



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION  
DEPARTMENT

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**Planning Board Minutes  
December 1, 2015**

The Planning Board met on Tuesday, December 1, 2015 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino Chair; Randi Holland; D. Shedd; Terence Boland; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation, and Michael Vivaldi, Assistant Planner, were also present.

**Minutes**

The Planning Board reviewed Minutes of November 3, 2015.

Upon motion duly made and seconded it was

VOTED: To approve the November 3, 2015 minutes as drafted.

**Form A**

**7 Adams Street - Map 52 Parcel 20 "Claimed Property, Plan of Land, 7 Adams Street, Wilmington, Massachusetts" - William Walsh, Applicant**

**MATERIALS CONSIDERED:**

PLAN "Claimed Property, Plan of Land, 7 Adams Street, Wilmington, Massachusetts" dated November 12, 2015.

V. Gingrich said this parcel of land had no owner of record so the applicant took it upon himself to claim it. The Proposed ANR plan reflected the Court decision.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #15-07 for 7 Adams Street, plan entitled, "Claimed Property, Plan of Land, 7 Adams Street, Wilmington, Massachusetts" dated November 12, 2015, William Walsh, Applicant

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #15-07 for 7 Adams Street, plan entitled, "Claimed Property, Plan of Land, 7 Adams Street, Wilmington, Massachusetts" dated November 12, 2015, William Walsh, Applicant

The Board endorsed the plan.

**Salem Street - Map R1 Parcel 27 "Approval Not Required, Plan of Land, North Reading, Massachusetts, Wilmington, Massachusetts" - Division of Capital Asset Management & Maintenance, Applicant**

**MATERIALS CONSIDERED:**

PLAN "Approval Not Required, Plan of Land, North Reading, Massachusetts, Wilmington, Massachusetts" dated November 17, 2015.

V. Gingrich explained the plan and she showed the entrance to the apartments. She said the applicant is subdividing at the Wilmington/North Reading Town line and the parcel will be sold to the Town of North Reading for economic development. M. Sorrentino asked what the parcel is zoned for. D. McKnight from North Reading said the parcel was owned by the DCAM and being sold to the Town. The Town will be studying possible uses for the site. M. Sorrentino asked if it will be added to any other parcels in town. One of the North Reading Planning Board members said it will be standalone. V. Gingrich asked if lot B is an existing lot. D. McKnight said it is part of the plan set but not part of the ANR.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #15-08 for Salem Street, plan entitled, "Approval Not Required, Plan of Land, North Reading, Massachusetts, Wilmington, Massachusetts" dated November 17, 2015, Division of Capital Asset Management & Maintenance, Applicant

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #15-08 7 08 for Salem Street, plan entitled, "Approval Not Required, Plan of Land, North Reading, Massachusetts, Wilmington, Massachusetts" dated November 17, 2015, Division of Capital Asset Management & Maintenance, Applicant

The Board endorsed the plan.

**Matters of Appointment**

**Lowell Street Rezoning Discussion**

V. Gingrich talked about the proposed rezoning for Town Meeting. She talked about the original intent for Perry's Corner and said today there is a bit of a mixed-use in that area with restaurants and businesses going down Lowell Street. She showed a map and explained that she would like to add Multi-family residential homes by special permit similar to the central

business district but at a lower density. V. Gingrich said this is a section of Wilmington that would allow people to walk to shopping or restaurants with less use of cars. She said the idea would be to upgrade the intersection of Woburn and Lowell Streets and the Lowell Street corridor. The main thing is to add multi-family as a use in the Zoning By-Law. V. Gingrich handed out the Zoning Table which showed her proposed change. V. Gingrich read J. Langone's letter into the record. She said he supports the proposed rezoning change. Selectman, M. McCoy was present and said he met with V. Gingrich and M. Vivaldi about +how this rezoning will work and the benefits of adding mixed-use to Lowell Street. He said he supports this rezoning idea. M. McCoy said kids that grew up in Wilmington, want to stay in the community and this will allow that at a lower rate than a single-family home. He said he is in support of this By-Law rezoning change. Attorney R. Peterson told the Board he did four closings in Tewksbury and three closings last year in Burlington and all were Wilmington residents that could not find anything in Wilmington. He talked about Townhouse style homes. M. Sorrentino said if rezoning is done in a manageable fashion it will be more acceptable at Town meeting. M. McCoy agreed. M. Sorrentino asked if this will add another district and V. Gingrich said yes. V. Gingrich said the thought is to have more of a community wide discussion prior to Town Meeting.

**Public Hearing – Site Plan Review #15-11 for 102 & 104 Lowell Street and Stowmwater Management Permit #15-08 - Map 40 Parcel 171 & Map 49 Parcel 51A - Joseph Langone, Applicant**

PRESENT IN INTEREST – Dennis Griecci, Andover Consultants

**MATERIALS CONSIDERED:**

PLAN "Existing Conditions & Site Details, 102/104 Lowell Street, Wilmington, Mass" dated October 27, 2015

ELEVATION dated October 21, 2015

STORMWATER REPORT dated October 27, 2015

LETTER from Dennis Griecce, Andover Consultants dated October 27, 2015

COMMENTS – DPW memo dated November 30, 2015

D. Griecci told the Board the project is located at 102 & 104 Lowell Street. The applicant is proposing a dentist office but there will be no access from Dartmouth Avenue only Lowell Street. D. Griecci said water, sewer, and gas will be connected to the existing services. He said he is reviewing DPW's comments but believes he will be able to address any issues.

M. Sorrentino read comments into the record.

In response comment number 2 of the DPW memo, D. Griecci said he will add a second catch basin if needed and pointed out where the septic tank is but said it can be relocated if need be.

V. Gingrich pointed out that at the CDTR meeting there were comments about lighting and adding street trees. She told the Board plans will be revised to show those changes. She said the proposal is for two retaining walls close together so the grading needs to be looked at carefully and the area between the walls should be addressed.

D. Shedd asked about the landscaping. D. Griecci told the Board there are proposed trees 25 ft. on the center which was agreed to by DPW. He said there will be a mulch landscaped bed

with potted plants. D. Shedd asked how tall the retaining wall on Dartmouth will be and D. Griecci answered 3 ½ feet. D. Shedd asked if there will be a walkway on Lowell Street leading to the building and D. Griecci said there would just be ramps. D. Shedd asked what plan is in place for snow removal and D. Griecci said he is not sure. He said there will be no lights on the Dartmouth side. M. Sorrentino asked for the retaining wall detail. He asked for it to be made job specific. R. Holland asked for some connection from the Lowell Street to the building entrance. M. Sorrentino said the parking in the back could be employee parking. T. Boland asked if there is sidewalk now and D. Shedd asked how many employees are anticipated. D. Griecci did not have that information.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action until January 31, 2016 for Site Plan Review #15-11 and Stormwater Management Permit #15-08 for 102 & 104 Lowell Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #15-11 and Stormwater Management Permit #15-08 for 102 & 104 Lowell Street to January 1, 2016 at 8:00 p.m.

### **Discuss Stormwater Bylaw Changes**

V. Gingrich told the Board a few issues with the Stormwater Bylaw were identified and one example was approved at the last meeting. V. Gingrich explained that ANR (Approval Not Required) lots and single family lots on public Right-of-Way should be allowed to build a simple stormwater system for each lot. She said the bylaw would have to change so that applicants with multiple ANR lots would not have to file a full Stormwater application and if it passes at Town Meeting, the regulations would be changed. P. Alunni said residential ANR lots should be required to file a Simple Stormwater rather than a full Stormwater. Residential home owners should not have to deal with complicated systems. V. Gingrich said the change would apply to four ANR lots or less.

### **Board of Appeals**

At its meeting on Tuesday, December 1, 2015 the Planning Board voted to recommend as follows:

Case 22-2015 / 11 Muse Avenue Map 40 Parcel 147

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Cases 23-2015 / 140-150 Middlesex Avenue Map 52 Parcel 38

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

## **Old Business**

### **Request for insignificant change for Site Plan Review #04-3 for 316 Lowell Street Map 73 Parcel 52 - Attorney Robert G. Peterson for Derek Santini, Applicant**

A request for an insignificant change to Site Plan Review #04-3 for 316 Lowell Street was received.

PRESENT IN INTEREST – Attorney Robert G. Peterson

#### **MATERIALS CONSIDERED:**

PLAN "Site Layout Plan" dated September 17, 2015

LETTER from Attorney Robert G. Peterson dated October 5

E-MAIL from Robert Peterson dated October 8, 2015

Attorney R. Peterson requested the Board approve the the applicant's new design of a concrete rumble traffic island along Lowell Street and removing the existing island. He said if an individual is driving from Reading, they would be making a right turn to enter. He said the problem is that people cannot see the island in the winter so it's not practical. He would like the Board to approve the new design. Attorney R. Peterson said they are trying to modify it to make it safe. D. Shedd and R. Holland suggested the color be added directly to the concrete and M. Sorrentino said he prefers the color yellow.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the insignificant change to remove the existing island and replace it with a concrete rumble island. The applicant agrees to use yellow or orange colored concrete for the island and paint arrows with the words right turn only and entrance only as indicated on the plan entitled: "316 Lowell Street, Wilmington, MA, Site Layout Plan" dated September 17, 2015; prepared by professional engineer Eugene T. Sullivan.

### **Request to establish surety for North Wilmington Estates Definitive Subdivision #09-02 Map R2 Parcels 1 & 1A, North Wilmington Estates, LLC**

A request to establish surety for was received.

#### **MATERIALS CONSIDERED:**

LETTER from Stephen Lawrenson

Comments - DPW estimates

V. Gingrich explained to the Board that the applicant's bank is still processing the paperwork. She said both McDonald Road and Murray Hill are running up against winter conditions and would like some consideration from the Board.

Upon motion duly made and seconded, it was unanimously

VOTED: To table establishing surety for North Wilmington Estates Definitive Subdivision until the next Planning Board meeting.

**Request to accept surety for North Wilmington Estates Definitive Subdivision #09-02  
Map R2 Parcels 1 & 1A, North Wilmington Estates, LLC**

A request to accept surety for was received.

MATERIALS CONSIDERED:  
LETTER from Stephen Lawrenson

Upon motion duly made and seconded, it was unanimously  
VOTED: To table accepting surety for North Wilmington Estates Definitive Subdivision until  
the next Planning Board meeting.

**Request to release lots for North Wilmington Estates Definitive Subdivision #09-02  
Map R2 Parcels 1 & 1A, North Wilmington Estates, LLC**

A request for to release lots for North Wilmington Estates was received.

MATERIALS CONSIDERED:  
LETTER from Stephen Lawrenson

Upon motion duly made and seconded, it was unanimously

VOTED: To table release lots for North Wilmington Estates Definitive Subdivision #09- 02.

**New Business**

**Decision for Conservation Subdivision Design Special Permit #15-01 for Garden of Eden  
Map 2 Parcels 201-206, 223-225 and Map 3 Parcels 207-222**

A request to withdraw the Conservation Subdivision Design Special Permit was received.

PRESENT IN INTEREST – Doug Lees, Land Engineering & Environmental Services

MATERIALS CONSIDERED:

PLANS "Wilmington, Massachusetts, Chestnut Street" dated June 11, 2015 and last revised  
July 15, 2015 and August 13, 2015, "Yield Plan in Wilmington, Massachusetts, Garden of  
Eden" dated June 11, 2015 and last revised October 23, 2015

SUMMARY SHEET received July 6, 2015

LETTER from Joseph A. Langone, Northeastern Development Corporation dated May 7, 2015

COMMENTS - DPW dated July 30, 2015,

LETTER from Doug Lees dated August 13, 2015

LETTER from Attorney Daniel J. Brown dated August 17, 2015

E-MAIL from Paul Alunni dated September 8, 2015

LETTER for Joseph Langone dated November 25, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To accept the request to withdraw the Conservation Subdivision Design Special  
Permit without prejudice.

**Decision for Conservation Subdivision Design Special Permit #15-02 for Nelson Acres  
Map 57 Parcel 54E - James R. Brothers, Trustee of JRB Realty, Applicant**

PRESENT IN INTEREST – James Brothers  
Attorney George Medeiros  
Steve Dresser, Dresser, Williams & Way, Inc.

**MATERIALS CONSIDERED:**

PLAN "Nelson Acres, Ava Lane, Wilmington, MA" dated August 10, 2015 and last revised October 20, 2015

**PROJECT NARRATIVE**

LETTER from Stephen R. Dresser dated August 12, 2015

LETTER to Planning Board from Stephen R. Dresser dated August 10, 2015

COMMENTS - DPW dated September 1, 2015

The Board had no concerns.

Upon motion duly made and seconded, it was unanimously

**VOTED:** To approve, with standard and special conditions and waivers, the Special Permit to authorize a 5-lot subdivision located off Woburn Street, as shown on a plan entitled: "Nelson Acres, Ava Lane, Wilmington, MA" dated August 10, 2015 and last revised October 20, 2015, registered Professional Engineer: Stephen R. Dresser, Dresser, Williams & Way, Inc., 572 Boston Road, unit 5, Billerica, MA 01821. The Planning Board determined that the proposed project has less detrimental impact on the property and surrounding area than a conventional development. Approval is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 8, 2015 and closing on November 3, 2015, by a motion duly made and seconded, it was voted:

"We the Wilmington Planning Board, as requested by JRB Realty Trust, owner and applicant, under the provisions of Section 8.0 of the Zoning By-Laws of the Town of Wilmington and Board's Special Permit Rules and Regulations, to consider the contemplated site plan development for property addressed off Woburn Street (Assessors Map 57 Parcel 54E), as shown on the plan set sheet entitled: "Nelson Acres – Conservation Subdivision – Ava Lane, Wilmington, MA" dated August 10, 2015 and last revised October 20, 2015, plan set sheets 1 thru 6 and 1 thru 4" prepared by Stephen R. Dresser, P.E, dated August 10, 2015 and last revised October 20, 2015, (the "Concept Plan") (the "Project"), do hereby vote to APPROVE the Special Permit Plan and the Project, subject to the Findings and Conditions below.

**MATERIALS:**

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

	<u>Date Submitted</u>	<u>Description</u>
1.	July 6, 2015	Engineering Narrative
2.	September 24, 2015	Turning Radius Calculations

## **PROCEDURAL HISTORY**

1. Application to construct a Conservation Subdivision Design pursuant to Section 8 of the Wilmington Zoning Bylaws was made by the above-referenced owner and filed with the Planning Board on August 10, 2015.
2. A public hearing on the Special Permit application was held on September 8, 2015 and closed on November 3, 2015.
3. This Special Permit application is accompanied by and augmented by a Concept Plan entitled: "Nelson Acres – Conservation Subdivision – Ava Lane, Wilmington, MA", dated August 10, 2015 and last revised October 20, 2015 and prepared by Dresser, Williams & Way, Inc. and William Fleming Associates, Landscape Architects, as shown as Assessor's Map 57 Parcel 54E.
4. 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:**

### **A. General**

The Planning Board determined that the proposed project has less detrimental impact on the property and surrounding area than a conventional development proposed for the tract after consideration of the following factors:

1. The subject property is located off of Woburn Street, as shown on the Concept Plan entitled "Nelson Acres – Conservation Subdivision – Ava Lane, Wilmington, MA". The combined property consists of 4.77 acres. Development will occur on 2.50 acres. The remaining 2.27 acres, consisting of wetlands and upland, will remain in perpetuity as open space.
2. The applicant proposes to build five (5) single family units on the site. A portion of the property is intended to be deeded to a homeowners' association to manage as open spaces.
3. The development will be served by a way that is proposed for acceptance by the Town. Said way is of suitable pavement width, grade, layout and drainage, so as to be acceptable to the Planning Board for access purposes.

### **B. Special Permit Criteria**

Section 8.11 of the Zoning Bylaw states that the Planning Board may grant a special permit if it determines that the proposed project has less detrimental impact on the property and surrounding areas than a conventional subdivision after considering the following factors:

1. Whether the CSD achieves greater flexibility and creativity in the design of residential developments than a conventional plan;
2. Whether the CSD promotes permanent preservation of open space, agricultural land, forestry land, and other natural resources including water bodies and wetlands resources;



3. Whether the use of the CSD reduces the impacts of development on the Ipswich River as this area is within the Ipswich River Watershed. The impact to other water bodies is reduced through the reduction of water consumption, by minimizing impervious surfaces and through the use of on-site or decentralized wastewater management systems.
4. Whether the CSD promotes a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional subdivision;
5. Whether the CSD reduces the total amount of disturbance on the site;
6. Whether the CSD furthers the goals and policies of the open space plan and Wilmington Master Plan;
7. Whether the CSD facilitates the construction and maintenance of streets, utilities, and public service in a more economical and efficient manner;
8. Whether the CSD contributes to increasing the diversity of available housing in Wilmington;
9. Whether the Concept Plan and its supporting narrative documentation comply with all sections of this zoning bylaw subject to the Planning Board granting waivers as specified below.

The Planning Board has considered all of the above-referenced criteria and will impose conditions in the Special Permit relating to these criteria.

#### C. Specific Findings

1. The applicant has been creative and flexible in designing a plan that addresses the concerns of the Planning Board. The Yield Plan created 5 lots with lots ranging in size from 20,699 to 78,079 square feet, the Concept Plan will create a CSD Layout Plan of 5 lots ranging in size from 9,425 to 24,515 square feet. The homes are proposed to be single family. The open space is primarily at the edges of the entire property to provide a buffer to the homeowners.
2. This area is important for its unique scenic and ecological values. The permanently protected open space includes Bordering Vegetated Wetlands and woodlands.
3. Impervious material is minimized through the reduction of roadway width.
4. Through the CSD approach, the development reduces sprawl by allowing for reduced lot size and reducing the overall length of roadways. With less land contained within the development portion of the site, the CSD is able to better respect existing topography and natural features. The bordering wetlands are protected to a much greater degree.
5. The total amount of disturbance on the 4.77 acre site will not exceed 65%.
6. Adoption of the CSD bylaw was a strong recommendation of the Wilmington Master Plan. It furthers the goals of both the Master Plan and Open Space and Recreation Plan through protection of open space, protection of natural and historic resources, and provision of enhanced opportunity for passive recreation.
7. The new roadway width will be reduced to 24 feet through the flexible design approach of the CSD. This will reduce the cost of maintenance in the future, as well as on-going maintenance such as snowplowing.
8. The development provides an option for families to live adjacent to "open space" by clustering five (5) homes.

## DECISION

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be developed under Section 8 of the Wilmington Zoning Bylaws. It is therefore decided to grant a Special Permit for the development of five (5) single family homes in accordance with the terms and conditions stated below. The following shall be required at the Applicant's sole expense, unless otherwise noted:

1. 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 five (5).
  - b The tract of land on which the single family structures are to be located shall not be altered or used except
    - i as granted by this Special Permit;
    - ii as shown on the Concept Plan entitled: "Nelson Acres – Conservation Subdivision – Ava Lane, Wilmington, MA", dated August 10, 2015 and last revised October 20, 2015, as referenced above; and
    - iii as in accordance with subsequent amendments to the Special Permit.
  - c The entire tract of land 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.
2. All the Open Space areas shown on the Plan shall be owned by a corporation or trust owned by the owners of the lots of the CSD (e.g., a homeowners' association) pursuant to Section 8.9.2.3 of the Wilmington Zoning Bylaw. In accordance with Section 8.9 of the Wilmington Zoning Bylaw, such open space areas shall, in perpetuity, be used only for conservation, open space and stormwater uses and all improvements to and all placements of structures on such areas shall be prohibited, except for stormwater management components, recreational paths and benches as shown on an approved Definitive Subdivision Plan for the parcel. In addition, such open space areas shall be subject to a Conservation Restriction that is approved by and conveyed to the Wilmington Conservation Commission that limits the open space areas to conservation, open space and stormwater uses and prohibits improvement on open space parcels except for stormwater management components, recreational paths and benches as shown on the approved Definitive Subdivision Plan. All declaration of covenants, easement and restrictions and other homeowners association legal documents shall be reviewed and approved by the Director of Planning & Conservation.
3. The Project shall be presented as a Definitive Subdivision in accordance with the Concept Plan Special Permit. The Special Permit shall be reconsidered if there is substantial variation between the Definitive Subdivision Plan and the Concept Plan, as determined by the Planning Board as defined in Section 8.6.3 of the Wilmington Zoning Bylaw.
4. Minimum lot size to be no less than 9,425 s.f.
5. At least 50% of the required setbacks for the underlying R-20 district shall be maintained in the CSD.
  - a Side and rear yard setbacks shall be no less than 10 feet;
  - b Front yard setbacks shall be no less than 20 feet.
6. Lot frontage shall not be less than 50 feet.
7. A detailed tree cutting plan for the roadway and open space areas shall be provided with the Definitive Subdivision Plan. No clearing except for surveying site assessment and soil

testing, shall take place prior to approval of the tree cutting plan. The applicant must provide tree cutting plans for individual lots along with a siting plan for the house when determined. No cutting on individual lots will be allowed prior to a tree cutting plan being approved for the lots.

8. The Definitive Subdivision Plan submission shall include an evaluation to determine if a crosswalk, traffic control devices (i.e. signage) and ADA compliant ramps (with detectable warning panels) are warranted on Woburn Street.
9. The stormwater management system is shown in a conceptual manner and shall be revised through the Definitive Subdivision process to the specifications of the Town.
10. The project is subject to the Wetlands Protection Act and the project shall file with the Conservation Commission concurrently with the Definitive Subdivision plan set.
11. The submission of a Definitive Subdivision Plan shall include all necessary utility analyses as required by the Wilmington Department of Public Works.
12. Off-street parking shall be limited to one side of the new roadway loop to provide clearance for emergency and delivery vehicles.
13. Proposed house locations shall be shown on the Definitive Subdivision Plan. Conceptual sketches of proposed home exteriors shall be submitted with Definitive Subdivision Plan.
14. A composting area shall be designated for each lot and shown on the Definitive Plan.
15. Iron pins shall be installed along property line segment ends for the proposed open space parcels.
16. The Definitive Subdivision Plan shall include a fire hydrant in locations specified by the Wilmington Deputy Fire Chief.
17. Open Space areas shall remain in a natural state as much as possible. Open areas shall be planted / seeded with appropriate native, low-maintenance plants to be shown on the Definitive Subdivision plan.
18. Conditions of approval of all permits issued by other boards or agencies of the Town of Wilmington, including conditions of approval from the Definitive Subdivision Plan emanating from Nelson Acres Concept Plan, shall be considered conditions of approval under this Special Permit. In the event that said permits contain conditions conflicting with the conditions hereof, the Planning Board reserves the right to amend the conditions of this Special Permit, after hearing, so as to render such conditions consistent with one another.
19. These conditions of approval of the Special Permit shall be listed on the cover page of the Definitive Subdivision Plan set.

#### **WAIVERS:**

The Planning Board has reviewed the request for waivers of Section 8 of the Wilmington Zoning Bylaw and approves or denies the same as specifically contained hereinafter.

- A. Approves a waiver of Section 8.10.2.6 to allow the conservation subdivision to be constructed without the 30 foot along Lots 1, 2, and 3.
- B. Approves a waiver of Section 8.10.2.9 to allow the driveways for the individual homes of the conservation subdivision to exceed 12 feet wide.

**Request to reduce surety for Fairfield Road 81G Application #11-03 Map 55 Parcel 142  
Stephen Lawrenson, Applicant**

A request to reduce surety for the Fairfield Road 81G Application #11-03 was received.

**MATERIALS CONSIDERED:**

LETTER from Stephen Lawrenson dated November 30, 2015  
Comments - DPW memo dated December 1, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To release the remaining surety plus interest for the completion of improvements to  
15 Fairfield Road.

**Request to release surety for 81G Application #09-01 for 5 Lexington Street  
Map 69 Parcel 86 - Stephen Lawrenson, Applicant**

A request to reduce surety for 5 Lexington Street 81G Application #09-01 was received.

**MATERIALS CONSIDERED:**

LETTER from Stephen Lawrenson dated November 30, 2015  
Comments - DPW memo dated December 1, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To release the remaining surety plus interest for the completion of improvements to  
5 Lexington Street.

**Request to establish surety for PHASE I of Murray Hill Definitive Subdivision #14-01  
Map 4 Parcels 4K, 6 & 7, C.S Newhouse, Applicant**

A request to establish surety for PHASE I of Murray Hill Definitive Subdivision was received.

**MATERIALS CONSIDERED:**

LETTER from Craig Newhouse  
Comments - DPW memo dated December 1, 2015

Upon motion duly made and seconded, it was unanimously

VOTED: To establish surety for Phase I in the amount of three hundred one thousand, three  
hundred eighty-two dollars and zero cents (\$301,382.00) for the completion of  
PHASE I of Murray Hill from STA 0+00 to STA 12-20 (Eleanor Drive).

**Request to accept surety for PHASE I of Murray Hill Definitive Subdivision #14-01  
Map 4 Parcels 4K, 6 & 7, C.S Newhouse, Applicant**

A request to accept surety for PHASE I of Murray Hill Definitive Subdivision was received.

**MATERIALS CONSIDERED:**

LETTER from Craig Newhouse

Upon motion duly made and seconded, it was unanimously

VOTED: To accept surety for Phase I in the amount of three hundred one thousand, three  
hundred eighty-two dollars and zero cents (\$301,382.00) for the completion of

PHASE I of Murray Hill from STA 0+00 to STA 12-20 (Eleanor Drive). Surety was presented in the form of an IOLTA check.

**Request to release lots 2, 3, 6, 7 & 34 for PHASE I of Murray Hill Definitive Subdivision #14-01 Map 4 Parcels 4K, 6 & 7, C.S Newhouse, Applicant**

A request for to release lots 2, 3, 6, 7, & 34 for PHASE I of Murray Hill Definitive Subdivision #14-01 was received.

MATERIALS CONSIDERED:  
LETTER from Craig Newhouse

Upon motion duly made and seconded, it was unanimously

VOTED: To release Lots 2, 3, 6, 7 & 34 for PHASE I of Murray Hill Definitive Subdivision #14-01

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

VOTED: To adjourn the meeting at 9:20 p.m.

NEXT MEETING is January 5, 2015

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cheryl Licciardi".

Cheryl Licciardi  
Recording Clerk