



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes December 7, 2021

The Planning Board met on Tuesday December 7, 2021 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Michael Sorrentino, Chair; Randi Holland, Angela Marcolina, Sean Hennigan and Terence Boland. Valerie Gingrich, Director of Planning & Conservation, was also present.

Minutes

There were no minutes to review.

Form A

58-60 Park Street – “Plan of Land in Wilmington, MA” Richard & Jessica Mercer, Applicants

MATERIALS CONSIDERED:

PLAN “Plan of Land in Wilmington, MA”, dated November 15, 2021 and last revised December 3, 2021

V. Gingrich said 58 and 60 Park Street are currently owned by the same people. The lots go straight back. They are looking to cut one of the lots and make it smaller but still meet the area requirements and add it to the other lot. Engineering had a few comments, and they revised the plan. The lots are conforming. V. Gingrich said the plan is appropriate to accept and endorse.

Upon motion duly made and seconded it was unanimously

VOTED: To receive the ANR Plan and Application #21-15 for 58-60 Park Street, Map 93 Parcels 12 & 13 - “Plan of Land in Wilmington, MA”

Upon motion duly made and seconded it was unanimously

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #21-15 for 58-60 Park Street - Map 93 Parcels 12 & 13 - “Plan of Land in Wilmington, MA”

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled, “Plan of Land in Wilmington, MA”, dated November 15, 2021 and last revised December 3, 2021

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TOWN OF WILMINGTON, MA

Matters of Appointment

Continued Public Hearing – Site Plan Review #21-05, Stormwater Management Permit #21-05 and Parking Relief Special Permit #21-01 for 225 Andover Street - Map R1 Parcel 108 - American Maplewood Properties LLC, Applicant

PRESENT IN INTEREST: Robert G. Peterson, Esq.
Tim MacDonald, American Maplewood Properties LLC
Michael Joyce, Joyce Consulting Group

MATERIALS CONSIDERED:

PLAN "Proposed Site Development, 225 Andover Street, Wilmington, MA 01887" dated February 8, 2021 and last revised November 29, 2021
STORMWATER REPORT dated August 12, 2021 and last revised November 29, 2021
RENDERING & FLOOR PLANS dated December 2, 2021
RESPONSE TO COMMENTS LETTER from Michael Joyce dated November 29, 2021

Attorney R. Peterson told the Board they made the changes that the Town Engineer's memo required, one of which was to increase the width of the travel lane and revised plans were submitted. He said all other Engineering requirements have been addressed and although revised plans were submitted, they were not submitted in time for a review for this meeting.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Site Plan Review #21-05 and Stormwater Management Permit #21-05 to January 29, 2021

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-05, Stormwater Management Permit #21-05 and Parking relief Special Permit #21-01 for 225 Andover Street to January 4, 2022 at 7:30 p.m.

Public Hearing – Multi-Family Special Permit #21-01 and Inclusionary Housing Special Permit #21-01 requesting to amend Multi-Family Special Permit #20-01 and Inclusionary Housing Special Permit #20-01 for 168 Lowell Street – Map 58 Parcel 1 – 168 Lowell Street LLC, Applicant

S. Hennigan recused himself.

PRESENT IN INTEREST: Michael J. Newhouse, Esq.
Stephen Wright, 168 Lowell Street LLC

MATERIALS CONSIDERED:

PLAN "Construction Change, 168 Lowell Street, Wilmington, Massachusetts" dated November 29, 2021, "Phasing Plan" dated October 29, 2021,
FIELD CHANGE e-mail from Doug Lees dated November 18, 2021
Narrative for Phasing Plan dated November 3, 2021

Attorney M. Newhouse told the Board they provided phasing information and satisfied both the Planning and Engineering Departments so the Board should be able to vote. M. Sorrentino asked if the Town Engineer is satisfied, and V. Gingrich said yes. She said the applicant is

going to use recycled asphalt for the temporary access, and nobody will occupy that first phase until the actual loop is constructed. She said she prepared a draft decision for the Board's review.

V. Gingrich said Attorney Newhouse found a couple of things that should be different, and she reviewed the draft decision with the recommended changes.

Upon motion duly made and seconded with 4 in favor and 1 recused (S. Hennigan), it was

VOTED: To close the public hearing and approve with conditions Multi-Family Special Permit #21-01 and Inclusionary Housing Special Permit #21-01 to amend the decision for the construction of thirty-six (36) dwelling units at 168 Lowell Street, as shown on plan entitled, "Site Development Plan, 168 Lowell Street, Wilmington, Massachusetts", dated January 6, 2020 and last revised April 15, 2020, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879. Said property is located at 168 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 58 Parcel 1. Approval is as follows:

A public hearing was advertised and held on November 2, 2021 at 8:30 p.m., Town Hall, 121 Glen Road, Wilmington. The public hearing was continued to December 7, 2021.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on November 2, 2021 and closing on December 7, 2021, by a motion duly made and seconded, it was voted:

"We the Wilmington Planning Board, as requested by Stephen Wright, 168 Lowell Street, LLC, under the provisions of Section 3.8.15, and Section 6.11 of the Zoning Bylaws of the Town of Wilmington and Board's Special Permit Rules and Regulations to consider the amended decision for development of thirty-six (36) townhouse units, five (5) of which are to be restricted as affordable units, for property addressed 168 Lowell Street (Assessor's Map 58 Parcel 1), as shown on the plan entitled, "Site Development Plan, 168 Lowell Street, Wilmington, Massachusetts", dated January 6, 2020 and last revised April 15, 2020, prepared by Douglas E. Lees, P.E., P.L.S., Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01879, (the "Plan") (the "Project"), do hereby vote to **APPROVE** the Special Permits and Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

Description

"General Construction Phasing, 168 Lowell Street, Wilmington, MA", dated October 4, 2021, October 28, 2021, and November 3, 2021.

"Phasing Plan, 168 Lowell Street, Wilmington, MA" prepared by Land Engineering & Environmental Services, Inc., dated October 29, 2021.

PROCEDURAL HISTORY

1. The original Multi-Family Special Permit #20-01 and Inclusionary Housing Special Permit #20-01 decision was issued on July 1, 2020 following a public hearing with the Planning Board that opened on February 4, 2020 and closed on May 5, 2020.
2. An application to amend Multi-Family Special Permit #20-01 and Inclusionary Housing Special Permit #20-01 decision was made by the above referenced owner, filed with the Planning Board on October 7, 2021. This application requested to amend the construction sequencing and phasing of the development and name the driveway "Rachel's Way".
3. A public hearing was held on November 2, 2021 and was continued to and closed on December 7, 2021.
4. The amendment request and phasing documents were reviewed by the Planning Board and the departments represented in the Community Development Technical Review. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS

1. The Project site is shown on Map 58 Parcel 1 and contains thirty-six (36) townhouse units, five (5) of which are to be restricted as affordable units.
2. The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw and complies with the requirements of the Bylaw.
3. 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.
4. All conditions of Site Plan Review #20-01, Multifamily Special Permit #20-01, and Inclusionary Housing Special Permit #20-01 issued July 1, 2020 remain in full force and effect except as indicated below.
5. No changes are made to the approved plan and the driveway is not named.

AMENDMENTS TO DECISION ISSUED JULY 1, 2020

1. Revise Condition #8 to read "The project shall be constructed in accordance with the "General Construction Phasing" document dated November 3, 2021 and the "Phasing Plan" prepared by Land Engineering & Environmental Services, Inc., dated October 29, 2021."

AMENDED DECISION

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be developed under Section 3.8.15, Section 6.5, and Section 6.11 of the Wilmington Zoning Bylaws. It is therefore decided to grant Special Permits and Site Plan Review approval for the development of thirty-six (36) townhouse units, five (5) of which are to be restricted as affordable units, in accordance with the Site Plan entitled, "Site Development Plan, 168 Lowell Street, Wilmington, Massachusetts", dated January 6, 2020 and last revised April 15, 2020, prepared by Douglas E. Lees, P.E., P.L.S., and the terms and conditions stated below. The following shall be required at the Applicant's sole expense, unless otherwise noted:

1. The Project shall be constructed and operated in accordance with the approved 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 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.
4. The Project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
5. Notwithstanding any future amendment to the Wilmington Zoning Bylaw, Massachusetts G.L. c. 40A, or any other legislative act:
 - a The maximum number of dwelling units to be constructed under these Special Permits shall be thirty-six (36).
 - b The tract of land on which the structures are to be located shall not be altered or used except
 - i as granted by these Special Permits;
 - ii as shown on the Site Plan entitled, "Site Development Plan, 168 Lowell Street, Wilmington, Massachusetts", dated January 6, 2020 and last revised April 15, 2020, prepared by Douglas E. Lees, P.E., P.L.S., as referenced above; and
 - iii as in accordance with subsequent amendments to the Special Permits.
 - c The entire tract of land, or any portion thereof, and buildings to be constructed shall not be used, sold, transferred or leased except in conformity with these Special Permits. If the Applicant petitions for amendment to these Special Permits, he/she must submit all plans and information to the change as required by applicable rules.
6. If no substantial construction has commenced within two (2) years of approval, approval shall lapse and a new application, fees and a public hearing shall be required.
7. Any substantial changes to the Site Plan shall be subject to the Special Permit review process. Minor field adjustments may be allowed with review and approval of the Director of Planning & Conservation.
8. The project shall be constructed in accordance with the "General Construction Phasing" document dated November 3, 2021 and the "Phasing Plan" prepared by Land Engineering & Environmental Services, Inc., dated October 29, 2021.
9. Within five (5) days of transfer of ownership of the property, the Planning Board shall be notified in writing of the new property owner's name and addresses.
10. As required by Section 6.11, the Project shall include five (5) affordable two-bedroom dwelling units to be counted on the Town's Subsidized Housing Inventory (SHI) with the Department of Housing and Community Development (DHCD). The affordable housing units shall be Units 15, 19, 25, 30, and 34 and shall be constructed in accordance with Section 6.11 of the Zoning Bylaw. The affordable units shall be deed restricted and marketed as required by the DHCD to count on the SHI. Affordable housing units shall include the same materials and finishes except as specifically stated in the special permit application.
11. The affirmative fair marketing plan for the five (5) affordable units shall include a local preference for Wilmington residents as allowed by DHCD.
12. Maintenance of the premises, including but not limited to roadway maintenance and repair, snow plowing and removal, landscaping, trash removal/recycling, and any other amenities associated with the Project shall remain the responsibility of the Owner.
13. The Project's stormwater management system shall be inspected, operated, and maintained in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair, and replacement of all drainage structures constructed pursuant to the project shall be the Owner's responsibility.
14. All domestic water mains and services constructed for the project on the project site shall meet the requirements of the Town's Water and Sewer Division and shall remain private.

The operation, maintenance, repair, and replacement of all water pipes, mains, fittings, and appurtenances on the property shall be the owner's responsibility.

15. All landscaping, fencing, and lighting shall be maintained by the Owner for the duration of the use. The Owner shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
16. Private curbside trash pickup is required and no dumpsters are permitted.
17. The site shall be maintained in a clean and tidy condition, clear of debris and trash.
18. Snow shall be stored in designated areas only. Any snow exceeding on-site capacity shall be removed from the site within five (5) days of a snow event. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.

PRIOR TO ENDORSEMENT:

19. Following the 20-day appeal period, the Planning Board will sign the plans, and the Special Permit Decision shall be recorded at the Middlesex North Registry of Deeds.
20. Prior to endorsement, the plans shall be revised to show any changes required by the Wilmington Conservation Commission.
21. Prior to endorsement, these conditions of approval of the Special Permit shall be listed on the cover page of the Site Plan set.

PRIOR TO START OF CONSTRUCTION/DURING CONSTRUCTION:

22. At least one (1) week prior to the start of work, a pre-construction conference shall be scheduled with the Department of Planning & Conservation and Engineering Division to review the construction schedule, permitted drawings, and permit conditions.
23. At the time of the pre-construction conference, the developer will be required to submit a schedule of work, project contacts, soil erosion and sedimentation control plan, and information on plans for stockpiling of earth materials and/or any plans for hauling of earth materials (if approved under the Earth Removal Bylaw) for review by the Department of Planning & Conservation and Engineering Division. The Applicant shall also provide a plan/protocol for protecting the underlying sub-base and base materials of the porous pavement to prevent clogging during construction.
24. At the time of the pre-construction conference, the developer shall provide evidence that all required local, state, and federal permits and approvals have been obtained.
25. Prior to the start of construction, if applicable, the Applicant shall demonstrate compliance with NPDES Construction General Permit filing requirements and shall submit a copy of the Stormwater Pollution Prevention Plan to the Department of Planning & Conservation and Engineering Division.
26. Prior to construction, the Applicant shall install erosion controls to be inspected by the Department of Planning & Conservation and Engineering Division at least two (2) business days prior to the start of construction.
27. Notice of start of construction shall be distributed to abutting properties two (2) weeks prior to the commencement of construction.
28. During construction work will not start before 7:00 a.m. and will be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment will not be started before 7:00 a.m.
29. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Lowell Street. Street sweeping and replacement of the stones for the construction entrance may be needed from time to time throughout the phases of construction. The Applicant will be

responsible for immediate removal of any sediment tracked onto Lowell Street during the course of construction, as directed by Town staff.

30. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system, sewer, water, or installation of any other critical design components.
31. The Applicant shall notify the Engineering Division in writing prior to any unsuitable earth material being removed from the site and provide an estimated quantity. If the total earth removal exceeds 450 cubic yards, an Earth Removal Permit will be required.

PRIOR TO ISSUANCE OF BUILDING PERMIT:

32. The Wilmington Fire Department shall review and approve all building plans.
33. Prior to issuance of the first Building Permit, condominium documents, if applicable, shall be submitted for review and approval. The documents shall include details regarding maintenance (i.e., curbside refuse pick-up, upkeep, snow plowing), the stormwater management Operation and Maintenance Plan, and affordable units.
34. Prior to the issuance of the first building permit, the Local Affordable Unit Application for the five (5) affordable housing units shall be approved by the DHCD.
35. Prior to the issuance of the first building permit, the roadway shall be constructed through binder course and stormwater management components associated with the roadway shall be completed. In addition, an acceptable form of surety shall be provided for the completion of the roadway and associated infrastructure.

PRIOR TO ISSUANCE OF OCCUPANCY:

36. The Applicant has agreed to and shall provide a fair share traffic mitigation contribution of the Lowell Street Corridor in the amount of \$6,000.
37. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall install the educational sign for Low Impact Development techniques implemented on site. The sign size, design, and location shall be reviewed and approved by the Director of Planning & Conservation.
38. Prior to the issuance of the first Certificate of Occupancy, the Regulatory Agreement for the five (5) affordable units, in a form acceptable to the Town and DHCD, shall be recorded.
39. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall submit a progress as-built plan of the roadway and associated infrastructure.
40. Prior to the issuance of the first Certificate of Occupancy, the Operation and Maintenance Plan shall be recorded.
41. Prior to the issuance of the last Certificate of Occupancy, the sewer pump station located on site shall be completed. The Applicant shall coordinate with the Engineering Division regarding all outstanding punch list items.
42. Prior to the issuance of the last Certificate of Occupancy for the property, all site work shall be substantially completed in accordance with the approved site plans and final As-Built Plans for the project, in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Engineering Division and Department of Planning & Conservation. 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.

Continue Public Hearing – Site Plan Review #21-13, Stormwater Management Permit #21-10 and GWPD Permit #21-04 for 154-156 West Street - Map 56 Parcels 1 & 2
Robert Peterson, Sr., Esq. for Wesley Reed, Applicant

PRESENT IN INTEREST: Robert Peterson, Jr., Esq.
Tony Capachietti, Hayes Engineering
Wesley Reed, PhD

MATERIALS CONSIDERED:

PLAN "Site Plan in Wilmington, Mass." dated July 13, 2021 and last revised November 15, 2021
STORMWATER MANAGEMENT REPORT dated November 15, 2021
LETTER from Tony Capachietti dated November 18, 2021 responding to Engineering comments
LETTER from Tony Capachietti dated November 18, 2021 responding to Planning comments
ENGINEERING MEMO dated December 7, 2021

Attorney R. Peterson said the Town Engineer found issue with the proposed drainage. He, T. Capachietti, V. Gingrich and P. Alunni discussed alternatives and substantially revised the drainage. He said revised plans were provided and the Town Engineer was very satisfied.

Upon motion duly made and seconded with four in favor and one abstention (S. Hennigan) it was

VOTED: To close the public hearing for Site Plan Review #21-13, Stormwater Management Permit #21-10 and GWPD Permit #21-04 for 154-156 West Street.

Upon motion duly made and seconded with four in favor and one abstention (S. Hennigan) it was

VOTED: To approve with conditions Ground Water Protection District (GWPD) Section 6.6.7.7 Special Permit #21-04 and Site Plan Review #21-13 for 154-156 West Street as shown on plan entitled "Site Plan in Wilmington, MA", sheets 1-9 dated July 13, 2021 and last revised November 15, 2021, prepared by Peter J. Ogren, P.L.S., P.E., Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880. Said property is located at 154-156 West Street, Wilmington, MA 01887 and shown on Assessor's Map 56 Parcels 1 & 2.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 14, 2021 and closing on December 7, 2021, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Wesley Reed, under the provisions of Sections 6.6.8.1, 6.6.7.7, and 6.5 of the Zoning Bylaws of the Town of Wilmington and the Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan development for property addressed at 154-156 West Street for the construction of a reclaimed granite storage and sales yard, 30'x50' office building, and associated parking, landscaping, utilities and stormwater management, as shown on plan entitled "Site Plan in Wilmington, MA", sheets 1-9 dated July 13, 2021 and last revised November 15, 2021, prepared by Peter J. Ogren, P.L.S., P.E., Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880, submitted on August 19, 2021, (the "Site Plan") (the "Project"), do hereby vote to GRANT the Special Permit and **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

Description

1. Storm Water Management Report, prepared by Hayes Engineering, Inc., dated October 5, 2021 and last revised November 15, 2021.
2. 3D Views and Renderings, prepared by Gannon Design Group, dated October 12, 2021
3. Supplemental Information, prepared by Hayes Engineering, Inc., dated October 2021
4. Landscape Plan prepared by Hayes Engineering, Inc. and James K. Emmanuel Associates, dated July 13, 2021 and last revised October 4, 2021
5. Tree & Vegetation Removal Policy Compliance Plan, prepared by Hayes Engineering, Inc., dated October 20, 2021

FINDINGS:

1. The Project site is shown on Map 56 Parcels 1 & 2 on the Site Plan.
2. The proposed project renders the site more than 15% impervious at 29%. Infiltration is provided on-site to meet the requirements of Section 6.6.7.7 of the Wilmington Zoning Bylaw.
3. 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.
4. 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.
5. 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. This Special Permit for GWPD Section 6.6.7.7 of the Zoning Bylaws allowing 29% impervious surface at 154-156 West Street shall be valid for this use only.
2. The Project shall be constructed and operated in accordance with the Site Plan.

3. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
4. If no substantial construction has commenced within two (2) years of 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.
5. 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.
6. The Project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
7. 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 ENDORSEMENT OF THE PLAN:

8. The plan shall be revised to include invert elevations of the infiltration chambers, as well as top of stone and bottom of stone elevations.
9. The plan shall be revised to include any changes to the water service if required by the Water and Sewer Commission.
10. Earthwork volume computations signed and sealed by a licensed engineer shall be provided.
11. The plans shall be revised to provide guard rails along the top of the storage bins, between the wall and the pavement.
12. The plan shall be revised to provide the proposed impervious area as percentage and square footage. Reference to a future impervious area should be removed.
13. A revised planting plan for the proposed stormwater best management practices shall be submitted to the Department of Planning & Conservation for review and approval. The revised planting plan shall show all plant names and quantities and provide a greater variety of plantings in the proposed bioretention areas. Native shrubs such as winterberry and inkberry, that provide wildlife forage are recommended. Native trees should also be considered.
14. The landscape plan shall be added to the plan set.
15. The plan shall be revised to provide greater spacing between the proposed pin oaks and red maples at the rear of the site. The proposed trees shall be planted within the limit of disturbance, outside the tree line.
16. The Applicant shall provide two separate documents, one for the Construction Period Pollution Prevention Plan and another for the Long Term Pollution Prevention Plan/Operation and Maintenance Plan.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

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

PRIOR TO START OF CONSTRUCTION:

18. A pre-construction meeting shall be scheduled with the Department of Planning & Conservation and Town Engineer. The developer shall submit a construction schedule at the time of the pre-construction meeting.

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

DURING CONSTRUCTION:

22. The Applicant shall notify the Engineering Division in writing prior to any earth material being removed from the site and provide an estimated quantity. If the total earth removal exceeds 450 CY, earth removing activity shall cease and an Earth Removal Permit shall be filed for with the Board of Selectmen accordingly.
23. 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.
24. During construction, work will not start before 7:00 a.m. and will be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment will not be started before 7:00 a.m.

PRIOR TO OCCUPANCY:

25. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
26. The Long-Term Pollution Prevention Plan/Operation and Maintenance Plan dated November 15, 2021 shall be recorded at the Registry of Deeds.
27. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy. In the event that winter season conditions prohibit final landscaping and/or finish paving course from being installed prior to tenant occupancy, the Applicant may post a bond, in a form and amount acceptable to the Director of Planning & Conservation and Town Engineer, covering the cost of completion. This will be considered on a case-by-case basis. The Applicant must have received all other required Department sign-offs on Occupancy prior to eligibility.

POST CONSTRUCTION:

28. The Applicant shall maintain or replace landscaping and fencing as shown on the approved Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping and fencing in presentable and healthy condition.
29. The Applicant shall maintain the Project site in a clean and tidy condition clear of debris and trash. All dumpsters located on the Project site shall be enclosed by a fence and be of a side entry design. Dumpsters shall remain closed and enclosures locked.
30. The Applicant 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 Applicant shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long-term pollution prevention plan to the Department of Planning & Conservation.
31. All recharge areas and systems shall be maintained in full working order by the owner.

32. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located within the site shall be the Applicant's responsibility.
33. Snow in excess of the areas provided for snow storage on the Site Plan is to be removed from the site within five (5) days of a snow event. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
34. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Engineer and Director of Planning & Conservation.

Upon motion duly made and seconded with four in favor and one abstention (S. Hennigan) it was

VOTED: To issue Stormwater Management Permit #21-10 as follows:

ISSUED for Property located at 154-156 West Street, Wilmington, Massachusetts (Map 56 Parcels 1 & 2)

Case No.: Stormwater Management Permit #21-10

Applicant: Mr. Wesley Reed, 383R Summer Street, Lynnfield, MA 01940

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and Plan entitled "Site Plan in Wilmington, MA", sheets 1-9 dated July 13, 2021 and last revised November 15, 2021, prepared by Peter J. Ogren, P.L.S., P.E., Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880. Said property is located at 154-156 West Street, Wilmington, MA 01887 and shown on Assessor's Map 56 Parcels 1 & 2, material originally submitted on August 19, 2021, subject to the following conditions:

MATERIALS:

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

Description

1. Storm Water Management Report, prepared by Hayes Engineering, Inc., dated October 5, 2021 and last revised November 15, 2021.
2. 3D Views and Renderings, prepared by Gannon Design Group, dated October 12, 2021
3. Supplemental Information, prepared by Hayes Engineering, Inc., dated October 2021
4. Landscape Plan prepared by Hayes Engineering, Inc. and James K. Emmanuel Associates, dated July 13, 2021 and last revised October 4, 2021
5. Tree & Vegetation Removal Policy Compliance Plan, prepared by Hayes Engineering, Inc., dated October 20, 2021

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. 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 Long-Term Pollution Prevention Plan/Operation and Maintenance Plan dated November 15, 2021 shall be recorded at the Registry of Deeds prior to issuance of a Certificate of Occupancy.

ISSUED ON January 3, 2022

**Public Hearing Site Plan Review #21-17 for 625 Main Street - Map 40 Parcel 2A
Timothy Greene, Applicant**

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

A request to continue the public hearing was received as the applicant is working on getting approval from the new property owner. V. Gingrich said Engineering issued a comment on the structural report which was passed to the applicant.

MATERIALS CONSIDERED:

PLAN "Site Plan in Wilmington, Mass." dated July 13, 2021 and last revised October 4, 2021
LETTER from Timothy Greene dated November 9, 2021
ENGINEERING MEMO dated December 7, 2021

Upon motion duly made and seconded it was unanimously

VOTED: To open the public hearing for Site Plan Review #21-17 for 625 Main Street and continue it to January 4, 2022 at 7:40 p.m.

Continued Public Hearing – Site Plan Review #21-15 and Stormwater Management Permit #21-12 for 99 Fordham Road - Map 99 Parcel 13 - Jill Elmstrom Mann, Esq. for Carlisle Capital, Applicant

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

MATERIALS CONSIDERED:

PLAN "Non-Residential Site Plan, Shriners Auditorium, Tax Map 99 Lot 135, 99 Fordham Road, Wilmington, Massachusetts" dated September 16, 2021 and last revised October 20, 2021, "Tree Exhibit" dated November 3, 2021 "Canopy Plan & Elevations" dated April 17, 2020
STORMWATER MANAGEMENT REPORT dated September 16, 2021 and last revised October 20, 2021
LETTER addressing remote parking access concerns from Vanasse & Associates dated October 29, 2021
LETTER from Brenton Cole dated November 5, 2021
REVIEW LETTER dated November 24, 2021
ENGINEERING MEMO dated November 24, 2021
E-MAIL of concerns from Park Street residence dated October 14, 2021

J. Merritt said a major change is to the layout in which they moved the parking. He said following the last Planning Board meeting, A. Binnie had a meeting with the abutters that are north of the property. They had concerns about clearing in proximity to the parking lot. At that point, the project was within 50' of the property line. He said they reconfigured the plan and moved the parking lot 170' to 200' away from the rear property line. He said they included additional plantings along the back of the parking lot. They have added 23 trees, 16 of which are Hemlock, and the balance are shade trees for the parking lot. He said overall the project will have a total of 65 trees on site. This new layout requires a 20' buffer between the project and the residential property. He said they have 8 to 10 times what is required. J. Merritt said in addition to moving the parking lot away they also are proposing a solid fence to help block headlights and noise and to help further buffer. He said they want to discuss access to the property. J. Merritt said at the end of Fordham Road, there are 3 curb cuts. He said the main curb cut is to the east for access to Shriners Building and main parking lot. The two curb cuts at the end of Fordham Road access the upper part. J. Merritt said they are proposing a configuration that maintains what's out there today and improves it in terms of safety. He said it will be paved and striped, J. Merritt said this will work well for Shriners and Amazon. He said Vanasse looked at the site for traffic safety. He said the new comments are in response to the revised design. He said the redesign was to move the parking lot away from the abutters. M. Sorrentino said the biggest comment from the Town Engineer is #1. M. Sorrentino read the Town Engineer's memo concern #1 [As stated previously, the new access drive proposed

along Fordham Road does not appear to comply with Zoning Bylaw Section 6.4.2.4 which states, "Each lot...may have one additional driveway entrance for each 200 feet of frontage provided such additional driveway(s) shall be at least 200 feet apart." The access drive entrances to the proposed Amazon parking facility presents a significant concern for public safety within the Fordham Road Public Right of Way.

The proposed Amazon parking facility is a new use proposed within the expanded parking lot for Shriner's Auditorium. This proposed use, consisting of both Amazon employees' personal vehicles and Amazon delivery vans, results in a significant increase in daily use of the parking area. The letter prepared by the Applicant's Traffic Engineer (VAI) notes twenty (20) employees will access this new parking lot every half hour, daily. The proposed access drive from the proposed parking facility loops to two (2) existing entrances along Fordham Road that are approximately 30 FT apart located at the end of the 160 FT diameter cul-de-sac of Fordham Road. The safety concern is related to conflicting vehicle movements (within the Public Right of Way) entering and exiting each existing entrance, which is exacerbated by the proposed overuse of both entrances located so closely together at the end of a 160 FT diameter cul-de-sac.

The Applicant provided response to comment letters from both VAI and Granite Engineering. The letters failed to address the public safety concern. I am happy to elaborate much more on this point should the Planning Board wish].

J. Merritt said they do not believe the access is unsafe. He showed the plan and said the cul-de-sac exists today. He described the site and their improvement. He said Shriners only uses the upper parking lot for special events so the only conflict would be during major events. A. Binnie said that during major events, Shriners has an officer in a safety vest to help with the parking. M. Sorrentino said the cul-de-sac leads to Shriners so what is the Town Engineer concerned about. V. Gingrich said part of the challenge is the curb-cut they are proposing to use is currently gated. She said when she and Engineering looked back in the Board of Appeals history and they got approval for a gravel parking lot instead of a paved parking lot, they were directed to have people out there directing traffic whenever the curb-cuts were being used. V. Gingrich said they are proposing to make that gated entrance a main wider entrance and the concern is that because the access loops around, the folks using the Amazon parking lot can use both curb-cuts. She said when someone is coming down Fordham Road making a left and someone is coming out onto Fordham Road, there is a potential for crisscrossing. M. Sorrentino asked if there could be one way in and one way out to alleviate the problem. V. Gingrich said the town is asking for traffic measures for that reason. A. Binnie said they both exist and when there is a Shriners event the traffic will be going out one way with parking safety officers in place, they thought it would be best to keep vans using one entrance and cars in the other and not have them mix from a safety standpoint. S. Hennigan said you are talking about Shriners event but what about everyday use. A. Binnie said they would be using one entrance. Attorney J. Elmstrom Mann said this has always been used and it's two ways but without a road that's wide there is no crisscrossing of traffic. M. Sorrentino wanted an explanation of how the applicant intend for the traffic to flow 24/7. He said the operation is 24/7. The Town Engineer is concerned about crisscrossing. T. Boland said this is not a typical driveway. He said you can put a gate in. Attorney J. Elmstrom Mann said the real point of contention is whether there can be one way traffic or not and the Board would like a loop. R. Holland said they are looking at the Town Engineers comments that there could be the potential of crisscrossing in the road. Attorney J. Elmstrom Mann said she reached out to the traffic engineer (Vanesse). She said in his report Vanasse said site distance is more than adequate, so you don't have that crisscrossing and in addition the Town Engineering

suggested the driveways are 30' apart but the way you measure is on center, so they are actually 62' on center apart and MassDOT requires they be 50' to provide safety. Attorney J. Elmstrom Mann said Vanesse said it's safe because of the adequate site distance between the driveways. M. Sorrentino asked why one of the driveway's can't be moved over. J. Merritt said the driveway can't be moved over because there is jurisdictional wetlands and resource area. M. Sorrentino asked why the cul-de-sac can't be moved down a little further. Attorney J. Elmstrom Mann said there are 20 professional drivers, and all this is allowing an off-site parking space for employees. M. Sorrentino wanted to better understand the Town Engineer's concerns. V. Gingrich said the folks using the Amazon parking lot going in and out with the Amazon vans and with their personal vehicles. She said they are asking the applicant to present different solutions. M. Sorrentino asked why there is a need for two exits. Attorney J. Elmstrom Mann said when Shriners is having an event, Amazon will restrict its use and allow Shriners to use the other driveway. She said there will be traffic control. M. Sorrentino said there are many issues that need to be addressed for the next meeting and asked if the applicant will be ready. J. Merritt said they will reconfigure the rear parking lot. M. Sorrentino asked if anyone was in the audience that wanted to speak. There was none but V. Gingrich said there are comments from abutters in the Board's electronic folder. M. Sorrentino said the Planning Board will back the Town Engineer.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action to for Site Plan Review #21-15 and Stormwater Management Permit #21-12 for 99 Fordham Road to January 29, 2022.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-15 and Stormwater Management Permit #21-12 for 99 Fordham Road to January 4, 2021 at 7:50 p.m.

Continued Public Hearing – Site plan Review #21-16 and Stormwater Management Permit #21-13 for 36-38 Upton Drive – Map R1 Parcels 18 & 18L – Michael Cantalupa, Applicant

MATERIALS CONSIDERED:

PLANNING REVIEW LETTER dated November 15, 2021

ENGINEERING MEMO dated November 15, 2021

TEC TRAFFIC PEER REVIEW Letter dated November 30, 2021

PRESENT IN INTEREST – Larry Beals, Beals Associates
Matthew Costa, Beals Associates
Ben Masselink, Davis Companies
Dan Ray, Jewett Construction
Greg Stewart, Jewett Construction

L. Beals told the Board at the meeting November 7th they ran through their presentation and 2 weeks later they received comments from the Planning and Engineering Department and peer review. He said with respect to the comments, there is nothing that causes concern on their part. He said they are in the process of revising the plans. He said they will explain the revisions they are making, and they will submit their revisions by this week. He showed the Board the site highlighted in purple. He described the site location and surrounding

businesses. L. Beals said it's an excellent site for the proposed use because it has direct access to I-93. The previous approved plan had 4 buildings and the Board said if there were modifications to the site, they would have to come back. He said in some respects this is a new project but in some respects it's a modification. L. Beals said they are proposing 3 buildings on the southern edge of the property. This is a large site with a lot of open space. This abuts town owned conservation land. He said it also abuts a residential development. M. Sorrentino asked if they take exception to any comments from the Town Engineer or the traffic engineer and L. Beals said no. He said they will respond to the concerns in writing. M. Sorrentino said there is a massive retaining wall and asked what it will look like when the project is complete. L. Beals showed the Board the design that was originally approved and said the one proposed now is the same basic design, but they rotated the buildings, so instead of having an entire wall, it comes to a point. L. Beals described the locations of the wall. Section AA in the upper lefthand corner of his plan is probably the worse-case scenario for the height of the wall. L. Beals said they wanted to show the wall and building at its highest point. He said BB has no retaining wall and CC the building is rotated and there is more of a grass slope and less of a retaining wall. He said regulations talk about putting up a fence between residential and industrial land. He said they interpret that so that the industrial doesn't encroach on the residential. M. Sorrentino asked to review the overview of the development slide. T. Boland asked if the Conservation Commission had comments about the walls. V. Gingrich said there were different comments for different walls. She said at the proposed entrance to the site because those shifted a bit there were comments about the retaining wall. She said because of the shifting from the old project to this project one of the walls got closer to the wetlands. L. Beals said they may have a solution for that. He said they are trying to adjust the edge and pivot down and may be able to get a natural slope, a 1 to 1 slope and they are hoping to get rid of that retaining wall. He said the other area with the retaining wall had the driveway cross the resource area. He said they believe removing that roadway from the wetland resource area is a much more positive impact than what that wall represents. R. Holland said her opinion is both buildings are too big. She suggested reducing each building 20'. M. Sorrentino asked why they can't be reduced 10' each because they are huge. L. Beals said they are basically what was already approved. R. Holland said the Board said the buildings were too large with the original approval. B. Masselink said they reduced the footprint of the overall development. R. Holland suggested they reduce building A on the left side and building B on the right side you probably could get rid of the retaining wall. L. Beals said the square feet you are talking will not substantially reduce that. R. Holland insisted they reduce the size of the buildings. L. Beals said these regulations allow this size building. M. Sorrentino said as a Board they would like the buildings reduced. L. Beals said they will look at it. R. Hollands said 20' is a tall retaining wall. V. Gingrich said it's Town conservation land that's actively used and there are trails back there. She said people use that natural area so that wall would be seen by people. R. Holland said the building is 40-50' and that's pretty tall building as well. L. Beals agreed with everything being said. V. Gingrich said one of the comments was about the pavement proposed on the south side and whether there needs to be that width of pavement behind the docks. She asked if they looked at reducing it and if the buildings could shift in that direction if there is a reduction in that pavement and does that help with the retaining walls. B. Masselink said that is a strong marketing demand and that's why they switched to this plan. V. Gingrich asked if they had any insight as to why it is such a market demand. B. Masselink said it's clear it's for trucks coming and being able to safely maneuver. M. Costa told the Board they can make the turn even with a cab next to it. M. Sorrentino asked if there were any questions from the Board and there were none. He asked if there were any audience members present for this and there were none. L. Beals said the primary task is to respond to all the comments. He said if they satisfy peer review comments

he would like the hearing closed at the next meeting. M. Sorrentino said the Board will take as much time as it needs to ensure the project is to its satisfaction.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Site Plan Review #21-16 and Stormwater Management Permit #21-13 for 36 & 38 Upton Drive to January 29, 2022.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #21-16 and Stormwater Management Permit #21-13 for 36 & 38 Upton Drive to January 4, 2022 at 8:00 p.m.

Public Hearing – 81G Application #21-01 and Stormwater Management Permit #21-14 for 11 Commonwealth Avenue - Map 40 Parcel 168A – S & K Associates, LLC, Applicant

MATERIALS CONSIDERED:

PLAN "Commonwealth Avenue in Wilmington, Massachusetts" dated November 10, 2021
STORMWATER MANAGEMENT & EROSION CONTROL PLAN dated November 10, 2021
LETTER from Doug Lees received November 10, 2021
PLANNING REVIEW LETTER dated December 3, 2021
ENGINEERING MEMO dated December 7, 2021

PRESENT IN INTEREST – Doug Lees, Land Engineering
Jaqueline Welch Senarian

D. Lees said the homeowner received approval from the Zoning Board of Appeals for a special permit to build a house and that was issued 2018. He said the existing Commonwealth Avenue is 135' from Lowell Street. He said it's about 195' from where the pavement ends to the edge of the property. They will be extending the road 185'. He said the previous owner lives at 8 Commonwealth Avenue. He said 11 Commonwealth Avenue was a horse barn. As he already mentioned, in 2018 the ZBA approved a special permit to raze the barn and construct a single-family house. He said the applicant is before the Board to improve the road and provide a little bit of turnaround. He said he submitted a list of waivers because the road will not conform to Subdivision Standards. He said the existing Right of Way is 33'. D. Lees said there is no room for a full turnaround. He said they are proposing a 50' circle but subdivisions call for 100' circle. He said there is no curbing or sidewalks on the existing street. They are proposing Cape Cod berm. M. Sorrentino asked if there will be berm on the cul-de-sac and D. Lees said yes. D. Lees said this is a private road and the cul-de-sac is on private property. D. Lees said there are some mistakes on the plan because it states it's a public road but it's not.

Resident, B. Stanley, 90 Lowell Street, told the Board there is granite curbing from Lowell to her house. M. Sorrentino asked if as house got built, they got granite curbing in front of their house. B. Stanley said when Lowell Street was extended, they improved Commonwealth Avenue. She said she grew up in the neighborhood. She said it was consistently wet. She talked about Maple Meadow Brook and said they brought in a lot of fill and she is concerned with the process. Resident, J. Petrone, 9 Commonwealth Avenue told the Board he is concerned about flooding because their cellar has flooded in the past. He said other abutting neighbors have also had flooding in their cellar. He is concerned that when the house is built, there will be worse flooding issues. He told the Board there are dump trucks flying up and

down the street. M. Sorrentino asked if there is work is going on there and D. Lees said there is a pile of fill there, but he doesn't know when or why it was brought there. M. Sorrentino asked if the material is on 11 Commonwealth Avenue or just at the end. D. Lees said it's where the barn used to be.

Resident of 6 Commonwealth Avenue said they are dumping 5 to 6 trucks a day in the back of 11 Commonwealth Avenue, and he said when it rains the back yard is all water. M. Sorrentino asked the size of the lot and D. Lees said 11 Commonwealth is 14,620 sq.ft. M. Sorrentino asked what zone it's in and D. Lees and V. Gingrich answered together that it's in R20 zone. Resident, T. Petrone, 9 Commonwealth Avenue, said there is a shed and asked if it is being used as a business. D. Lees said that is owned by 8 Commonwealth Avenue and T. Petrone said the owner of 11 Commonwealth is using it as a business. D. Lees said he didn't know it was being used but it is owned by 8 Commonwealth Avenue. T. Petrone asked if the shed will remain, and the road will be built beside it. D. Lees said the shed is half in the right-of-way and when the road is built the shed will come down. M. Sorrentino asked if the road is half paved. D. Lees said the road is half paved on somebody else's property. M. Sorrentino asked if he were to come in from Lowell Street to Commonwealth Avenue. D. Lees interrupted and said it's 530' so it's just the last 180'. M. Sorrentino asked if there is room for the septic and if it will be above grade. D. Lees said they did test pits in 2016 and they were 2 ½' above the water table. M. Sorrentino asked the audience members whose house was closest to the lot. T. Petrone, 9 Commonwealth Avenue said she is the closest. M. Sorrentino asked the type of house being built and D. Lees said a split. He asked what T. Petrone owned she said Gambrel. M. Sorrentino asked what grades are between the houses and D. Lees said 9 Commonwealth Avenue is a little higher. M. Sorrentino asked what is being done for drainage and D. Lees said there is an infiltration pond shown on the plan. He said the water table is 2 ½ feet. M. Sorrentino asked where natural runoff goes, and D. Lees said it goes to the back to the brook and between the yards. He said there is a retaining wall in the back. M. Sorrentino said there are a lot of comments to be answered.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for 81G Application #21-01 and Stormwater Management Permit #21-14 for 11 Commonwealth Avenue to January 29, 2022.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for 81G Application #21-01 and Stormwater Management Permit #21-14 for 11 Commonwealth Avenue, Map 40 Parcel 168A to January 4, 2022 to 8:15 p.m.

Board of Appeals

At its meeting on December 7, 2021, the Planning Board (Board) voted to recommend as follows:

Case 21-21: 1 Larson Road – Map 104 Parcel 7

Upon motion duly made and seconded, with 4 in favor and one opposed (S. Hennigan) it was

VOTED: To recommend approval. The proposed vertical extension of the non-conforming structure does not appear to be detrimental to the neighborhood since the extension

will not further encroach on the setback and is in keeping with the size and character of the structure.

Old Business

There was no Old Business

New Business

Request to endorse plans Site Plan Review #21-09 for 201 Lowell Street (Parcel A), Textron Systems Corp, Applicant and Site Plan Review #21-10 for 201 Lowell Street (Parcel B), Andrew Gallino for ND Acquisitions LLC, Applicant

A request to endorse plans for Site Plan Review #21-09 for 201 Lowell Street (Parcel A) for Textron Systems Corp, Applicant and Request to endorse plans for Site Plan Review #21-10 for 201 Lowell Street (Parcel B), Andrew Gallino for ND Acquisitions LLC, Applicant

MATERIALS CONSIDERED:

PLAN "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised November 16, 2021

LETTER from David Fenstermacher dated November 16, 2021

V. Gingrich said Lowell Street submitted revised plans that satisfied all the comments, and they are ready to be endorsed.

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled "Textron Building Remodel and Proposed Warehouse, 201 Lowell Street, Wilmington, Massachusetts", dated May 6, 2021 and last revised November 16, 2021, prepared by David H. Fenstermacher, P.E., VHB, 2 Bedford Farms Drive, Suite 200, Bedford, NH 03110. Said property is located at 201 Lowell Street, Wilmington, MA 01887 and shown on Assessor's Map 48 Parcel 73A.

Request to endorse plan for Site Plan Review #21-11 for 100 Research Drive Map R3 Parcel 401, Robert G. Peterson, Jr., Esq. for Martignetti Real Estate, Applicant

A request to endorse plan for Site Plan Review #21-11 for 100 Research Drive was received.

MATERIALS CONSIDERED:

PLAN "Proposed Permit Site Plan, 100 Research Drive", dated June 28, 2021 and last revised August 6, 2021

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled "Proposed Permit Site Plan, 100 Research Drive", dated June 28, 2021 and last revised August 6, 2021, prepared by Michael J. Juliano, P.L.S., P.E., Eaglebrook Engineering & Survey, LLC, 491 Maple Street, Suite 304, Danvers, MA 01923.

**Request to release surety for Over 55 Special Permit for 401 Andover Street – Map R3
Parcels 8 & 10, Spruce Farm LLC, Applicant**

A request to release surety for Over 55 Special Permit for 401 Andover Street was received.

PRESENT IN INTEREST: Michael J. Newhouse, Esq.
Stephen Wright, Spruce Farm LLC

MATERIALS CONSIDERED:

LETTER e-mail from S. Wright dated November 20, 2021

ENGINEERING MEMO dated November 30, 2021

V. Gingrich told the Board they are requesting to release surety for 401 Andover Street, Spruce Farm. M. Sorrentino asked if the project is completed and if the Town Engineer is satisfied. M. Newhouse said everything is done but the AS-BUILT plans have not been submitted to the Town Engineer. M. Newhouse requested the Board would vote to release surety subject to the Town Engineer's approval of the AS-BUILT. He said all units have been completed and signed off by every department. The infrastructure has been looked at and will never be a public way. M. Sorrentino asked if the Town Engineer prepared a memo and V. Gingrich said there is no memo since the Town Engineer has no AS-BUILT plan to review with the project. S. Wright said they installed a stop sign that was required. M. Sorrentino asked if it was all paved, striped, and landscaped and S. Wright said yes. M. Newhouse said the amount of money being held is significant and all work is completed. M. Newhouse explained that since it is a Tri-Party agreement in which the bank holds the funds, the Town would not release the Tri-Party until the Town Engineer is satisfied. M. Sorrentino asked if the project was built in accordance with the approved plan and S. Wright said 100%. V. Gingrich said it is up to the Board if they will leave it in staff's hands. M. Sorrentino asked how many units were left to be sold and S. Wright said none. M. Sorrentino asked if there have been any complaints and V. Gingrich said the Town has received inquiries, but they have been guided back to the developer because the Town has no involvement. S. Hennigan said the money will not be released until the Town Engineer is satisfied. V. Gingrich said if there is some issue, the Developer would come back to the Board at its next meeting.

Upon motion duly made and seconded it was unanimously

VOTED: To release surety in the amount of \$136,008.00 (one hundred thirty-six thousand, eight dollars and zero cents) plus interest in the form of a Tri-Party Agreement for the completion of 401 Andover Street (Spruce Farm) once the Town Engineer indicates to the Planning Office that they are satisfied.

Discussion

Ashwood Avenue Street Acceptance

V. Gingrich asked if R. Holland or M. Sorrentino had any idea why Ashwood Avenue had not been accepted as a public way. V. Gingrich asked if there was any history that she should know about. R. Holland said that was one of the first Conservation Subdivisions that the Planning Board approved. V. Gingrich said there is no obvious reason for not accepting the road. R. Holland agreed.

Potential Zoning Changes

V. Gingrich asked the Board if they want to rezone North Wilmington for this year's Town Meeting. M. Sorrentino said he thinks it should be an overlay district with nice shops with parking and a nice train station off the road.

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

VOTED: To adjourn the meeting at 9:54 p.m.

NEXT PLANNING BOARD MEETING: January 4, 2021

Respectfully submitted, .

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

Cheryl Licciardi
Recording Clerk