p.m. in Room 9 of the Town Hall.

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

PRESENT IN INTEREST: Adam Braillard, Prince Lobel Tye, LLP
Matt Graubart, Major Engineering

MATERIALS CONSIDERED:

PLAN "MA0017A, Anderson Property, 6 Waltham Street, Wilmington, MA 01887, Middlesex County" dated June 26, 2019 and last revised October 7, 2019
SOIL MANAGEMENT PLAN dated April 23, 2019
STORMWATER POLLUTION PREVENTION PLAN dated November 4, 2019
FCC LICENSE received October 15, 2019
FAA SUMMARY REPORT received October 15, 2019
MONOPOLE DESCRIPTION dated May 7, 2019
LETTER from Chad Curry dated October 30, 2019
LETTER from Petros Tsoukalas dated October 8, 2019
LETTER from Adam Braillard dated October 10, 2019
PLANNING REVIEW LETTER dated November 1, 2019
ENGINEERING MEMO dated November 5, 2019

A. Braillard told the Board he filed Site Plan Review to install a wireless communications tower for the property located in the General Industrial District. He said the applicant filed for a Special Permit in 2016 with Zoning Board of Appeals and were denied. The applicant litigated and Massachusetts District Court determined there was a significant gap in coverage and this would cover that gap for T-Mobile so ordered the Zoning Board of Appeals to grant the Special Permit. The Building Inspector required the applicant to file Site Plan Review.

A. Braillard said 4 & 6 Waltham Street is at the end of the cul-de-sac. Waltham Street is off Middlesex Avenue. He said the proposed tower is going to be located adjacent to a building on the edge of the property line. The lower part of the tower will be hidden by the buildings in the area. Across the way are train tracks, wetlands and river and residents on the other side. A. Braillard said it is 120' monopole style. He said the antennas will be located with center line at 115' or 116' and won't go beyond height of the tower. There can be a total of 4 carriers. At the base of the tower there will be a 18' x 18' fenced in equipment area.

M. Sorrentino read the engineering memo into the record.

Resident, P. Reinhart, 318 Middlesex Avenue said this came before the Town three or four years ago. He asked if it's a done deal. M. Sorrentino said he went to court and won. P. Reinhart asked if they could build it in such a way that it could be hidden and M. Sorrentino said that could be discussed. Resident, P. Logan, 14 North Street, asked to be educated on what the Board is voting on so he could better understand what the Board could reject or accept. M. Sorrentino said the applicant is before the Board for Site Plan Review. V. Gingrich said Site Plan Review is not deciding on whether a use is allowed but it looks at site layout,

making sure there is adequate parking or the circulation and trash removal; things that are related to the site layout. P. Logan asked what the Board is looking at and V. Gingrich answered. V. Gingrich said they look at access to the area, whether there is a fence around the pole, the location of the equipment, drainage and utilities. P. Logan asked if V. Gingrich went out to the site and she said yes. He said it's asphalt now but it used to be grass. He said there was grass and there is a telephone pole there and he doesn't know if it is privately owned. He wants the Board to reject it and make them go to court. M. Sorrentino said the Board has very little say with telecommunications with federal law. P. Logan said there is no gap in coverage so this pole is going up to improve the coverage for the people driving along I-93. P. Logan asked how the 120' pole is determined and asked why it couldn't be 60'. A. Saragosa, 25 Marcia Road, asked if the applicant can show another tower similar in size in a town similar to Wilmington, population wise where a cell tower is as close to residents. He said these towers are set way back except in the city. M. Sorrentino said there is one tower at the Salvation Army, one on Rte. 62 at Shea Concrete, a tower at the church on Middlesex Avenue, there's a tower on Ballardvale Street, and one on Industrial Way. V. Gingrich said it's required that a cell tower be 500' away from residence. She said an applicant requested the Board of Appeals allow a cell tower 490' and that was denied but it was appealed and the court overturned the decision. The Town allows 120' towers by its Bylaw.

F. Logan, 14 North Street, said she didn't know the law suit was over turned. She said failing to notify the abutters meant the abutters did not have the right to challenge the court proceeding or what is happening here. M. Sorrentino asked her if she was upset that she didn't have time to challenge the court decision or what is before the Planning Board and she said either or. She believes abutters should have been notified every step of the way. M. Sorrentino said that is not an issue for the Board. F. Logan said she did not see anything on the plan about anti-collision and asked if the pole will be painted a particular color or there will be lights flashing so it can be seen by helicopters or aircrafts. A. Braillard said they did an analysis to determine if FAA light beacon was required and they were told it is not. F. Logan challenged that the applicant did not work with FAA. She asked how often there will be maintenance and what can be expected for noise levels for maintenance. M. Sorrentino asked if there is a generator outside and A. Braillard said the generator will comply with code decibels. He said there will be one or two vehicle trips per month for maintenance purposes. F. Logan asked if there are 4 carriers would there be additional traffic and maintenance and A. Braillard said based on the 4 carriers, there will be 8 vehicles a month going to this site. F. Logan asked if the number of trip will increase if there are storms. She said there will be more traffic and noise. Her property is close enough that the pole is visible from every single window from the back of her home. She will hear all the noise. She asked if there will be anti-collision beacon on top of the tower in the future. A. Braillard said the FAA beacon light is based on where airport runways and airports that a beacon light is not required. F. Logan asked if the tower will go higher at some point and A. Braillard said not at this time. P. Logan asked the frequency of the generator and M. Sorrentino said automatically once a week. P. Logan asked if there is an easement required to bring in the utilities to support this and M. Grouper said the power company said they will replace the single meter service with a meter bank and all utilities will be rerouted through the building and go overhead to the building and all utilities will be routed interior. P. Logan said the whole area is contaminated. A. Braillard said they ran a soil study and they have a best practice analysis they will follow when they do any excavating.

P. Reinhart, 318 Middlesex Avenue, asked how the location was determined. A. Braillard said there are 4 criteria to determine where these can be built: is it permitted from a regulatory standpoint, is it leasable, can it be constructed and does it work from a radio frequency

standpoint. P. Reinhart asked if the property owner came to them or did they go to the property owner and A. Brillard said he did not know. P. Reinhart said when cell phones become obsolete, what will happen to the cell tower and consider reducing the size of camouflaging it somehow. F. Logan said the drawing of the tower, is not what it will look like when there are more carriers. M. Sorrentino asked if 4 antennas or 2 were shown and A. Brillard said there is one carrier shown but they depict other future carriers and F. Logan asked the applicant to point them out. M. Graubart said they will look similar to T-Mobile and pointed all 4 out.

M. Sorrentino read Town Engineer and Planning Department comments into the record.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-15 for 4 & 6 Waltham Street to December 3, 2019 at 9:00 p.m. in Room 9 of the Town Hall.

Board of Appeals

At its meeting on Tuesday, November 5, 2019, the Planning Board voted to recommend as follows:

Case 20-19 for 29 Freeport Drive – Map 100 Parcel 655

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. Groundwater recharge is proposed to mitigate the increase in impervious area in the Groundwater Protection District.

Old Business

There was no Old Business to discuss

New Business

Discuss WCTV broadcasting Planning Board meetings

V. Gingrich said that M. Sorrentino suggested the meetings be broadcasted. M. Sorrentino said he was told more people are watching local TV. The Board discussed having meetings televised. V. Gingrich concluded that if requested, the Board agrees to have meetings broadcasted.

Discuss Stormwater Bylaw changes and Potential Zoning changes

P. Alunni, Town Engineer told the Board the Town has made changes to the Comprehensive Stormwater Bylaw. He said the changes are mandated by new MS4 permit. He said that stands for Municipal Separate Storm Sewer System. P. Alunni said the first general permit was issued by EPA in 2003, and expired in 2008. The first permit in 2003 was the driving force behind the Comprehensive Stormwater Management Bylaw & Regulations. He said the EPA issued a new permit in 2018. It increased regulations across the board from public outreach and education to elicit discharge and post construction standards which had an impact on the Stormwater Bylaw. P. Alunni said the biggest change is the increase of threshold that trips the Stormwater Management Permit. He said there was an exemption in the bylaw that allowed

for a Simple Stormwater Management Permit application to be filed for any projects that exceeded 20,000 sf. of disturbance for ANR subdivisions 4 lots or less on an existing roadway. That was removed, and now the permits require any land disturbance over 43,560 sf., 1 acre. P. Alunni said other areas of the Bylaw and Regulations were reviewed to see that they make sense. He said this can make a significant change to redevelopment projects. He said redevelopment projects are projects that disturb 1 acre of land. P. Alunni said there is a requirement of onsite retention up to .9 inches. M. Sorrentino asked if there is still a Simple Stormwater Management Permit and P. Alunni said there is a Simple Stormwater Permit for projects that disturb less than an acre of land. V. Gingrich said the Simple Stormwater is still intact for when it's under the 20,000 sf. and when it doesn't normally trip the full Stormwater. She said when it's single-family homes, having a large detention basin, gets more complicated but it will be capped at an acre. V. Gingrich said per the new permit, an individual cannot just pay money to get out of the requirement but you must do physical improvements to the same watershed so the mitigation fund was removed. She said under Section 2.4.12, Town projects are exempt from getting permits but the Town must meet the requirements. V. Gingrich said these changes will be presented at the next Town Meeting as a Planning Board sponsored article.

V. Gingrich said almost every year someone comes in with a petition to change zoning on McDonald Road. V. Gingrich presented a proposal to rezone the area to R20 except for Conservation Subdivision Design Special Permits. T. Boland asked if it is currently R10 and R 60 and V. Gingrich said yes and T. Boland then we would go to R10 and R20. There was a brief discussion. T. Boland said this will help more lots become conforming.

Authorize Planning & Conservation Director to use tree funds

V. Gingrich said J. Magaldi planted 5 new trees at the Shawsheen School, 3 Elms and 2 Lindens and does not have the funds to pay for them. At the Town Common he planted a very large Maple for \$900.00.

Upon motion duly made and seconded, it was unanimously

VOTED: To authorize Planning & Conservation Director to use tree funds for tree plantings at her discretion.

Draft Decisions for Site Plan Review #18-16, Stormwater Management Permit #18-14 and Multi-Family Special Permit #18-02 for 203 Lowell Street – Map 48 Parcel 73 Massachusetts Equity Investors, LLC, Applicant

PRESENT IN INTEREST: Doug Lees, Land Engineering
Jaqueline Welch, Massachusetts Equity Investors, LLC

MATERIALS CONSIDERED:

PLANS "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" dated October 18, 2018 and last revised September 5, 2019

V. Gingrich said there are some "prior to endorsement" conditions she would like to point out and some conditions discussed at the last meeting. She read Special Conditions # 20 and

#21. She pointed out others that were discussed at the last meeting. R. Holland pointed out that a water table base should be added so that the siding is not sitting directly on the ground.

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

VOTED: To approve with conditions Multi-Family Special Permit #18-02 and Site Plan Review #18-16 for 203 Lowell Street, as shown on plan entitled "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts", dated October 18, 2018 and last revised September 5, 2019, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879. Said property is located at 203 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 48 Parcel 73. Approval is as follows:

A public hearing was advertised and held on November 13, 2018 at 9:15 p.m. at Town Hall, 121 Glen Road, Wilmington. The public hearing was continued to December 4, 2018, January 8, 2019, February 2, 2019, March 5, 2019, April 2, 2019, May 7, 2019, June 4, 2019, July 9, 2019, August 6, 2019, September 10, 2019 and October 1, 2019.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on November 13, 2018 and closing on October 1, 2019, by a motion duly made and seconded, it was voted:

"We the Wilmington Planning Board, as requested by Jacqueline Welch, under the provisions of Section 3.8.15 and Section 6.5 of the Zoning Bylaws of the Town of Wilmington and Board's Special Permit Rules and Regulations and Site Plan Review Rules and Regulations, to consider the contemplated mixed-use site plan development including a 3,100 square foot bank, a 23,788 square foot retail/office building with retail on the first floor and office on the second and third floors, and 50 residential units for property addressed 203 Lowell Street (Assessor's Map 48 Parcel 73), as shown on the plan entitled "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts", dated October 18, 2018 and last revised September 5, 2019, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879, (the "Plan") (the "Project"), do hereby vote to **APPROVE** the Special Permit Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date Submitted</u>	<u>Description</u>
October 18, 2018	Site Plan Review Application – Narrative, undated.
October 18, 2019	Stormwater Report, prepared by Land Engineering & Environmental Services, Inc., dated October 18, 2018; March 18, 2019; April 23, 2019; and last revised July 22, 2019.
October 18, 2019	Conceptual Planting Plan, dated October 22, 2018.

	Phase I – Environmental Site Assessment, prepared by Geological Field Services, Inc., dated June 18, 2018.
March 19, 2019	Architectural Drawings for Retail Building, dated March 15, 2019.
March 19, 2019	Response to Comments, prepared by Doug Lees, PE, Land Engineering & Environmental Services, Inc., dated March 18, 2019.
March 19, 2019	Snow Removal Plan, dated March 18, 2019.
March 19, 2019	Sewer Flow Analysis, dated March 18, 2019.
April 25, 2019	Letter from Doug Lees, PE, dated April 23, 2019.
April 25, 2019	Architectural Drawings for Residential Building, prepared by DMS design, LLC, dated April 23, 2019.
April 25, 2019	Planting Plan, prepared by Gary L. Larson, LA, dated April 18, 2019 and last revised August 22, 2019.
April 25, 2019	Test Pit Logs, prepared by Luke Roy, PE, undated.
June 3, 2019	Transportation Impact Assessment, prepared by Vanasse & Associates, Inc., dated May 2019.
July 29, 2019	Response to Comments, prepared by Matt Dusenberry, Land Engineering & Environmental Services, Inc., dated July 22, 2019.
July 29, 2019	Earthwork Volume Worksheet, prepared by Land Engineering & Environmental Services, Inc., dated October 18, 2018 and last revised July 22, 2019, and Earthwork Volume Calculations, undated.
July 31, 2019	Traffic Study Peer Review Letter, prepared by Elizabeth Oltman, PE, TEC, Inc., dated July 31, 2019.
August 7, 2019	Response to Traffic Engineering Peer Review, prepared by Jeffrey S. Dirk, PE, Vanasse & Associates, Inc., dated August 2, 2019.
August 7, 2019	Response to Traffic Engineering Peer Review, prepared by Doug Lees, PE, Land Engineering & Environmental Services, Inc., dated August 5, 2019.
August 16, 2019	Review of Response to Traffic Study Comments, prepared by Elizabeth Oltman, PE, TEC, Inc., dated August 16, 2019.
August 27, 2019	Architectural Drawings for Bank, dated March 18, 2019.

August 27, 2019	Architectural Drawings for Residential Building, prepared by DMS design, LLC, dated August 26, 2019.
August 27, 2019	Site Lighting Plan, prepared by Wozny Barbar & Associates, Inc., dated August 26, 2019 and last revised September 17, 2019.
August 27, 2019	Photometric Plan, undated.
August 27, 2019	Refuse Truck, Delivery Truck, and Fire Truck Sketch, prepared by Land Engineering & Environmental Services, Inc., dated August 22, 2019.
August 27, 2019	Sight Lines and Plan Changes Sketch, undated.
August 27, 2019	Planting List, undated.
August 27, 2019	Response to Traffic Engineering Peer Review, prepared by Doug Lees, PE, Land Engineering & Environmental Services, Inc., dated August 22, 2019.
September 17, 2019	Floor Plan & Elevations for Bank, dated September 4, 2019.
September 17, 2019	Architectural Drawings for Retail Building, dated September 4, 2019.
September 27, 2019	Photometric Plan, prepared by Robert Kaseta, Illuminate, dated September 26, 2019.
September 30, 2019	Architectural Drawings for Retail Building, dated September 28, 2019.
September 30, 2019	Architectural Drawings for Bank, dated September 28, 2019.
September 30, 2019	Garage Floor Plan & Renderings for Residential Building, prepared by DMS design, LLC, dated September 30, 2019.

PROCEDURAL HISTORY

1. Application to construct a mixed-use development including multi-family residential units pursuant to Section 3.8.15 of the Wilmington Zoning Bylaws was made by the above-referenced owners and applicant, and filed with the Planning Board on October 18, 2018.
2. A public hearing on the Special Permit application was held on November 13, 2018 and closed on October 1, 2019.
3. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS

1. The Project site is shown on Map 48 Parcel 73 and contains a 3,100 square foot bank building, a 23,788 square foot retail/office building with retail on the first floor and office on the second and third floors, and a 50-unit three-story multi-family building.
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 and Section 3.8.15 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations.
3. The Site Plan and ancillary materials submitted by the Applicant comply with the provisions, requirements, standards and guidelines of Section 6.5 and Section 3.8.15 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.

DECISION

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be developed under Section 3.8.15 and Section 6.5 of the Wilmington Zoning Bylaws. It is therefore decided to grant a Special Permit for the development of a 3,100 square foot bank building, a 23,788 square foot retail/office building with retail on the first floor and office on the second and third floors, and fifty (50) residential units in accordance with the Site Plan entitled: "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts", dated October 18, 2018 and last revised September 5, 2019, prepared by Douglas E. Lees, P.E., P.L.S., and the terms and conditions stated below. The following shall be required at the Applicant's sole expense, unless otherwise noted:

13. The Project shall be constructed and operated in accordance with the approved Site Plan.
14. 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.
15. 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.
16. The Project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
17. Notwithstanding any future amendment to the Wilmington Zoning Bylaw, Massachusetts G.L. c. 40A, or any other legislative act:
 - a The maximum number of dwelling units to be constructed under this Special Permit shall be fifty (50).
 - b The tract of land on which the structures are to be located shall not be altered or used except
 - i as granted by this Special Permit;
 - ii as shown on the Site Plan entitled: "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts", dated October 18, 2018 and last revised September 5, 2019, prepared by Douglas E. Lees, P.E., P.L.S., as referenced above; and
 - iii as in accordance with subsequent amendments to the Special Permit.
 - c The entire tract of land, or any portion thereof, and buildings to be constructed shall not be used, sold, transferred or leased except in conformity with this Special Permit. If applicant petitions for amendment to this Special Permit, he must submit all plans and information to the change as required by applicable rules.

18. If no substantial construction has commenced within two (2) years of approval, approval shall lapse and a new application, fees and a public hearing shall be required.
19. Any substantial changes to the Site Plan shall be subject to the Special Permit review process. Minor field adjustments may be allowed with review and approval of the Director of Planning & Conservation.
20. Within five (5) days of transfer of ownership of the property, the Planning Board shall be notified in writing of the new property owner's name and addresses.
21. Maintenance of the premises, including but not limited to roadway maintenance and repair, snow plowing and removal, landscaping, trash removal/recycling, and any other amenities associated with the Project shall remain the responsibility of the Owner.
22. The Project's stormwater management system shall be inspected, operated, and maintained 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.
23. All domestic water mains and services constructed for the project on the project site shall meet the requirements of the Town's Water and Sewer Division and shall remain private. The operation, maintenance, repair, and replacement of all water pipes, mains, fittings, and appurtenances on the property shall be the owner's responsibility.
24. All landscaping, fencing, and lighting shall be maintained by the Owner for the duration of the use. The Owner shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
25. The site shall be maintained in a clean and tidy condition, clear of debris and trash. Dumpsters shall remain closed and enclosures locked.
26. Deliveries to the commercial buildings shall be made only during non-business hours.
27. Transportation Demand Measures (TDM) shall be implemented as described in the Transportation Impact Assessment dated May 2019 and the Response to Traffic Engineering Peer Review letter from Vanasse & Associates, Inc. dated August 2, 2019, which are attached hereto and incorporated herein by reference.
28. The Owner shall maintain the required sight distance triangle areas at the site entrances as noted on the approved plans.
29. Snow shall be stored in designated areas only. Any snow exceeding on-site capacity shall be removed from the site within five (5) days of a snow event. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.

PRIOR TO ENDORSEMENT:

30. Prior to endorsement, these conditions of approval of the Special Permit shall be listed on the cover page of the Site Plan set.
31. Following the 20-day appeal period, the Planning Board will sign the plans, which shall be recorded the Middlesex North Registry of Deeds.
32. Prior to endorsement, but no later than January 1, 2020, the Owner has agreed to and shall provide a fully executed permanent twelve (12) foot wide easement, in a form approved by Town Counsel, along the length of the Project's Lowell Street frontage to the Town of Wilmington for all purposes for which a public way may be used, including to facilitate planned roadway improvements. The Owner has agreed to work cooperatively with the Town in facilitating planned transportation improvements at the intersection of Lowell Street and Woburn Street.
33. Prior to endorsement but no later than January 1, 2020, the Owner has agreed to provide a fully executed easement along the Project's Lowell Street frontage to Reading Municipal Light Department and Verizon for relocation of utility poles for the planned roadway improvements.

34. The Plans shall be revised to provide adequate lighting along the entrance drive from Lowell Street to the satisfaction of the Director of Planning & Conservation.
35. The bank elevations show drive thru widths that do not match the Site Plan. The elevations and/or Site Plan shall be revised to be consistent and provide adequate drive aisle widths.
36. The retail/office building elevations and/or floor plans shall be revised to consistently reflect the location of doors facing the parking lot.
37. Architectural plans for the residential building shall be modified to include a water table base on the exterior.

PRIOR TO ISSUANCE OF BUILDING PERMIT:

38. The Wilmington Fire Department shall review and approve all building plans.
39. Condominium documents, if applicable, shall be submitted for review prior to the issuance of the first building permit. The documents shall include details regarding maintenance (i.e., refuse pick-up, upkeep, snow plowing) and the stormwater management Operation and Maintenance Plan.
40. The Owner shall provide a fully executed drain easement, in a form approved by Town Counsel, along the Project's Woburn Street frontage to the Town for perpetual operation and maintenance of the existing twenty-four (24) inch drain line.

PRIOR TO START OF CONSTRUCTION/DURING CONSTRUCTION:

41. At least one (1) week prior to the start of work, a pre-construction conference shall be scheduled with the Department of Planning & Conservation and Engineering Division to review the construction schedule, permitted drawings, and permit conditions.
42. At the time of the pre-construction conference, the developer will be required to submit a schedule of work, project contacts, soil erosion and sedimentation control plan, information on plans for stockpiling of earth materials and/or any plans for hauling of earth materials (if approved under the Earth Removal Bylaw) for review by the Department of Planning & Conservation and Engineering Division.
43. At the time of the pre-construction conference, the developer shall provide evidence that all required local, state, and federal permits and approvals have been obtained.
44. Prior to the start of construction, if applicable, 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.
45. Prior to construction, the applicant shall install erosion controls to be inspected by the Department of Planning & Conservation and Engineering Division at least two (2) business days prior to the start of construction.
46. Notice of start of construction shall be distributed to abutting properties two (2) weeks prior to the commencement of construction.
47. During construction work will not start before 7:00 a.m. and will be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment will not be started before 7:00 a.m.
48. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Lowell Street and Woburn 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 and Woburn Street during the course of construction, as directed by Town staff.

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

PRIOR TO ISSUANCE OF OCCUPANCY:

50. The Applicant has agreed to and shall provide a fair share traffic mitigation contribution to the Lowell Street Corridor in the amount of \$49,000.
51. Prior to the issuance of the Certificate of Occupancy for the property, final As-Built Plans for the project, in form(s) and format(s) acceptable to the Town Engineer, shall be submitted to the Engineering Division and Department of Planning & Conservation.
52. 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 tenant 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 sign-offs on Occupancy prior to eligibility.

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

VOTED: To approve with conditions Stormwater Management Permit #18-14 for 203 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**

November 8, 2019

ISSUED for Property located at 203 Lowell Street, Wilmington, Massachusetts (Map 48 Parcel 73)

Case No.: Stormwater Management Permit #18-14

Applicant: Jaqueline Welch, Mass Equity Investments, LLC, 11 Middlesex Avenue, Unit 8, Wilmington, MA 01887

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and plan entitled, "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts", dated October 18, 2018 and last revised September 5, 2019, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879. Said property is located at 203 Lowell Street, Wilmington, MA, and shown on Assessor's Map 48 Parcel 73; material submitted on October 18, 2018, subject to the conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
October 18, 2018	Site Plan Review Application – Narrative, undated.
October 18, 2019	Stormwater Report, prepared by Land Engineering & Environmental Services, Inc., dated October 18, 2018; March 18, 2019; April 23, 2019; and last revised July 22, 2019.
March 19, 2019	Response to Comments, prepared by Doug Lees, PE, Land Engineering & Environmental Services, Inc., dated March 18, 2019.
March 19, 2019	Snow Removal Plan, dated March 18, 2019.
March 19, 2019	Sewer Flow Analysis, dated March 18, 2019.
April 25, 2019	Letter from Doug Lees, PE, dated April 23, 2019.
April 25, 2019	Test Pit Logs, prepared by Luke Roy, PE, undated.
July 29, 2019	Response to Comments, prepared by Matt Dusenberry, Land Engineering & Environmental Services, Inc., dated July 22, 2019.
July 29, 2019	Earthwork Volume Worksheet, prepared by Land Engineering & Environmental Services, Inc., dated October 18, 2018 and last revised July 22, 2019, and Earthwork Volume Calculations, undated.

STANDARD CONDITIONS

7. Waivers granted: None
8. 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.
9. The development shall comply with the performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Handbook.
10. The Applicant shall provide and maintain erosion and sedimentation controls until the site is permanently stabilized.
11. The Applicant shall inspect and maintain the site and stormwater management systems. Maintenance requirements for the site shall remain in perpetuity with the parcel.
12. 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

5. If applicable, a Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.
6. 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.
7. 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.
8. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
9. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

ISSUED ON November 8, 2019

Request to waive Site Plan Review for 205-207 Lowell Street – Map 48 Parcel 73B Kimberly Kohlhepp, AeroVironment, Inc., Applicant

PRESENT IN INTEREST: Ryan Conner, Conner Design
Kimberly Kohlhepp, AeroVironment, Inc.
Thomas Vaneck, AeroVironment, Inc.

MATERIALS CONSIDERED:

PLAN "Tenant Improvement for Aerovironment" dated October 17, 2019

FLIGHT OPERATION PLAN received October 22, 2019

LETTER from Ryan Conner dated October 22, 2019

R. Conner said he is the architect for Aerovironment. He said the previously approved site fell through so Aerovironment had been looking for another location up until they found this spot. M. Sorrentino asked if the previous one was at Ballardvale Street and R. Conner said yes R. Conner said the company has been around for 50 years developing drone aircrafts. He said this will be their east coast headquarters. They are currently based out of Simi Valley California. They need a small area to test drones indoors and outdoors. He said the drones will be tested on the grassy area. R. Conner said the drones are approximately 2'x2' or smaller. They are controlled by one person and there is limited flight-testing. The testing will be up and down but not a constant airport condition. R. Conner said there will be no changes to the site and no loss of parking. M. Sorrentino asked if the testing will be only in the daytime and asked if there is any certification needed for those operating the drones. T. Vaneck said testing will be done during the day and everyone is FAA certified. S. Hennigan asked how high they fly. T. Vaneck said under FAA rules they can go up 400' but they typically operate below 100'. S. Hennigan asked how big they are and T. Vaneck said the largest ones are the multi-rotors. M. Sorrentio asked if they have cameras and T. Vaneck said they have some with

cameras that detect beach erosion, fuel when there is a fire and, also many wildlife events. M. Sorrentino asked about bridge inspections and T. Vaneck said they have many requests for cameras that can look under the bridges and scan for other problems and one day they will have a camera for that. T. Boland pointed out a tree line. R. Connor said they do not seem close at the site. He said there is no intent to cut any trees down.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review for an indoor/outdoor flight testing of robotic aircraft (drones) with no exterior changes to the building as shown on the plan entitled, "Tenant Improvement For AeroViroment, 205 Lowell Street, Wilmington, MA" dated October 17, 2019; prepared by William R. Bergeron, P.E., Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880.

**Request to waive Site Plan Review for 210 Ballardvale Street – Map R2 Parcel 21
Jenn Robichaud, Barlo Signs, Applicant**

PRESENT IN INTEREST: Brandon Currier, Barlow Sign

MATERIALS CONSIDERED:

PLANS "Wilmington Flexy Sign Placement" dated April 20, 2018 and last revised July 2, 2018
"(4 S/F) Flexy Signs Wilmington, MA" dated May 8, 2019
ARIAL VIEW OF TARGET submitted September 24, 2019

V. Gingrich said 210 Ballardvale is Target and they are proposing to paint 4 of their spaces as pick up spaces. They actually took 4 of their existing spaces and painted it. B. Currier said Target is getting in the future with to-go. They are painting parking spaces with numbers on them. He explained that an individual will download the Target app on their phone, order their products and drive to Target and when the app gets close, the Target employee will have three minutes to gather the items and Target's goal is to bring them to the car within a minute and a half. They are reducing spots by 1 for a total of 505 spaces. V. Gingrich explained the painting is going on the space and B. Currier said the signs are going in the island and the signs bounce if a car hits it. T. Boland asked if there are signs directing people to the new spots and B. Currier said there is nothing currently planned. He said the app shows you even the location of items in the store. M. Sorrentino asked if they are in front of Target and B. Currier said yes. S. Hennigan asked if it impacts any handicap spots and B. Currier said it does not.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request wave Site Plan Review for four parking signs and restriping of parking spaces within the parking lot for Target's pick up service. The flexy signs will be centered in the landscaping at the head of each stall as shown on the plans entitled, "(4S/F) Flexy Signs Wilmington MA" dated May 8, 2019 and "Wilmington MA Flexy Sign Placement" dated April 20, 2018 and last revised July 2, 2018; drawn by Jody Graham, Federal Heath Visual Communications, 12704 DuPont Circle, Tampa, FL 33626.

Request to waive Site Plan Review for 36 Jonspin Road – Map R1 Parcel 306D – Charles Uglietto, Cubby Oil & Energy, Applicant

PRESENT IN INTEREST: Andrew Pojasek, Dana Perkins
Robert G. Peterson, Esq.

MATERIALS CONSIDERED:

PLANS "Proposed Site Plan, Proposed Garage Entrance, #36 Jonspin Road, Wilmington, Massachusetts" dated October 21, 2019 and last revised November 1, 2019

LETTER from Andrew Pojasek, Dana Perkins dated October 22, 2019

LETTER from Charles Ulietto dated October 31, 2019

Attorney R. Peterson told the Board they are looking for a waiver of Site Plan Review. He said C. Uglietto has the building under agreement and the changes he would like to make are minimal. He showed the Board a rendering of the proposed changes. R. Peterson said two garage doors will be installed. Because the business includes biofuel, a portion of C. Uglietto's fleet needs to be stored inside the building. He said they will disturb 500 sq. ft. and making 1,000 sq. ft. at the end of the existing parking lot impervious. R. Peterson said that V. Gingrich asked the owner what the traffic in the area will be and he said there is a total of 27 vehicles which consists of 13 fuel delivery trucks that are housed on site, 2 box trucks and 12 service vans that are not housed on site. They anticipate 11 people coming and going from the site daily. V. Gingrich said the Building Inspector said handi-cap spaces will need to be striped and signed on the site. She asked if the trench drain at the new garage door will be tied into the sewer. A. Pojasek said they will install a tight tank in the area that they are doing the work. V. Gingrich asked that it be added to the plan to see the locations. A. Pojasek said it will be a separate filing that will go directly to DEP per state regulations. R. Holland asked if there will be one or two doors added and Attorney R. Peterson said there will be two overhead doors. He said they can add handi-cap spaces in the front of the building or whatever the Building Inspector requires. A. Pojasek said parking is sized for 100% office use, but in reality, it is no more than 30%. He said there are 170 spaces on site and the applicant has 10 employees. Attorney R. Peterson said they do not do any walk in business.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review for installation of two overhead doors to the existing building and changes to the parking lot as shown on plan entitled "Proposed Site Plan, Proposed Garage Entrance, #36 Jonspin Road, Wilmington, Massachusetts" dated October 21, 2019. The applicant also agrees to add handicap parking to be AAB compliant.

**Request to release surety for 81G Application #16-02 – 21 Pomfret Road – Map 84 Parcel 50
Michael Welch, for Arthur DeBenedictis, Applicant**

A request to release surety for 81G Application #16-02 for 21 Pomfret Road was received.

MATERIALS CONSIDERED:

E-mail from Michael Welch dated October 8, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To release final surety in the amount of three thousand, ninety-one dollars and zero cents (\$3,091.00) plus interest for 81G Application #16-02 for 21 Pomfret Road.

**Request to reduce surety for Garden of Eden Definitive Subdivision #16-01
Map 2 Parcels 201-206, 223-225; Map 3 Parcels 207-222, Joseph A. Langone, Applicant**

A request to reduce surety for Garden of Eden Definitive Subdivision #16-01 was received.

MATERIALS CONSIDERED:

LETTER from Joseph Langone, Northeastern Development Corp. dated October 3, 2019
Engineering Memo dated October 16, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To reduce surety for the Garden of Eden Definitive Subdivision from Plan STA 10+25.2 to Plan STA 27+05.05 (Green Meadow Drive) in the amount of one hundred seventy-five thousand, eight hundred sixty-two dollars and zero cents (\$175,862.00). Surety was presented in the form of a Tri-Party Agreement among Joseph A. Langone, Trustee of the Duffer Realty Trust, Town of Wilmington by its Planning Board, and Stoneham Bank. The Town is withholding the remaining two hundred thirty-two thousand, four hundred ninety-three dollars and zero cents (232,493.00) until the roadway is completed.

**Request to reduce surety for Site Plan Review #15-07 for 110 Eames Street
Map 47 Parcel 17 – Richard Gottschalk, Eames Street Realty Trust, Applicant**

A request to release surety for Site Plan Review #15-07 for 110 Eames Street was received.

MATERIALS CONSIDERED:

E-mail from Richard Gottschalk dated October 7, 2019
Engineering Memo dated October 23, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To release final surety for the Site Plan Review #15-07 for 110 Eames Street in the amount of sixty-nine thousand, one hundred fifteen dollars and zero cents (\$69,115.00) plus interest.

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

VOTED: To adjourn the meeting at 11:11 p.m.

NEXT PLANNING BOARD MEETING: December 3, 2019

Respectfully submitted,



Cheryl Licciardi
Recording Clerk

