



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes December 3, 2019

The Planning Board met on Tuesday, December 3, 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 three in favor and one abstention (Angela Marcolina), it was

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

Form A

471 Salem Street – Map 102 Parcel 5 “Plan of Land in Wilmington, MA, 471 Salem Street”, Sherry Iuliano, Applicant

MATERIALS CONSIDERED:

PLAN: “Plan of Land in Wilmington, MA, 471 Salem Street” dated November 19, 2019

PRESENT IN INTEREST: Robert Peterson, Esq.
Doug Iuliano

V. Gingrich said there is a piece of a paper street that is being absorbed into the parcel so the dotted line shown on the plan goes away and the solid line remains. M. Sorrentino asked if the paper street is eliminated and V. Gingrich said it wasn't exactly a paper street, it was something strange shown on an old plan and there was no reason to keep the easement or whatever it was shown as on the old plan. V. Gingrich asked the resident if the piece of property has always been floating and if there were any fences. D. Iuliano said the previous owner had a fence on it. Attorney Peterson said he built the house and that piece of property had two separate subdivision plans filed. He said at one point there was supposed to be a road going into Hathaway Acres and they filed a new subdivision plan and they intended to add that piece but it was hanging in limbo for 50 years.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #19-03 for 471 Salem Street – Map 102 Parcel 5, “Plan of Land in Wilmington, MA, 471 Salem Street” dated November 19, 2019, Sherry Iuliano, Applicant

RECEIVED
TOWN CLERK
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TOWN OF WILMINGTON, MA

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #19-03 for 471 Salem Street – Map 102 Parcel 5, “Plan of Land in Wilmington, MA, 471 Salem Street” dated November 19, 2019, Sherry Iuliano, Applicant

The Board endorsed the plan.

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 withdraw Site Plan Review #19-11 & Stormwater Management Permit #19-08 for 225 Andover Street was received.

MATERIALS CONSIDERED:

E-MAIL from Attorney Robert G. Peterson dated November 25, 2019

Upon motion duly made and seconded, it was

VOTED: To accept the request to withdraw Site Plan Review #19-11 & Stormwater Management Permit #19-08 for 225 Andover Street without prejudice.

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

PRESENT IN INTEREST: Ryan Lynch

MATERIALS CONSIDERED:

PEER REVIEW LETTER from Robert Niccolli, TEC dated November 25, 2019

STRUCTURAL ANALYSIS REPORT dated November 20, 2019

STRUCTURAL RESPONSE LETTER from Joseph R. Johnston, Infinigy, dated November 20, 2019

GEOTECHNICAL INVESTIGATION REPORT dated November 14, 2019

R. Lynch told the Board the last time they met the Board requested a revision based on TEC's peer review. He said his team did a geotechnical survey following that and incorporated that into their Structural Analysis results. The revised report was sent back to TEC and they had no further comments. The Board had no further questions. V. Gingrich said the conditions are standard.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #19-07 for 773 Salem Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #19-07 for 773 Salem Street as shown on plan “AT&T, LTE 3C/4C/5C, Wilmington, MA Salem Street”, Sheets T1 through

S3, dated August 30, 2018 and last revised November 1, 2018, prepared by John S. Stevens, P.E., Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205. Said property is located at 773 Salem Street, Wilmington, MA 01887 and shown on Assessor's Map R1 Parcel 23.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on July 9, 2019 and closing on December 3, 2019, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Smartlink LLC for AT&T, 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 773 Salem Street to replace 3 wireless antennas and 3 remote radio units, and add 3 remote radio units, 1 raycap surge arrestor, 2 DC cables and 1 fiber line to the existing facility as shown on plan entitled "AT&T, LTE 3C/4C/5C, Wilmington, MA Salem Street", Sheets T1 through S3, dated August 30, 2018 and last revised November 1, 2018, prepared by John S. Stevens, P.E., Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205, submitted on June 3, 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:

| <u>Date submitted</u> | <u>Description</u> |
|-----------------------|--|
| June 3, 2019 | Permit Authorization Letter, prepared by Greg Thompson, K2 Towers II, LLC, undated. |
| June 3, 2019 | Permit Authorization Letter, prepared by Judith Shea, Concrete Investments, LLC, dated February 5, 2019. |
| June 3, 2019 | Structural Response Letter, prepared by Joseph R. Johnston, P.E., Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205, dated May 22, 2019. |
| June 3, 2019 | Structural Analysis Report, prepared by Joseph R. Johnston, P.E., and Brendan Archer, Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205, dated May 17, 2019. |
| August 5, 2019 | Revised Structural Analysis Peer Review, prepared by Jody P. Trunfio, P.E., and Adam J. Coccoluto, E.I.T., TEC, 146 Dascomb Road, Andover, MA 01810, dated August 2, 2019. |
| September 12, 2019 | TIA Condition Assessment, prepared by Reese Tower Services, 1044 St. John's Road, Drums, PA 18222, dated August 29, 2019. |
| September 12, 2019 | Structural Analysis Report, prepared by Joseph R. Johnston, P.E., and Brendan Archer, Infinigy, 1033 |

Watervliet Shaker Road, Albany, NY 12205, dated September 12, 2019.

| | |
|--------------------|--|
| September 12, 2019 | Structural Response Letter, prepared by Joseph R. Johnston, P.E., Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205, dated September 12, 2019. |
| September 23, 2019 | Revised Structural Analysis Peer Review, prepared by Jody P. Trunfio, P.E., and Adam J. Coccoluto, E.I.T., TEC, 146 Dascomb Road, Andover, MA 01810, dated September 20, 2019. |
| November 21, 2019 | Structural Response Letter, prepared by Joseph R. Johnston, P.E., Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205, dated November 20, 2019. |
| November 21, 2019 | Structural Analysis Report, prepared by Joseph R. Johnston, P.E., Infinigy, 1033 Watervliet Shaker Road, Albany, NY 12205, dated November 20, 2019. |
| November 21, 2019 | Geotechnical Investigation Report, prepared by Erin Benson, E.I., 1033 Watervliet Shaker Road, Albany, NY 12205, and reviewed by Michael L. Lassiter, P.E., dated November 14, 2019. |
| November 27, 2019 | Revised Structural Analysis Peer Review, prepared by Bob Niccoli, P.E., S.E., and Adam J. Coccoluto, E.I.T., TEC, 146 Dascomb Road, Andover, MA 01810, dated November 25, 2019. |

FINDINGS:

1. The Project site is shown on Map R1 Parcel 23 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 ISSUANCE OF A BUILDING PERMIT:

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

POST CONSTRUCTION:

8. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineering Director shall be submitted to the Engineering Director and Director of Planning and Conservation.

Continued 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

PRESENT IN INTEREST: Attorney Robert G. Peterson
Luke Roy, LJR, Engineering
Michael Scully, M.J. Scully & Co.

MATERIALS CONSIDERED:

PLAN "Site Plan, 900 Main Street" dated August 27, 2019 last revised November 11, 2019
STORMWATER ANALYSIS dated August 2019 and last revised November 11, 2019
ELEVATIONS AND FLOOR PLAN dated October 16, 2019, received November 15, 2019
EXISTING BUILDING PHOTOS received November 14, 2019
OUTDOOR STORAGE LIST received November 15, 2019
PHOTOMETRIC PLAN received November 15, 2019
RESPONSE LETTER from Luke Roy dated November 12, 2019
ENGINEERING MEMO dated November 20, 2019

R. Peterson introduced members of his team and told the Board he was in touch with V. Gingrich and they received a draft decision as well as the remaining Town Engineer's comments. L. Roy said there were quite a few minor plan revisions. He said there is a rolling gate that was added at the back end of the building as well as a proposed dumpster location as requested. He said he provided basic pictures and floor plan for the existing building. L. Roy said the parking calculations were revised to reflect industrial use criteria as requested

and added one additional space. He said he provided a list of materials the applicant intends to store at the rear of the building. The Engineering Division recommended that a portion of the rear storage area be paved and that is shown on the revised plan. The stormwater system has been updated to accommodate the additional paved area. He said an oil grit separator tank was added to the plan. L. Roy said there was a follow-up comment from Engineering regarding the way this was piped. He said that it can be rectified if the Board wants to include it in a condition in the decision.

M. Sorrentino read comments into the record.

V. Gingrich discussed the proposed phasing. She said Phase I will start within two years and Phase II will start within three years. She asked if the dumpster will be put on a pad and how will it be accessed. L. Roy said he can provide a detail. M. Scully said it will be accessed from the parking area and enclosed and picked up during normal business hours. V. Gingrich pointed out that the parking space in that area will not be able to be used while the dumpster is being accessed. She said it is written into a condition that prior to endorsement a dumpster detail will be added to the plan.

V. Gingrich said there are no lights at the front of the building shown on the lighting plan so the decision has that condition to add them to the plan prior to endorsement. She said she also included that the height and material of the rolling gate be labeled on the plan.

Upon motion duly made and seconded, it was unanimously

VOTED: To close 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.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #19-13 for 900 Main Street as shown on plan entitled "Site Plan, 900 Main Street", dated August 27, 2019 and last revised November 11, 2019, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864. Said property is located at 900 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 24 Parcel 33A.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) closing on December 3, 2019, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Michael Scully, 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 900 Main Street for renovating and expanding the existing building for office and storage and constructing associated site improvements, as shown on plan entitled "Site Plan, 900 Main Street", dated August 27, 2019 and last revised November 11, 2019, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864, submitted on September 4, 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:

| <u>Date submitted</u> | <u>Description</u> |
|-----------------------|---|
| September 4, 2019 | Stormwater Analysis, prepared LJR Engineering, 234 Park Street, North Reading, MA 01864, dated August 2019 and last revised November 11, 2019. |
| November 15, 2019 | Elevations and Floor Plan, prepared by Eugene T. Sullivan, P.E., Consulting Engineers, 230 Lowell Street, Suite 2A, Wilmington, MA 01887, dated October 16, 2019. |
| November 15, 2019 | Photographs of the existing building, undated. |
| November 15, 2019 | "900 Main St. Outdoor Storage," prepared by M.J. Scully & Co., Inc., undated. |
| November 15, 2019 | Photometric Plan, prepared by Apex Lighting Solutions, undated. |
| November 15, 2019 | Response to Comments, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864, dated November 12, 2019. |

FINDINGS:

1. The Project site is shown on Map 24 Parcel 33A 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. The Project is anticipated to be completed in two phases. Phase 1 will include site improvement except for final paving and Phase 2 will include reconstruction of the building with addition and final paving. If no substantial construction has commenced on Phase 1 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. If no substantial construction has commenced on Phase 2 within three (3) 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 three-year period shall run from the date of the final decision on the appeal.
4. The provisions of this conditional approval shall apply to and be binding upon the Applicant, its employees and all successors and assigns in interest or contract.
5. The Project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
6. Any revisions shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the Applicant must submit revised plans to the Planning Board for approval.
7. During construction, work shall not start before 7:00 a.m. and shall be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment shall not be started before 7:00 a.m.

PRIOR TO ENDORSEMENT OF THE PLAN:

8. The plans shall be revised to show the proposed oil/grit separator designed as an offline device.
9. The plans shall be revised to indicate that the existing roof leaders will be directed to the stormwater infiltration system during Phase 1.
10. The plans shall be revised to indicate the height and materials of the proposed rolling gate.
11. The plans shall be revised to show the proposed dumpster located on a concrete pad or pavement and provide a detail with the enclosure.
12. The plans shall be revised to include adequate lighting at the front of the building.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

13. The Wilmington Fire Department shall review and approve all building plans.

PRIOR TO START OF CONSTRUCTION:

14. A pre-construction meeting shall be scheduled with the Department of Planning & Conservation and Town Engineer. The developer shall submit a construction schedule at the time of the pre-construction conference.
15. A Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.
16. Erosion controls shall be installed in accordance with the Stormwater Management Plan 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:

17. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
18. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.
19. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy for each phase. 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.

POST CONSTRUCTION:

20. 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.
21. The Owner shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Project site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
22. The Owner shall use good housekeeping practices as outlined in the Operation and Maintenance Plan to maintain the site and keep it in good working condition. The Owner shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long-term pollution prevention plan to the Department of Planning & Conservation.
23. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project shall be the Owner's responsibility.
24. Snow shall be removed from the site in a timely manner following a snow event to ensure adequate parking and circulation.
25. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
26. Final As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.

Upon motion duly made and seconded, it was unanimously

VOTED: To issue Stormwater Management Permit #19-11 for 900 Main 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**

December 6, 2019

ISSUED for Property located at 900 Main Street, Wilmington, Massachusetts (Map 24 Parcel 33A)

Case No.: Stormwater Management Permit **#19-11**

Applicant: Mr. Michael Scully, M.J. Scully & Co., Inc., c/o 900 Main Street, LLC, 314 Main Street, Suite 201, Wilmington, MA 01887

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and Operation & Management Plan entitled "Site Plan, 900 Main Street", dated August 27, 2019 and last revised November 11, 2019, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864, for the property located at 900 Main Street and shown on Assessor's Map 24 Parcel 33A, material originally submitted on September 4, 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> |
|-----------------------|--|
| September 4, 2019 | Stormwater Analysis, prepared LJR Engineering, 234 Park Street, North Reading, MA 01864, dated August 2019 and last revised November 11, 2019. |
| November 15, 2019 | Response to Comments, prepared by Luke J. Roy, P.E., LJR Engineering, 234 Park Street, North Reading, MA 01864, dated November 12, 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. 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.
4. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
5. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

ISSUED ON December 6, 2019

**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 November 11, 2019
SIGHT DISTANCE EASEMENT received November 8, 2019
ENGINEERING MEMO dated November 21, 2019
RESPONSE LETTER to Town Engineer from Jack Szemplinski dated November 14, 2019 and November 25, 2019
RESPONSE LETTER to Planning from Jack Szemplinski dated November 14, 2019
WAIVER REQUEST LETTER from Jack Szemplinski dated November 14, 2019

J. Szemplinski said this is a Conservation Subdivision with 18 lots and 2 of the lots will be conventional. He explained the change of the septic design with a temporary crossing of the wetlands. He said he added that the septic systems for lots 1 & 2 are 20' apart.

M. Sorrentino asked about the granite bounds and J. Szemplinski said that was corrected and the revised plan showing the correction was submitted. V. Gingrich read the requested waivers.

Upon motion duly made and seconded, it was

VOTED: To close the public hearing for Definitive Subdivision #19-02 for Highland Estates, as shown on plan entitled: "Highland Estates, Tax Map 10 Lots 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, 45 Hopkins Street, Wilmington, Massachusetts," dated May 10, 2019 and last revised November 22, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053, for the property located at 45 and 47 Hopkins Street, 8 Sarafina's Way, and abutting parcels off Sarafina's Way, Peabody Avenue, Lynn Avenue, and Reading Avenue, and shown on Assessor's Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A.

Upon motion duly made and seconded, it was

VOTED: To approve with conditions and waivers the Definitive Subdivision #19-02 for Highland Estates, as shown on plan entitled: "Highland Estates, Tax Map 10 Lots 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, 45 Hopkins Street, Wilmington, Massachusetts," dated May 10, 2019 and last revised November 22, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053, for the property located at 45 and 47 Hopkins Street, 8 Sarafina's Way, and abutting parcels off Sarafina's Way, Peabody Avenue, Lynn Avenue, and Reading Avenue, and shown on Assessor's Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A. The proposed subdivision is for eighteen (18) lots, including one (1) lot with an existing single-family home and sixteen (16) lots subject to the Conservation Design Special Permit issued September 14, 2018. Approval is subject to the following standard and special conditions and waivers:

PROCEDURAL HISTORY

1. Application for Definitive Subdivision approval pursuant to M.G.L. Chapter 41, Section 81-L was made by the above-referenced owner and filed with the Planning Board on July 12, 2019. Definitive Subdivision Plan entitled: "Highland Estates, Tax Map 10 Lots 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, 45 Hopkins Street, Wilmington, Massachusetts," dated May 10, 2019 and last revised November 22, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053, for the property located at 45 and 47 Hopkins Street, 8 Sarafina's Way, and abutting parcels off Sarafina's Way, Peabody Avenue, Lynn Avenue, and Reading Avenue, and shown on Assessor's Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A and containing eighteen (18) lots.
2. A public hearing on the Definitive Subdivision application was first held on September 10, 2019. The public hearing was continued to October 1, 2019 and November 5, 2019, and the public hearing closed on December 3, 2019.
3. This Definitive Subdivision application is accompanied and augmented by the following:
 - a. "Highland Estates Subdivision, Hopkins St. Wilminton" Project Narrative, dated June 12, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053;

- b. "Short Traffic Study," dated June 10, 2019 and revised September 3, 2019 and October 21, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053;
 - c. "Stormwater Management & Erosion Control Report," dated May 10, 2019 and revised September 16, 2019 and October 15, 2019, prepared by Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053;
 - d. Drainage Plans "Pre Development Drainage Worksheet", "Post Development Drainage Worksheet", "Catch Basin Drainage Worksheet", and "Impermeable Surfaces to Ponds," dated May 10, 2019 and revised August 28, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053;
 - e. "Test Pits," dated from October 20, 2014 to April 16, 2019;
 - f. "Minimum Turning Path for Bus Design Vehicle," undated;
 - g. "Waiver Request," dated September 16, 2019, and revised October 21, 2019 and November 14, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053;
 - h. "Hydraulic Analysis and Report," prepared by Michael R. Cunningham, P.E., Kleinfelder, 1 Beacon Street, Suite 8100, Boston, MA 02108;
 - i. Typical Architectural Elevations and Floor Plan, "Sample Plan, Colonial Home," undated;
 - j. "Declaration of Trust of Highland Estates Homeowners Association Trust, Including Obligations to the Town of Wilmington" (Draft), undated, submitted October 22, 2019, prepared by Attorney Charles Houghton.
4. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review Team. 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

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 factors defined in the Conservation Subdivision Design Special Permit.

The Planning Board determined that the Definitive Subdivision Plan does not substantially vary from the Concept Plan presented and approved in the Conservation Subdivision Design Special Permit issued on September 14, 2018.

DECISION

STANDARD CONDITIONS:

1. Subdivision shall be constructed in accordance with the requirements of the Subdivision Rules and Regulations (with the exception of the waivers listed below) and any other applicable regulations of the Town of Wilmington, including:
 - a. State Wetlands Protection Act.
 - b. Title 5 and local regulations of the Board of Health.
 - c. Requirements of the Water and Sewer Department and Fire Department.

2. Any modification to the approved plans must receive the prior approval of the Planning Board.
3. The conditions of approval of this subdivision shall be placed on the original plans prior to endorsement by the Planning Board.
4. Following the statutory 20-day appeal period, the Planning Board will sign the original subdivision plans, which shall be recorded at the Middlesex North Registry of Deeds. Prior to the endorsement of plans, the following items must be submitted for approval by the Planning Board:
 - a. A Covenant or financial surety, in a form and amount acceptable to the Planning Board, to secure the construction of ways and installation of municipal services, including required description of mortgages and assents of mortgages.
 - b. Required Covenant shall reflect a condition that the work under the approved subdivision plan shall be completed within one (1) year from the date of approval of the plan. Failure to complete the work prior to that deadline shall require a new application and Definitive Plan in accordance with the then in effect Rules and Regulations to be filed with and approved by the Board unless an extension of time is requested and granted.
 - c. Acceptable form of grants of easements.
5. Within five (5) days of the transfer of ownership of the subdivision, the Planning Board shall be notified in writing of the new property owner's name and address.
6. A financial surety of 10% of the total value of the work within the subdivision shall be held by the Planning Board for eighteen (18) months following completion of streets and municipal services to ensure maintenance of the subdivision infrastructure.
7. At least one (1) week prior to the start of work, a pre-construction meeting shall be scheduled with the Department of Planning & Conservation, Engineering Division, and any other Town Department to review the construction schedule, permitted drawings, and permit conditions.
8. At the time of the pre-construction meeting, the developer may also be required to submit a 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 and approval by the Planning Board or its agent.
9. The Developer shall be required to show evidence that all required local, state, or federal permits and approvals have been obtained at the time of the pre-construction meeting.
10. The Applicant shall assume the cost of construction monitoring and other consultant costs and fees incurred in connection with ensuring compliance with these conditions. An estimate of hours required and costs of monitoring shall be provided at the time of the pre-construction meeting. The Applicant shall, prior to the start of construction, be required to place on deposit with the Planning Board an amount sufficient to cover the anticipated cost of monitoring by the Planning Board or its agent. Any remaining funds at the conclusion of the 18-month monitoring period set forth in Condition 6 shall be returned to the Applicant. If additional funds are required, the Applicant shall provide such funds within fourteen (14) days to the Department of Planning & Conservation.

11. Prior to the release of any lots within the subdivision, the following conditions shall be met:
 - a. The Wilmington Board of Health shall have approved on-site septic system plans.
 - b. The construction of the roadway shown on the subdivision plan shall be completed through the binder course, as well as corresponding utilities and stormwater management system.
 - c. Acceptable form and amount of surety shall be on deposit with the Planning Board along with a proposed schedule of releases. If partial release of surety is to be requested, the Planning Board may, at its discretion, require deposits to be broken down in amounts of anticipated requests for release.
12. Developer shall maintain fee interest in the roadway until such time as it is transferred to the Town. As-Built Plans and Street Acceptance Plans in accordance with the Town's Rules and Regulations Governing the Subdivision of Land and Section 11.2.3 of the Town of Wilmington Stormwater Management Regulations will be required.
13. The Developer will be responsible for informing each buyer via written statement contained in the property deed that the homeowner acknowledges that trees planted within twenty (20) feet of the front property line on private lots are protected as Public Shade Trees and are not to be cut without a public shade tree hearing as defined in M.G.L. Chapter 87. In addition, the Developer agrees to complete Wilmington's 'Private Property Street Tree Planting Form' supplying the original to the Wilmington Department of Public Works and a copy to the Department of Planning & Conservation.
14. Upon completion of work in the subdivision and prior to final release of surety, the Developer shall submit As-Built Plans and Street Acceptance Plans for review and approval by the Planning Board. As-Built Plans must include the trails.
15. Blasting materials, if needed, must be reviewed for ground water contaminants with the Board of Health and Fire Department.
16. During construction, work shall not start before 7:00AM and be shall be completed by 7:00PM Monday-Friday. No work is allowed on Sundays and Holidays. Work on Saturdays may be permitted with written consent from the Department of Public Works. Construction equipment shall not be started prior to 7:00AM.
17. Notice of the start of construction will be distributed to abutting properties two (2) weeks prior to the commencement of construction.

SPECIAL CONDITIONS:

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 in this subdivision shall be seventeen (17).
 - b. The tract of land on which the single-family structures are to be located shall not be altered or used except as granted by the Conservation Subdivision Design Special Permit issued September 14, 2018.

2. Minimum lot size to be no less than 16,097 square feet.
3. At least 50% of the required setbacks for the underlying R-20 district shall be maintained in the CSD except as noted in Condition 16 below.
 - a. Side and rear yard setbacks no less than 10 feet;
 - b. Front yard setbacks no less than 20 feet.
4. At least 50% of the required setbacks for the underlying R-60 district shall be maintained in the CSD except as noted in Condition 16 below.
 - a. Side and rear yard setbacks no less than 12.5 feet;
 - b. Front yard setbacks no less than 25 feet.
5. Lot frontage shall not be less than 50 feet.
6. Wetland impacts shown on lot 10 shall be temporary and disturbance shall be minimized. Erosion controls shall be installed and inspected by the Department of Planning & Conservation prior to disturbance. The Developer shall supply proof of all federal and state permits for wetland impacts prior to disturbance. Restoration shall be completed immediately and consist of native wetland seed and plants as approved by the Director of Planning & Conservation. Monitoring reports shall be submitted after one full growing season.

PRIOR TO ENDORSEMENT:

7. The plans shall be revised to relabel the waivers requested as waivers granted.
8. Sheets 4 and 5 of the plan set shall be revised to include a note that states, "All roadway monuments shall be 6"x6"x4' granite bounds; all property corner monuments shall be set with iron rods."

PRIOR TO CONSTRUCTION AND ISSUANCE OF A BUILDING PERMIT:

9. Erosion controls shall be installed in accordance with the Stormwater Management Plan and shall be inspected by the Department of Planning & Conservation at least two (2) business days prior to the start of construction.
10. Homeowners Association (HOA) documents shall be submitted for review prior to the issuance of the first Building Permit. The HOA documents shall include the stormwater management Operation and Maintenance Plan and the maintenance of Open Space.
11. Prior to the issuance of a Building Permit, the sight line easement deed, in a form acceptable to the Town, shall be recorded at the Middlesex North Registry of Deeds, and a copy of the recorded easement shall be provided to the Department of Planning & Conservation.
12. The applicant shall demonstrate compliance with NPDES permit filing requirements and shall submit one (1) copy of the checklist for the Stormwater Pollution Prevention Plan to the Department of Planning & Conservation AND one (1) copy to the Engineering Division prior to commencing construction.

13. The Applicant or designated authority shall give reasonable notice to the Engineering Division for inspection prior to installing any utility, roadway sub-base, pavement, proposed stormwater management system or installation of other critical design components identified during the pre-construction meeting.
14. The trails shall be laid out in the field by the Developer or his representative in consultation with the Director of Planning & Conservation prior to construction.
15. The Applicant must maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Hopkins Street. Street sweeping and replacement of the stones for the construction entrance may be needed from time to time throughout the phases of the construction.
16. Homes exceeding 2,750 s.f. of usable living area excluding basements, garages and attics shall contain side yard setbacks of at least 20 feet, with the exception of lot 7, which shall be a single story structure with setbacks as shown on the plan. Calculations of usable living area shall be included with each Building Permit application. The Developer is encouraged to provide outdoor living spaces, such as porches, on the front of residential structures, facing the street.

PRIOR TO OCCUPANCY:

17. The 6"x6"x4' granite bounds along the street and iron rods at property corners (including open space) shown on Sheets 4 and 5 shall be installed.
18. The post and rail fence along the full northern boundary of the isolated wetland on lots 9, 10, and 11 shall be installed.
19. Illumination of the street lights shall be light emitting diodes (LED) for improved energy efficiency. The lights shall be illuminated throughout the Definitive Subdivision prior to request for the first Certificate of Occupancy. The Developer shall pay any electricity charges until street acceptance.
20. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall record a permanent deed restriction, in a form acceptable to the Town, for the Open Space shown on the approved site plan in accordance with Section 8.9 of the Zoning Bylaw.
21. Prior to issuance of the first Certificate of Occupancy, all Open Space improvements shall be completed (trails, parking area, parking area signage, Open Space perimeter tags, and trail markers). Final trail signage plan shall be reviewed and approved by the Department of Planning & Conservation prior to installation.
22. All maintenance responsibility for drainage structures and Best Management Practices (BMPs) for the Project within the private property lines shall remain with the Owner.
23. The operation and maintenance of Ponds 1 and 2 shall remain with the Owner and the Owner's successors (HOA).

WAIVERS:

The Planning Board has reviewed the request for waivers of the Subdivision Rules and Regulations and approves or denies the same as specifically contained hereinafter.

1. Approves a waiver of Section III(C) paragraph 2.r to allow the Applicant to omit the required identification of all existing trees with trunks over twelve (12) inches in diameter within the minimum front, side, and rear yards and all other trees which are to be retained. Individual lots will be reviewed for tree clearing prior to construction.
2. Approves a waiver of Section IV(A) paragraph 5.a to allow a dead end street to exceed 500 feet maximum length. Darby Lane is approximately 1,170 feet in length.
3. Approves a waiver of Section IV(A) paragraph 5.b to allow a dead end street to have a turn-around at the end of less than 100 feet. The Darby Lane turn-around diameter is 96 feet.
4. Approves a waiver of Section V(B) paragraph 2 to allow a minor street roadway width of less than 32 feet. Darby Lane is 26 feet wide.
5. Approves a waiver of Section V(D) paragraph 1 to allow the sidewalk to be immediately adjacent to the street and the grass strip to be on the other side of the sidewalk.
6. Approves a waiver of Section V(D) paragraph 2 to allow no sidewalk on the west side of Darby Lane from Hopkins Street to Station 1+55, Rt. +/-, as shown on the plans.

Upon motion duly made and seconded, it was

VOTED: To issued Stormwater Management Permit #19-09 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**

December 6, 2019

ISSUED for Property located at 45 and 47 Hopkins Street, 8 Sarafina's Way, and abutting parcels off Sarafina's Way, Peabody Avenue, Lynn Avenue, and Reading Avenue, Wilmington, Massachusetts (Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A) (Highland Estates Subdivision)

Case No.: Stormwater Management Permit #19-09

Applicant: Mr. James Castellano, Lilly Oak Hill, LLC, 8 Sarafina's Way, Wilmington, MA 01887

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and Operation & Management Plan entitled "Highland Estates, Tax Map 10 Lots 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, 45 Hopkins Street, Wilmington, Massachusetts," dated May 10, 2019 and last revised November 22, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053, for the property located at 45 and 47 Hopkins Street, 8 Sarafina's Way, and abutting parcels off

Sarafina's Way, Peabody Avenue, Lynn Avenue, and Reading Avenue, and shown on Assessor's Map 10 Parcels 5, 5A, 6, 36, 37, 38, 39, 40, 49, 50, 51, and 52A, material originally submitted on July 12, 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> |
|-----------------------|---|
| July 12, 2019 | Project Narrative, dated June 12, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053. |
| July 12, 2019 | "Stormwater Management & Erosion Control Report," dated May 10, 2019 and revised September 16, 2019 and October 15, 2019, prepared by Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053. |
| August 15, 2019 | "Test Pits," dated from October 20, 2014 to April 16, 2019. |
| September 16, 2019 | Drainage Plans "Pre Development Drainage Worksheet", "Post Development Drainage Worksheet", "Catch Basin Drainage Worksheet", and "Impermeable Surfaces to Ponds," dated May 10, 2019 and revised August 28, 2019, prepared by Jack A. Szemplinski, P.E., Benchmark Engineering, Inc., 1F Commons Drive, Suite 35, Londonderry, NH 03053. |

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

6. A Stormwater Pollution Prevention Plan shall be submitted prior to any land disturbing activity at the site.
7. 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.
8. 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.
9. The two (2) infiltration basins shall never be used as temporary sedimentation basins during construction.
10. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
11. The Operation and Maintenance Plan shall be recorded prior to issuance of the first Certificate of Occupancy.

ISSUED ON December 6, 2019

**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
Bryan Blake, The Seyon Group

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. McCarthy told the Board that at the last meeting, he had addressed all the comments received. Since the last meeting, he had a meeting with V. Gingrich related to traffic mitigation and contribution towards funding for Towns overall Master Plan for improvements. The applicant agrees to provide mitigation in the amount of \$25,000.00. He said he received the draft decisions and is satisfied. M. Sorrentino asked if the Town Engineer had comments and V. Gingrich said the Town Engineer's concerns were worked into conditions. She said most of the comments were related to videoing the drainage. V. Gingrich said prior to endorsement, the applicant will video drainage at the front of the building. B. McCarthy said the one drain-line they could not access is at the very front of the building. He said he had a conversation with the Town's reviewer for the sewer line the middle of last week and they said they had no

issues with the design and they could write their memo but it should be completed this week. M. Sorrenitno asked if anything changed from the last meeting with accessing the road and B. McCarthy said there has been no changes.

M. Sorrentino asked if there were any concerns from the audience. There were none.

V. Gingrich reviewed the conditions of approval.

Upon motion duly made and seconded, it was

VOTED: To close the public hearing for Site Plan Review #19-06 & Stormwater Management Permit #19-05 & Parking Special Permit #19-01 for 613 Main Street.

Upon motion duly made and seconded, it was

VOTED: To approve Site Plan Review #19-06 for 613 Main Street as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on June 4, 2019 and closing on December 3, 2019, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Bryan Blake, 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 613 Main Street for demolishing a portion of the existing 411,733 SF building to add 21 loading docks to serve the proposed 387,749± SF building, and increasing the total number of parking spaces to 330, as shown on plan entitled "Site Plan for Redevelopment of 613 Main Street, Wilmington, MA", dated April 15, 2019 and last revised October 18, 2019, prepared by Brian P. Dundon, P.E., RJ O'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180, submitted on May 10, 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:

| <u>Date submitted</u> | <u>Description</u> |
|-----------------------|---|
| May 10, 2019 | "Site Plan Review and Special Permit Project Narrative, 613 Main Street", undated. |
| May 10, 2019 | Traffic Impact and Access Study, prepared by Ronald Muller, P.E., Ron Muller & Associates, 56 Teresa Road, Hopkinton, MA 01748, dated March 29, 2019. |
| May 10, 2019 | Stormwater Report, prepared by RJ O'Connell & Associates, Inc., dated April 15, 2019 and revised September 17, 2019 and October 18, 2019. |

| | |
|--------------------|---|
| July 8, 2019 | "Engineering Peer Review for Traffic and Parking at the Proposed Warehouse Redevelopment at 613 Main Street", prepared by Wing Wong, P.E., PTOE, Green International Affiliates, Inc., dated July 2, 2019. |
| September 11, 2019 | "Response to Traffic Comments, Warehouse Redevelopment, 613 Main Street, Wilmington", prepared by Ron Muller & Associates, dated September 11, 2019. |
| September 16, 2019 | "Site Plan Rev. #19-06, Stormwater Management Permit #19-05, and Parking Relief Special Permit #19-01," Memo to respond to Site Plan comments made by Green International Affiliates, Inc., prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated September 16, 2019. |
| September 16, 2019 | Response to Comments, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated September 16, 2019. |
| September 16, 2019 | Response to Comments made by the Engineering Division, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated September 16, 2019. |
| September 23, 2019 | "Truck Maneuvering Plan", prepared by Brian P. Dundon, P.E., RJ O'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180, dated September 16, 2019 and last revised October 18, 2019. |
| September 23, 2019 | "Proposed Loading Dock Expansion", Floor Plans & Elevations, prepared by NDA Architects, Newbury Design Associates, 205 Newbury Street, Framingham, MA 01701, dated September 10, 2019. |
| September 23, 2019 | "Interior Landscape Figure", prepared by RJ O'Connell & Associates, Inc., dated April 15, 2019. |
| September 23, 2019 | "Proposed Site Lighting", prepared by ReflexLighting, 7 Tide Street, Boston, MA 02210, dated September 11, 2019. |
| October 15, 2019 | "Engineering Peer Review for Traffic and Parking at the Proposed Warehouse Redevelopment at 613 Main Street, Comment Follow-up Letter", prepared by Wing Wong, P.E., PTOE, Green International Affiliates, Inc., dated October 11, 2019. |
| October 21, 2019 | Response to Comments, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated October 21, 2019. |
| October 21, 2019 | Response to Comments made by the Engineering Division, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated October 21, 2019. |

- October 21, 2019 "Site Plan Rev. #19-06, Stormwater Management Permit #19-05, and Parking Relief Special Permit #19-01," Memo to respond to review comments made by Green International Affiliates, Inc., prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated October 21, 2019.
- October 21, 2019 "Truck Maneuvering Plan", Sheets TT-1 through TT-6, prepared by Brian P. Dundon, P.E., RJ O'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180, dated October 18, 2019.
- November 4, 2019 "Engineering Peer Review for Traffic and Parking at the Proposed Warehouse Redevelopment at 613 Main Street, Comment Follow-up Letter #2", prepared by Wing Wong, P.E., PTOE, Green International Affiliates, Inc., dated November 1, 2019.

FINDINGS:

1. The Project site is shown on Map 29 Parcel 11S on the Site Plan.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.
5. The Project has been granted Parking Relief Special Permit #19-01 in conjunction with Site Plan Review.

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.
27. During construction, work shall not start before 7:00 a.m. and shall be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment shall not be started before 7:00 a.m.
28. This approval does not authorize trespass onto private property.

PRIOR TO ENDORSEMENT OF THE PLAN:

29. The Applicant shall provide the CCTV results and findings memorandum for the drain pipes at the existing loading dock and at the front of the building.
30. The Applicant shall provide the sewer peer review findings letter and make any necessary plan revisions accordingly.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

31. The Wilmington Fire Department shall review and approve all building plans.
32. The plumbing plans (showing the revised roof drain system) shall be submitted for review and approval by the Department of Planning & Conservation and the Engineering Division. Mechanical, electrical, and plumbing plans with the Building Permit application shall demonstrate the roof drains are connected to the proposed infiltration system.
33. The Applicant shall provide Project approval from the Massachusetts Bay Transportation Authority (MBTA). Any changes resulting from the MBTA's review shall be reviewed and approved by the Planning Board.

PRIOR TO START OF CONSTRUCTION:

34. A pre-construction meeting shall be scheduled with the Department of Planning & Conservation and Town Engineer. The developer shall submit a construction schedule at the time of the pre-construction conference.
35. A Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.
36. Erosion controls shall be installed in accordance with the Stormwater Management Plan and shall be inspected by the Department of Planning & Conservation at least two (2) business days prior to the start of construction.

DURING CONSTRUCTION:

37. The Applicant shall notify the Engineering Division in writing prior to removal of any earth material from the site and provide an estimated quantity. An Earth Removal Permit is required if the total earth removal from the site, regardless of phasing, exceeds 450 CY.
38. The Applicant shall camera (CCTV) the existing RCP roof drains at the rear of the building, and at the southern wetland area and provide the results to the Engineering Division for review. Any changes resulting from the CCTV will require Planning Board review and approval.

PRIOR TO OCCUPANCY:

39. The Applicant has agreed to and shall provide a fair share traffic mitigation contribution to the area roadway network in the amount of \$25,000.
40. Prior to Occupancy, but no later than January 1, 2021, the Owner has agreed to and shall provide a deed transferring ownership of the parcel shown on Assessor's Map 40 Parcel 13A, in a form approved by Town Counsel, to the Town of Wilmington, to facilitate planned roadway improvements.
41. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
42. 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.
43. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy for each phase. 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.

POST CONSTRUCTION:

44. The Owner has agreed to and shall regularly trim vegetation within the Main Street right-of-way and access easement to maintain sufficient intersection sight distance for vehicles.
45. 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.
46. 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.
47. The Owner shall use good housekeeping practices as outlined in the Operation and Maintenance Plan to maintain the site and keep it in good working condition. The Owner shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long-term pollution prevention plan to the Department of Planning & Conservation.
48. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project shall be the Owner's responsibility.
49. Snow shall be removed from the site in a timely manner following a snow event to ensure adequate parking and circulation.
50. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
51. Final As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.

Upon motion duly made and seconded, it was

VOTED: To approve Parking Special Permit #19-01 for 613 Main Street as follows:

We, the Wilmington Planning Board, as requested by Bryan Blake, under the provisions of Section 6.4.3.2 (Parking Relief) of the Zoning Bylaws of the Town of Wilmington to consider Parking Relief Special Permit #19-01 as shown on plan entitled: "Site Plan for Redevelopment of 613 Main Street, Wilmington, MA", prepared by Brian P. Dundon, P.E., RJ O'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180, dated April 15, 2019 and last revised October 18, 2019, and do hereby vote to GRANT the Parking Relief as shown on the submitted plan, 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> |
|-----------------------|---|
| May 10, 2019 | "Site Plan Review and Special Permit Project Narrative, 613 Main Street", undated. |
| May 10, 2019 | Traffic Impact and Access Study, prepared by Ronald Muller, P.E., Ron Muller & Associates, 56 Teresa Road, Hopkinton, MA 01748, dated March 29, 2019. |
| July 8, 2019 | "Engineering Peer Review for Traffic and Parking at the Proposed Warehouse Redevelopment at 613 Main Street", prepared by Wing Wong, P.E., PTOE, Green International Affiliates, Inc., dated July 2, 2019. |
| September 11, 2019 | "Response to Traffic Comments, Warehouse Redevelopment, 613 Main Street, Wilmington", prepared by Ron Muller & Associates, dated September 11, 2019. |
| September 16, 2019 | "Site Plan Rev. #19-06, Stormwater Management Permit #19-05, and Parking Relief Special Permit #19-01," Memo to respond to Site Plan comments made by Green International Affiliates, Inc., prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated September 16, 2019. |
| September 23, 2019 | "Truck Maneuvering Plan", prepared by Brian P. Dundon, P.E., RJ O'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180, dated September 16, 2019 and last revised October 18, 2019. |
| October 15, 2019 | "Engineering Peer Review for Traffic and Parking at the Proposed Warehouse Redevelopment at 613 Main Street, Comment Follow-up Letter", prepared by Wing Wong, P.E., PTOE, Green International Affiliates, Inc., dated October 11, 2019. |
| October 21, 2019 | "Site Plan Rev. #19-06, Stormwater Management Permit #19-05, and Parking Relief Special Permit #19-01," Memo to respond to review comments made by Green International |

Affiliates, Inc., prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated October 21, 2019.

October 21, 2019 "Truck Maneuvering Plan", Sheets TT-1 through TT-6, prepared by Brian P. Dundon, P.E., RJ O'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180, dated October 18, 2019.

November 4, 2019 "Engineering Peer Review for Traffic and Parking at the Proposed Warehouse Redevelopment at 613 Main Street, Comment Follow-up Letter #2", prepared by Wing Wong, P.E., PTOE, Green International Associates, Inc., dated November 1, 2019.

FINDINGS:

1. The proposed project includes demolishing a portion of the existing 411,733 SF building to add 21 loading docks to serve the proposed 387,749± SF building. The project includes increasing the total number of parking spaces to 330. The proposed build-out requires a total of 505 parking spaces. The approval is for the provision of 330 parking spaces.
2. The Planning Board determined that in accordance with Section 6.4.3.2, the reduction in parking spaces can be granted without substantial detriment to the neighborhood.
3. The Applicant satisfactorily addressed the comments made or submitted by the Planning Board.

CONDITIONS:

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

1. This Special Permit granted for Parking Relief for 613 Main Street shall be valid for this Owner and use only. Any change in ownership or use shall meet the parking requirements or apply for a Special Permit.
2. If construction has not commenced within two (2) years of a Special Permit approval, the approval shall lapse and then a new application, fees and public hearing will be required, provided that if there is an appeal to the Land Court within twenty (20) days after the decision has been filed with the Town Clerk. The two-year period shall run from the date of the final decision on the appeal.
3. All provisions of the Wilmington Zoning Bylaw pertaining to parking (Section 6.4) shall be met unless an exception is specifically provided in this decision.

SPECIAL CONDITIONS:

1. Prior to issuance of a Building Permit, the Applicant shall provide Project approval from the Massachusetts Bay Transportation Authority (MBTA). Any changes resulting from the MBTA's review shall be reviewed and approved by the Planning Board.
2. The Applicant has agreed to and shall provide a fair share traffic mitigation contribution to the area roadway network in the amount of \$25,000.
3. Prior to Occupancy, but no later than January 1, 2021, the Owner has agreed to and shall provide a deed transferring ownership of the parcel shown on Assessor's Map 40 Parcel

13A, in a form approved by Town Counsel, to the Town of Wilmington, to facilitate planned roadway improvements.

4. The Owner has agreed to and shall regularly trim vegetation within the Main Street right-of-way and access easement to maintain sufficient intersection sight distance for vehicles.

Upon motion duly made and seconded, it was

VOTED: To approve Stormwater Management Permit #19-05 for 613 Main 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**

December 6, 2019

ISSUED for Property located at 613 Main Street, Wilmington, Massachusetts (Map 29 Parcel 11S)

Case No.: Stormwater Management Permit #19-05

Applicant: Mr. Bryan Blake, BIV-613 Main, LLC c/o The Seyon Group, 118 Newbury Street, 3rd Floor, Boston, MA 02116

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and Operation & Management Plan entitled "Site Plan for Redevelopment of 613 Main Street, Wilmington, MA", dated April 15, 2019 and last revised October 18, 2019, prepared by Brian P. Dundon, P.E., RJ O'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180, for the property located at 613 Main Street and shown on Assessor's Map 29 Parcel 11S, material originally submitted on May 10, 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> |
|-----------------------|--|
| May 10, 2019 | "Site Plan Review and Special Permit Project Narrative, 613 Main Street", undated. |
| May 10, 2019 | Stormwater Report, prepared by RJ O'Connell & Associates, Inc., dated April 15, 2019 and revised September 17, 2019 and October 18, 2019. |
| September 16, 2019 | Response to Comments, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated September 16, 2019. |
| September 16, 2019 | Response to Comments made by the Engineering Division, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated September 16, 2019. |

- | | |
|------------------|--|
| October 21, 2019 | Response to Comments, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated October 21, 2019. |
| October 21, 2019 | Response to Comments made by the Engineering Division, prepared by Brian J. McCarthy, RJ O'Connell & Associates, Inc., dated October 21, 2019. |

STANDARD CONDITIONS

13. Waivers granted: None
14. 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.
15. The development shall comply with the performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Handbook.
16. The Applicant shall provide and maintain erosion and sedimentation controls until the site is permanently stabilized.
17. The Applicant shall inspect and maintain the site and stormwater management systems. Maintenance requirements for the site shall remain in perpetuity with the parcel.
18. 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

12. If applicable, a Stormwater Pollution Prevention Plan shall be submitted prior to any land disturbing activity at the site.
13. 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.
14. 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.
15. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
16. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

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

PLAN "635 Main Street, Wilmington, MA" dated October 18, 2018, and last revised November 19, 2019
ELEVATIONS "Wilmington Apartments, Main Street, Wilmington, MA" dated October 4, 2018
ELEVATIONS "Wilmington Townhouses, 635-645 Main Street, Wilmington, MA" dated November 18, 2019
PLANNING REVIEW LETTER dated November 27, 2019
RESPONSE to PLANNING DEPARTMENT COMMENTS dated November 18, 2019
RESPONSE to ENGINEERING COMMENTS dated November 18, 2019
ENGINEERING MEMO dated December 2, 2019

J. Tilton told the Board there were several comments from Planning and Engineering. He said he spoke with the Town Engineer last week and thinks he is pretty close to satisfying Engineering requirements. He understands there is another memo. He said there are still 49 units and 100 parking spaces. J. Tilton said there is a stop sign/stop line by the transformer near parking garage. The handicap access was increased and they added a sidewalk. Inside the garage they added handicap parking signs. There are two handicap visitor parking spots. The site will have granite curbing and sloped granite curbing. He provided additional cross sections on the wall height. He provided additional details for the wall out front. The total height of wall is 4 ½ feet. He showed architectural plans and did not have them when he prepared his plans. He said he is struggling with the height of the wall and he will work with the Town with respect to the height. They added a motion sensor light in the dumpster area. J. Tilton said the plan does not show erosion control but he could add it.

V. Gingrich talked about the turning movements and the fact they cross over the centerline quite a bit to get into the garage. V. Gingrich said the turn to get into the garage is very tight. J. Tilton said it was done anticipating an 18' garage door. R. Holland asked if the retaining wall is moved will that help.

M. Sorrentino talked about the Town Engineer's comments and the Planning Comments. M. Sorrentino asked that the architect come to the next public hearing and J. Welch said yes. R. Holland is concerned about the recess on the street side and removed 2' from the master bedroom. T. Boland asked about the height of the grass on either side of the retaining wall. J. Tilton said about 1 ½ feet between that and the other side of the wall. V. Gingrich asked J. Tilton to go over the grading. J. Tilton said it is sloped 1%. There was a brief discussion regarding the fence.

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 January 31, 2020.

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 January 7, 2020 at 7:45 p.m. in Room 9 of the Town Hall.

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

PRESENT IN INTEREST: Doug Lees, Land Engineering & Environmental Services
Jaqueline Welch

MATERIALS CONSIDERED:

PLANS: "Preliminary Plan in Wilmington, Massachusetts, Veteran's Way" dated April 23, 2019 and "Preliminary Subdivision Plan, Veteran's Way, Wilmington, Massachusetts" dated November 19, 2019
WAIVER REQUEST LETTER from Doug Lees dated November 19, 2019
RESPONSE LETTER to Planning and Engineering from Doug Lees dated November 19, 2019

D. Lees said the application was first submitted back in April and the first Planning Board meeting was in June. He said they have just submitted a revised plan. V. Gingrich explained the preliminary plan locked in their zoning. All concerns have been addressed and the design is the same as originally submitted. D. Lees discussed the waiver request. He said there is an infiltration pond and all the water will be infiltrated on site.

M. Sorrentino said all Engineering concerns have been addressed. V. Gingrich said the preliminary subdivision plan locked in their zoning and they need to follow-up with a definitive subdivision plan within seven months to keep their zoning locked

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Preliminary Subdivision #19-01 for 203 Lowell Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the Preliminary Subdivision Plan #19-01 for 203 Lowell Street (Map 48 Parcel 73), plan entitled: "Preliminary Plan in Wilmington, Massachusetts, Veterans Way," dated April 23, 2019 and last revised November 19, 2019, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879. Approval is subject to the following conditions:

CONDITIONS:

1. The Definitive Subdivision Plan shall include more detailed grading, soil data, and additional stormwater management system detail.
2. The Definitive Subdivision Plan shall include the roadway grading redesigned to provide a maximum grade of less than 4% for the entire length of roadway.

3. The Definitive Subdivision Plan shall include the sewer main location, depth, and size in the roadway section. The Definitive Plan shall also include a cross country sewer profile.
4. The Definitive Subdivision submission shall include a list of waivers requested for the project.
5. The Definitive Subdivision shall be designed in accordance with the requirements of the Rules and Regulations Governing the Subdivision of Land and any other applicable regulations of the Town of Wilmington and Commonwealth of Massachusetts, including:
 - a. State Wetlands Protection Act.
 - b. Title 5 and local regulations of the Board of Health.
 - c. Requirements of the Water and Sewer Department.
 - d. Requirements of the Fire Department.

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:

PLANS “Yield Layout Plan” dated November 8, 2019

ENGINEERING MEMO dated November 21, 2019

REQUEST TO CONTINUE LETTER from Jill Elmstrom Mann dated December 3, 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 January 7, 2020 at 7:30 p.m. in the Town Hall Auditorium.

Continued Public Hearing – Site Plan Review #19-15 and Stormwater Management Permit #19-16 for 4 & 6 Waltham Street – Map 79 Parcels 31C & 31D – Attorney Adam Brailard, Prince Lobel Tye LLP for Eco-Site Inc., Applicant

PRESENT IN INTEREST: Attorney Adam Brailard, 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 November 18, 2019

STORMWATER MANAGEMENT APPLICATION received November 19, 2019

STORMWATER ANALYSIS dated November 18, 2019

LETTER from Adam Brailard dated November 19, 2019

LETTER from Petros Tsoukalas dated November 18, 2019

LETTER from Rob Sobota dated November 25, 2019

ENGINEERING MEMO dated December 2, 2019

A. Braillard told the Board the applicant is looking to own and operate a cell tower located at 4 & 6 Waltham Street, located in the General Industrial zone. He said the Board had questions because of some resident's concerns. He said he provided supplemental materials which were revised plan, a Stormwater Management Permit application, site access letter and dewatering plan and it shows the haybales for construction. He said the revised plan shows the reduction of the compound size which is the only change.

M. Sorrentino read comments into the record.

Resident F. Logan, 14 North Street, said she would like to ask the Planning Board to consider only one carrier and if others request to be added, please let them demonstrate the gap in coverage and let them battle it in the court system as it is beyond the Town's expertise. A. Braillard told the Board this application is only for Eco Site and T-Mobile so only T-Mobile can install equipment even though it is built to accommodate three other carriers. He said if anyone would like to add antennas to this tower, they would need to come for approval. M. Sorrentino said the Board cannot deny this applicant but they will check with Town Counsel about F. Logan's request. F. Logan asked that the height of the cell tower be limited to two times the height of the structures within 200' of the proposed tower location and R. Holland said that would be 60'. M. Sorrentino said he does not believe the Board can do that. A. Braillard said T-Mobile would like to go taller but cannot because of the height restrictions of the Town's Zoning Bylaw. F. Logan asked if at a later date the applicant can go before the Board and request that the height of the tower be increased. V. Gingrich said they would have to go back to the Board of Appeals and request a height greater than 120' and the Board of Appeals would have to determine that the greater height is essential to the functioning of wireless communication services. S. Hennigan asked if the 120' is typical and R. Holland said that is the height of the one by the Salvation Army. V. Gingrich said 250 Ballardvale Street is 120', 375 Ballardvale Street is 150', 260 Fordham Road is 120', 65 Industrial Way is 190', 625 Main Street is 148', 910 Main Street is 91', 773 Salem Street is 150', 26 Upton Drive is 116'. She said most are taller than 120'. F. Logan asked if the taller cell towers about residential neighborhoods and V. Gingrich said most are in Industrial areas. She said the ones on Main Street and Salem Street are within 500' of residential areas. V. Gingrich said the rules for notification of abutters is 300'. F. Logan asked if the MBTA had been notified. A. Braillard said they have not but they will be. He said they will not get a building permit until they get approval from the MBTA. A. Braillard said he needed to get the proper contact and the Building Inspector will not sign off until the MBTA approves. F. Logan asked why the applicant is waiting to notify the MBTA. M. Sorrentino said he does not have Site Plan approval so he cannot get a building permit so there is no need to contact the MBTA yet. F. Logan said maybe the MBTA would have concerns. She believes the applicant asked to waive some of the Board's requirements. A. Braillard said he requested the Board waive the requirement for the balloon analysis. He said Federal Court said if they use minimal height necessary, a balloon analysis is not necessary. F. Logan said there is a lack of consideration to abutters and feels as if she has no rights. M. Sorrentino said because it is Federal Court ruling, the abutters and the Board don't really have the right to stop approval. M. Sorrentino asked what would be the purpose of the balloon test since they have already won in court then he said the purpose of the balloon analysis is to determine how the height affects the abutters but since he is staying within the height regulations of the Zoning Bylaw there is no reason to have the balloon test. F. Logan said the purpose would be to satisfy the abutters. She said she would like to get a feeling of what the tower will look like. M. Sorrentino said as a Board they try not to give any waivers. F. Logan said her coverage is fine and she believes the tower is for the people traveling in the area. M. Sorrentino asked how the Board feels about the balloon test and R. Holland said it will only show the height, not what the tower looks like. T. Bolland asked if the

abutters will be notified by the applicant when the balloon test takes place. A. Braillard said the height of the tower has already been approved so they can do the balloon test as a condition and provide pictures as part of the building permit application. M. Sorrentino asked how long it stays up and V. Gingrich said there is no time frame in the bylaw. They just need to notify the Town they are doing the test and submit the photographs. M. Graubart said it typically takes about an hour. M. Sorrentino asked if the abutters would be notified and M. Graubart said it is contingent on weather. V. Gingrich said anyone who provides an e-mail address can be notified in a timely fashion. M. Sorrentino said the balloon test should be conducted and the Board will not grant that waiver. A. Braillard asked if the Board is not granting both waivers of photograph simulation and balloon test and M. Sorrentino said that was correct. F. Logan asked if there is a waiver for a rendering, she would ask that it be denied as well and A. Braillard said the waiver she is thinking of is for the plan showing landscape details and the only other waiver request is for signage but that is being taken off the table. F. Logan asked if the color photograph is just to show the landscaping and A. Braillard said if the Board is not granting the waivers, he will do the balloon test and submit renderings of what the tower will look like. R. Holland asked if it can be completed before the next meeting and A. Braillard said yes.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for 4 & 6 Waltham Street - Site Plan Review #19-15 and Stormwater Management Permit #19-16 to January 31, 2020

VOTED: To continue the public hearing for 4 & 6 Waltham Street for Site Plan Review #19-15 and Stormwater Management Permit #19-16 for to January 7, 2020 at 8:00 p.m. in the Town Hall Auditorium.

Public Hearing - Site Plan Review #19-17 & Stormwater Management Permit #19-14 for 228 Andover Street - Map R1 Parcel 18C – Richard Penna, Arrow Paper, Applicant

PRESENT IN INTEREST: Attorney Robert G. Peterson
Andrew Pojasek, Dana Perkins
Richard Penna, Arrow Paper

MATERIALS CONSIDERED:

PLAN "Proposed Building Addition, 228 Andover Street, Wilmington, Massachusetts" dated November 5, 2019

STORMWATER MANAGEMENT PERMIT dated November 6, 2019

TEST PIT PLAN dated November 5, 2019

PLANNING REVIEW LETTER dated November 27, 2019

ENGINEERING MEMO dated December 2, 2019

Attorney Peterson told the Board the proposal is for a 36,865 sq.ft. addition to the existing building. The existing building contains 70,210 sq. ft. and was approved in 2005. It was approved in phases and the drainage was approved for the entire project but only the existing building was constructed. He said the site sits on ledge. The remainder that was flattened for the foundation was covered with gravel and seeded.

A. Pojasek said the building was reconfigured slightly to allow additional truck dock access. He said the drainage system is a collective system that includes buildings down on Upton Drive which is about 75 – 80 acres that have all their drainage feed into an existing detention pond.

He said there is no additional impervious area proposed. A. Pojasek said the Stormwater Regulations have changed since 2005. M. Sorrentino said almost all the comments have to do with stormwater. R. Peterson said at the CDTR meeting on November 25, 2019, and the Town Engineer was on vacation and because of the holidays, they have not had a chance to discuss.

M. Sorrentino read comments into the record.

A. Pojasek said they will supply a memo instead of a full traffic study. He said the increase to truck and car traffic is minimal. R. Holland asked if fire truck access will still be maintained. A. Pojasek said a turning radius diagram will be provided. He said a 50' trailer truck can make the turn so a fire truck should be able to as well. R. Holland asked them to supply elevations. T. Boland asked if it's the same use and A. Pojasek said yes with additional warehouse. M. Sorrentino asked if they are confident about meeting the Town Engineer's stormwater requirements and R. Peterson said he would like to speak with the Town Engineer because to meet today's Stormwater Regulations would be impossible. A. Pojasek said when this was originally proposed and was constructed there is a perforated pipe. With the new building the perforated pipe runs the length of the building and all roof drains empty into it. R. Peterson said with that neighborhood, they are not the only ones connected to that drainage system that runs to the detention pond. He said most of the buildings were designed to drain the same way.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-17 and Stormwater Management Permit #19-14 for 228 Andover Street to January 7, 2020 at 8:15 p.m. in the Town Hall Auditorium.

Public Hearing – Definitive Subdivision #19-03 & Stormwater Management Permit #19-13 for Jackie Drive – 635 Main Street – Map 40 Parcel 1 – Art Hayden, Applicant

PRESENT IN INTEREST: Jon Tilton, Williams & Sparages
Jacqueline Welch

MATERIALS CONSIDERED:

PLAN "Jackie Drive, Wilmington, MA" dated October 30, 2019
MITIGATIVE DRAINAGE ANALYSIS dated October 30, 2019
PLANNING REVIEW LETTER dated November 27, 2019
ENGINEERING MEMO dated December 2, 2019

M. Sorrentino pointed out that there are many comments from the Town Engineer. J. Tilton said back in June they submitted a Preliminary Plan for the site so this is a Definitive Plan for a 2-lot subdivision. S. Hennigan asked if the other plan was for three lots. M. Sorrentino said there are several pages of comments. J. Tilton said he knows what he needs to do.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision #19-03 and Stormwater Management Permit #19-13 for 635 Main Street to January 7, 2020 at 7:40 p.m. in the Town Hall Auditorium.

**Public Hearing - Site Plan Review #19-18 & Stormwater Management Permit #19-15 for
100-110 Fordham Road - Map 91 Parcel 121 – Fordham Park LLC, Applicant**

PRESENT IN INTEREST: Attorney Jill Elmstrom Mann, Mann & Mann
Adam Binnie, Carlisle Capital
Jeff Merritt, Granite Engineering

MATERIALS CONSIDERED:

PLAN "Non-Residential Site Plan, 100-110 Fordham Road, Wilmington, Massachusetts" dated November 7, 2019
ZONING BOARD OF APPEALS APPROVAL dated May 8, 2019
NARRATIVE dated November 7, 2019
LANDSCAPE PLAN dated November 7, 2019
LIGHTING PLAN dated November 7, 2019
STORMWATER REPORT dated November 5, 2019
TRAFFIC PATTERN EXHIBIT dated November 7, 2019
PLANNING REVIEW LETTER dated November 27, 2019
ENGINEERING MEMO dated December 2, 2019

J. Mann told the Board they wanted to give an overview. She said this is the previously approved project location where they were jacking up and lifting the roof because the building was originally used for a call center and office use and to make it and industrial use they needed to raise the ceiling. She said they secured a tenant. She said the tenants architect will be coming to speak to with Department Heads. J. Mann said she is before the Board to show what they intend to do. She has comments from Planning and Engineering. She said they have a firm plan. She said that V. Gingrich asked that the project be streamlined. M. Sorrentino asked if the roof was already raised and J. Mann said yes. She said the site work is not complete. She said the tenant is needing a storage area for fleet storage and the parking areas are marked. She said there are loading and staging areas. M. Sorrentino said the applicant has not yet submitted a stormwater management plan and J. Mann said it's completed and will be submitted.

J. Merritt said the Town Engineer is aware of what is implemented. He had a meeting with P. Alunni. M. Sorrentino asked about traffic and J. Mann said it is already done.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-18 and Stormwater Management Permit #19-15 for 100-110 Fordham Road to January 7, 2020 at 8:30 p.m. in the Town Hall Auditorium.

Board of Appeals

At its meeting on Tuesday, December 3, 2019, the Planning Board voted to recommend as follows:

Case 21-19 for 3 Royal Street – Map 84 Parcel 21

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. The proposed house does not appear to be more detrimental to the neighborhood. Additionally, the Board is discussing a zoning change from R60 to R20 for lots in this neighborhood. The proposed dwelling would meet R20 setbacks.

Case 22-19 for 2 King Street Ext – Map 53 Parcel 10B

Upon motion duly made and seconded, it was unanimously

VOTED: The applicant does not appear to have shown a hardship. A plan should be submitted that shows the extent of the proposed encroachment into the front setback. A second story addition is shown on the house plans within the setback. Since this was not part of the application, the Board reserves comment until an application is submitted.

Old Business

Discuss Stormwater Bylaw changes and potential zoning changes

V. Gingrich asked the Board if they had any questions or comments. She also asked if the Board wanted to do outreach for the potential rezoning on McDonald Road. She said the Board can explain the process of Town Meeting.

New Business

Request to extend approval for Site Plan Review #16-03 and Stormwater Management Permit #16-07 for 66-68 Industrial Way to June 6, 2020 - Michael S. Field, Esq. for Michael Cronin, Dagle Electrical Construction Corp., Applicant

PRESENT IN INTEREST: Attorney Michael Field, Field & Schultz

MATERIALS CONSIDERED:

LETTER from Michael Cronin dated November 16, 2019

Attorney Field told the Board he represents Dagle Electrical Corporation. He told the Board Site Plan Review and Stormwater Management Permit was before the Board back in 2016 and the applicant received approval December 2016. He read Condition 5 of the approval which states the applicant must provide a letter of acknowledgement from the adjacent land owner that they are aware of the scope of work. He said the property has an easement in the driveway that benefits the abutter, A. Kanavos' property and it is his permission or acknowledgment that Dagle is to obtain. M. Field said for the past three years he has tried to get A. Kanavos' acknowledgement and has had numerous meetings with his engineers with no results. He said he has tried to come to agreement with his attorney for the past two years. He said six weeks ago he thought they reached agreement that if there was any blockage in the pipes Dagle would correct it within 48 hours. Dagle also agreed to replace the pipe that is 50 years old. He explained to A. Kanavos' attorney that he had a deadline and A. Kanavos said there is no deal. He said the purpose of the plan. He said the pitch is no different and they will have all new manholes. He is requesting an extension as well as a waiver from the provision of Condition 5.

V. Gingrich explained the project was approved in December 2016 and the abutting property owner's utility pipes are on Dagle's parcel. She said there is an easement shown on a plan but how it works is not defined. She said they have someone else's utility pipes on their land and they

would like to move them and back in 2016, the Board approved the Site Plan with a provision that the applicant obtain acknowledgment from the abutting land owner. She explained the request is to extend the effective date of approval to give the applicant more time to start work. V. Gingrich said to change any condition of the approval, there would need to be a public hearing. M. Field explained there is a map on the easement but nobody can find the grant of easement. He said they have drafted several easements and sent them to A. Kanavos' attorney but there has been no response. M. Sorrentino asked why he thinks this can be accomplished in six months and M. Field answered that he could beg A. Kanavos' attorney or go to Land Court and ask for an order. S. Hennigan asked how long the Board can give for the extension and suggested giving the six months.

Upon motion duly made and seconded, it was unanimously

VOTED: To grant an extension to the approvals for Site Plan Review Application #16-03 and Stormwater Management Permit #16-07 to June 6, 2020.

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

VOTED: To adjourn the meeting at 10:25 p.m.

NEXT PLANNING BOARD MEETING: January 7, 2020

Respectfully submitted,

A handwritten signature in cursive script, reading "Cheryl Licciardi".

Cheryl Licciardi
Recording Clerk