



## TOWN of WILMINGTON

### DEPARTMENT OF PLANNING & CONSERVATION

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

### Planning Board Minutes February 1, 2022

The Planning Board met on Tuesday February 1, 2022 at 7:30 p.m. via remote participation. 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.

M. Sorrentino stated: This meeting of the Wilmington Planning Board is being conducted via remote participation. **No in-person attendance of members of the public will be permitted,** but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. Members of the public who would like to participate in the meeting via Zoom can do so by going to this link:

<https://us02web.zoom.us/j/85358789831?pwd=TVIUMkFhUm1zMGM4wbGNObXlqdDlkQT09>

Members of the public who would like to listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 853 5878 9831 then press # and press # again at the next voice prompt. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by following the steps previously noted then press \*9 on their telephone keypad or using the "raise hand" function on Zoom. This will notify the meeting host that the caller wishes to speak. In the event that despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the Town's website as soon as we are able.

#### **Minutes**

The Planning Board reviewed minutes of November 2, 2021.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the November 2, 2021 minutes as amended.

#### **Form A**

There were no ANRs to review.

#### **Matters of Appointment**

**Continued Public Hearing –Site Plan Review #22-17 for 625 Main Street  
Map 40 Parcel 2A - Timothy Greene, Applicant**

A request to withdraw without prejudice was received.

V. Gingrich told the Board the applicant is having some trouble getting authorization from the property owner.

Upon motion duly made and seconded it was unanimously

VOTED: To accept the request to withdraw without prejudice Site Plan Review #21-17 for 625 Main Street.

RECEIVED  
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2022 MAR -2 PM 2:47  
TOWN OF WILMINGTON, MA

**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**

**MATERIALS CONSIDERED:**

PLAN SET SHEET C3 dated 12-9-21

NARRATIVE dated December 9, 2022

TRAFFIC LETTER dated October 29, 2021

**PRESENT IN INTEREST:** Attorney Jill Elmstrom Mann

Adam Binnie, Carlisle Capital Corporation

Jeff Merritt, Granite Engineering, LLC

Benton Cole, Granite Engineering, LLC

Attorney J. Elmstrom Mann told the Board they applied for the special permit as part of their redevelopment of the Shriner's property from a gravel parking lot into a paved parking lot. This will be a satellite area for a fulfillment center in the area. Based on comments from Planning and Engineering, they filed the Parking Relief Special Permit. She said the special permit is required because even though there are two driveways closer than 200'. The Town's by-law requires 200' separation. The two driveways are not permitted to allow for a change in the use. She had the engineering firm show the plans and she described the driveways. She said one driveway is called the family driveway since families use it to go to events and the other will be used by the fulfillment center. She said to ensure there will not be a conflict, they proposed a gate that would be locked, and this was discussed with the Fire Department. She said there will be signage in front of each entrance. She said when Shriners has events, they have onsite management to assist people coming in. She said there included directional arrows that show a one-way approach so when people come into the cul-de-sac they know to keep to the right. Attorney J. Elmstrom Mann said they will be adding a textured pavement for the middle of the cul-de-sac to discourage people from driving in that pattern. She said they meet all other requirements. She said while they are adding 237 parking spaces, they are only increasing the pervious areas by 500 sq. ft. Attorney J. Elmstrom Mann showed the sheet of plan with the rear of parking area and landscaping. She said the thumb light projected towards abutters. She said they provided a landscape buffer. They provided a distance of 175' to 200' between the parking area and their property line. They added 16 Hemlock trees with a number of deciduous trees to add color and some dimension. They also added an 8' vinyl fence the entire distance of the rear of the parking lot that will help with any light migration. There are currently stadium lights in the parking lot. Attorney J. Elmstrom Mann said they will reinstall lights that are only 25' high. All the lights are downcast. She said there will be no migration of light to abutting properties. She said they submitted two reports from Vanasse Associates.

M. Sorrentino asked the Board if there were any questions. The Board had none. He said it seems as though all the Town Engineer's concerns were addressed. V. Gingrich reviewed the draft decisions. Attorney J. Elmstrom Mann said the decisions were well drafted with the exception of condition 27 of the Site Plan Review which states that the snow needs to be removed from the site within seven days of a snow event. She said this is a 63-acre parcel so there is a lot of area to snowplow into. She asked that the condition be modified to allow them to store snow onsite but outside all jurisdictional areas and buffer zones. T. Boland asked if there could be a location on the plan showing that and Attorney J. Elmstrom Mann asked her engineers to add something to the plan. J. Merritt said there is snow storage on the plan. He shared the plan and showed the Board the designated storage areas. He said if there is ever a time when snow exceeds the snow storage areas, it could be truck off site. M. Sorrentino asked if it is something in the bylaw that requires the snow to be removed from the property

and V. Gingrich said there is nothing in the bylaw it is just something the Board typically likes to see it removed. M. Sorrentino said they like it removed because it blocks sight, and it looks terrible after a couple weeks. M. Sorrentino said if seven days is unreasonable, the Board would consider increasing the time a bit. A. Binnie said if it exceeds the snow storage areas, they will have it removed. V. Gingrich asked if the applicant would prefer the conditions to read "if it exceeds the snow storage areas it should be removed site and snow shall be removed within 14 days following a snow event to ensure adequate parking and circulation. Everyone agreed. V. Gingrich reminded the Board there may be residents in the audience that have been present throughout the process.

Resident, B. Cronin, 75 Park Street, talked about his letter dated January 17<sup>th</sup>, he believes the site is too close to their homes. He referred to the Town Engineer's previous memo. He said the Planning Board and Conservation Commission should not approve the plan until physically seeing the perimeter of the proposed lot clearly marked at the site. He said there is a lot more excavation and a lot more fill that will be added. He asked that someone address the resident's concerns. Attorney J. Elmstrom Mann said the Town Engineer's comments were addressed and the lot was reconfigured. She said they preserved a lot of the open landscape and the existing buffer. She said it is eight to ten time what the zoning bylaw requires for the setback. Attorney J. Elmstrom Mann said they will revegetate and put up a fence to provide more protection. She said they hear the resident's concerns and made a reasonable attempt to satisfy those concerns by providing a buffer that is greater than what is required. R. Cronin said none of the abutters are questioning if this complies or exceeds the minimum setback requirements. He said the area that they are planting trees is below grade of the lot currently and will need to be filled to be brought up to the rest of the lot. M. Sorrentino asked if his concern is that the lot will be too high and affect the abutting properties or is the concern with the amount of construction that will take place? B. Cronin asked what is required to get the lot level. M. Sorrentino said he understands the resident's concerns, but it is a permitted use and the applicant has complied with all the requirements and exceeded the requirements for a buffer zone. He said the Town Engineer made sure all traffic concerns were addressed. He said it will be fenced all around. M. Sorrentino asked if this project was before the Conservation Commission and V. Gingrich said this application is currently before the Conservation Commission. A. Binnie told the Board this project will be a two to three month to construction build depending on weather and they will abide by all town ordinances. B. Cronin said the residents are not concerned that the applicant has complied with the rules, regulations and bylaws. Their concern is the project is too close to their properties and they feel it will have a negative impact on their property values and quality of life. M. Sorrentino said the Board continued the hearing to make sure the resident's concerns were addressed. He told B. Cronin he respects the way he presented the resident's concerns and hopes the resident's respect the fact the Board did everything to make sure all concerns were addressed. B. Cronin asked how they will address blasting if that will be required. Attorney J. Elmstrom Mann said there is ledge, but it is not like it was in the past. She said there is an earth removal bylaw that requires the applicant to submit a separate permit to the Board of Selectman. She explained the process. She said they put out seismic readers to ensure that vibrations from any type of removal will not damage things like plaster. She said if you allow people to do a survey of your property and there is any damage because of activities on the site, the resident will be reimbursed by the insurance company. M. Sorrentino said it also goes through the Fire Department. B. Cronin asked about working hours. A. Binnie said from a construction standpoint, they will abide by the town's bylaws. He said just up the street they did a similar project and they worked well with all town departments. M. Sorrentino said constructions is Monday through Friday starting at 7:00 a.m. with no truck idling. Attorney J. Elmstrom Mann asked A. Binnie if he understood that no construction would take place on Saturday, and he agreed that no construction will take place on Saturday.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Site Plan Review #21-15 and Stormwater Management Permit #21-12 and Parking relief Special Permit #21-03 for 99 Fordham Road.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Site Plan Review #21-15 for 99 Fordham Road as shown on plan entitled "Non-Residential Site Plan, Shriners Auditorium, Tax Map 99 lot 135, 99 Fordham Road, Wilmington, Massachusetts", dated August 16, 2021 and last revised January 18, 2022, prepared by Brenton Cole, PE, Granite Engineering, LLC, 150 Dow Street, Tower 2, Suite 421, Manchester, NH 03101. Said property is located at 99 Fordham Road, Wilmington, MA 01887 and shown on Assessor's Map 91 Parcel 135.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 14, 2021 and closing on February 1, 2022 by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Attorney Jill Elmstrom Mann for Carlisle Capital Corporation,, 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 99 Fordham Road to construct a parking facility with 246 parking spaces with associated site improvements, as shown on plan entitled "Non-Residential Site Plan, Shriners Auditorium, Tax Map 99 lot 135, 99 Fordham Road, Wilmington, Massachusetts", dated August 16, 2021 and last revised January 18, 2022, prepared by Brenton Cole, PE, Granite Engineering, LLC, 150 Dow Street, Tower 2, Suite 421, Manchester, NH 03101, submitted on August 19, 2021, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

#### **MATERIALS:**

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

##### Description

Stormwater Management Report, 99 Fordham Road, prepared by Granite Engineering, last revised October 20, 2021.

Response to Site Plan Review Comments prepared by Shaun P. Kelly, Vanasse & Associates, Inc. dated September 10, 2021

Remote Parking Access Response prepared by Shaun P. Kelly, Vanasse & Associates, Inc. dated October 29, 2021

Tree Exhibit prepared by Granite Engineering dated November 3, 2021

Canopy Plan & Elevations prepared by Shelters Direct dated April 17, 2020

Response to Comments, dated November 5, 2021, December 21, 2021, and January 18, 2022 prepared by Brenton Cole, P.E., Granite Engineering

**FINDINGS:**

1. The Project site is shown on Map 91 Parcel 135 on the Site Plan.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.
5. The Project has been granted a Parking Relief Special Permit #21-03 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. Minor field adjustments may be approved by the Director of Planning & Conservation.

**PRIOR TO ENDORSEMENT OF THE PLAN:**

7. The Operation and Maintenance Plan shall be submitted as a separate document.
8. A stamped asphalt detail including specifications for joint and surface preparation shall be submitted for review and approval.
9. The double grated catch basin shown on the plan shall be rotated 90-degrees.
10. The proposed water main shall be revised to include tapping sleeve and valve and two 45-degree bends at each connection point.

**PRIOR TO THE START OF CONSTRUCTION:**

11. 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.
12. 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.

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

**DURING CONSTRUCTION:**

16. 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 Saturdays, Sundays, and holidays. Construction equipment shall not be started before 7:00 a.m.
17. 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.
18. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Fordham Road. 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 Fordham Road during the course of construction, as directed by Town staff.
19. It is the responsibility of the Applicant to adhere to the Town's Earth Removal Bylaw (Section 32 of the Town's Inhabitant By-laws) and file for a permit through the Board of Selectmen, if necessary.
20. Prior to use of the proposed new parking lot, proposed improvements to the Fordham Road Right-Of-Way shall be completed.

**POST CONSTRUCTION:**

21. The O&M Plan shall be recorded at the Registry of Deeds.
22. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
23. 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.
24. 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.
25. 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.
26. 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.
27. Snow exceeding snow storage areas shall be removed from the site. Snow shall be removed from the site within 14 days following a snow event to ensure adequate parking and circulation.
28. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.

29. The proposed gate between the new parking lot and the existing Shriners parking lot shall be remain closed and locked. A knox box per Wilmington Fire Department specifications shall be provided on each side of the gate for public safety use.

Upon motion duly made and seconded it was unanimously

VOTED: To issue the Stormwater Management Permit #21-12 for 99 Fordham Road 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**

February 15, 2022

ISSUED for Property located at 99 Fordham Road, Wilmington, Massachusetts (Map 91 Parcel 135)

Case No.: Stormwater Management Permit #21-12

Applicant: Attorney Jill Elmstrom Mann for Carlisle Capital Corporation, 126 Daniel Street, Suite 200, Portsmouth NH 03801

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and Operation & Management Plan entitled "Non-Residential Site Plan, Shriners Auditorium, Tax Map 99 lot 135, 99 Fordham Road, Wilmington, Massachusetts", dated August 16, 2021 and last revised January 18, 2022, prepared by Brenton Cole, PE, Granite Engineering, LLC, 150 Dow Street, Tower 2, Suite 421, Manchester, NH 03101. Said property is located at 99 Fordham Road, Wilmington, MA 01887 and shown on Assessor's Map 91 Parcel 135, 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

Stormwater Management Report, 99 Fordham Road, prepared by Granite Engineering, last revised October 20, 2021.

Response to Site Plan Review Comments prepared by Shaun P. Kelly, Vanasse & Associates, Inc. dated September 10, 2021

Remote Parking Access Response prepared by Shaun P. Kelly, Vanasse & Associates, Inc. dated October 29, 2021

Tree Exhibit prepared by Granite Engineering dated November 3, 2021

Canopy Plan & Elevations prepared by Shelters Direct dated April 17, 2020

Response to Comments, dated November 5, 2021, December 21, 2021 and January 18, 2022 prepared by Brenton Cole, P.E., Granite Engineering

## **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 Stormwater Management System Operations and Maintenance (O&M) Manual, and Long-Term Pollution Prevention Plan (LTPPP) shall be recorded at the Registry of Deeds.

ISSUED ON February 15, 2022

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Parking Relief Special Permit #21-03 as shown on plan entitled: "Non-Residential Site Plan, Shriners Auditorium, Tax Map 99 lot 135, 99 Fordham Road, Wilmington, Massachusetts", dated August 16, 2021 and last revised January 18, 2022, prepared by Brenton Cole, PE, Granite Engineering, LLC, 150 Dow Street, Tower 2, Suite 421, Manchester, NH 03101. Said property is located at 99 Fordham Road, Wilmington, MA 01887 and shown on Assessor's Map 91 Parcel 135.



This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on September 14, 2021 and closing on February 1, 2022 by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Attorney Jill Elmstrom Mann for Carlisle Capital Corporation, 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 #21-03 as shown on plan entitled: "Non-Residential Site Plan, Shriners Auditorium, Tax Map 99 lot 135, 99 Fordham Road, Wilmington, Massachusetts", dated August 16, 2021 and last revised January 18, 2022, prepared by Brenton Cole, PE, Granite Engineering, LLC, 150 Dow Street, Tower 2, Suite 421, Manchester, NH 03101, 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:

Description

Stormwater Management Report, 99 Fordham Road, prepared by Granite Engineering, last revised October 20, 2021.

Response to Site Plan Review Comments prepared by Shaun P. Kelly, Vanasse & Associates, Inc. dated September 10, 2021

Remote Parking Access Response prepared by Shaun P. Kelly, Vanasse & Associates, Inc. dated October 29, 2021

Tree Exhibit prepared by Granite Engineering dated November 3, 2021

Canopy Plan & Elevations prepared by Shelters Direct dated April 17, 2020

Response to Comments, dated November 5, 2021, December 21, 2021, and January 18, 2022 prepared by Brenton Cole, P.E., Granite Engineering

**FINDINGS:**

1. The proposed Project includes constructing a 246-space parking lot with associated site improvements. The proposed parking lot will utilize a driveway located less than 200 feet from the adjacent driveway on the property.
2. Improvement to the Fordham Road Right-Of-Way will be constructed as part of the project.
3. The Planning Board determined that in accordance with Section 6.4.3.2, the waiver of the 200-foot distance can be granted without substantial detriment to the neighborhood.
4. 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 99 Fordham Road shall be valid for the proposed parking facility only. Any change to the use of the driveway shall 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.
4. Prior to endorsement of the plan, a stamped asphalt detail including specifications for joint and surface preparation shall be submitted for review and approval.
5. The Owner has agreed to and shall construct improvements to the Fordham Road Right-Of-Way. Such improvements shall be completed to the satisfaction of the Department of Public Works prior to the use of the new parking lot.
6. The proposed gate between the new parking lot and the existing Shriners parking lot shall be remain closed and locked. A knox box per Wilmington Fire Department specifications shall be provided on each side of the gate for public safety use.

**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:**

Plan "Plans to Accompany Permit Documents for Upton Park, 36 & 38 Upton Drive, Wilmington, Massachusetts" dated October 7, 2021 and last revised January 10, 2022  
OPERATION & MAINTENANCE CONTROL PLAN dated October 2021 and last revised January 10, 2022

LETTER from Matthew Costa dated January 1, 2022

E-MAIL from Matthew Costa dated January 27, 2022 addressing Engineering concerns

LETTER from Matthew Costa summary of resubmittal

ENGINEERING MEMO dated January 26, 2022

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

L. Beals said at the last meeting they resolved the majority of issues and were waiting for feedback. He said they received comments back from the town last Thursday and they filed revised plans Friday and they are still under review, but everything is minor. He said the Board has considered everything. He showed the PowerPoint with building A on the left, building B in the middle and a smaller building C to the right with a large wetland at the top and Charles River Lab at the bottom. He said they agreed to all the changes and recapped the entire site. He said there was a concern on building C and the Town Engineer didn't want runoff from the parking lot going on the grass surface so they added curbing. They added a note to the utility plan for existing sewer main removal and abandonment. He said the Town Engineer asked for a stormwater quality unit for building C which they agreed to. L. Beals said they added a lighting schedule. He showed the plan and explained they face Charles River Labs. He said there are 32' light poles running along the property. He said a little light leaks over the property line. He said they put a series of bollards which are about 5' high along the property line. L. Beals said they are willing to go with either light plan. He feels they complied any recommendations made and would like to wrap up this process. He said the construction

process is difficult. M. Sorrentino asked if V. Gingrich if she or the Town Engineer had a chance to review the revised information and she said she and the Town Engineer have not had a chance to review the revised submittal. V. Gingrich said that prior to approval the Town Engineer would like another test pit done. L. Beals said the test pit did not encounter ledge. It was dug to a certain elevation. He said the geotechnical engineer wrote part of the test pit. He said they would note refusal or hit bedrock if there is a problem. L. Beals suggested if the Town Engineer wants another test pit, it could be added as another condition. He said he doesn't want this to continue another month. M. Sorrentino said he would prefer light poles and T. Boland said he prefers the bollards because it follows the guidelines. M. Sorrentino said that made sense. R. Holland suggested bollards or a lower light pole would like a low light pole like 15'. The Board will go with bollards and make the test pit a condition. M. Sorrentino told V. Gingrich the Board could closed the public hearing.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline to March 31, 2022 for Site Plan Review #21-16 and Stormwater Management Permit #21-13 for 36 & 38 Upton Drive.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Site Plan Review #21-16 and Stormwater Management Permit #21-13 for 36 & 38 Upton Drive.

**Continued 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 and last revised January 10, 2022

RESPONSE LETTER from Doug Lees dated January 10, 2022

STORMWATER MANAGEMENT & EROSION CONTROL PLAN dated January 10, 2022

E-MAIL from Attorney Michael Newhouse dated February 1, 2022

ENGINEERING MEMO dated February 1, 2022

**PRESENT IN INTEREST – Doug Lees, Land Engineering**

D. Lees told the Board after receiving comments from the Board, Planning Department, and Engineering Department, he submitted revised plans January 10, 2022. He shared the revised plans that addressed all comments from the previous meeting. He said they moved the ponds. One was on an easement on 8 Commonwealth Avenue, and one was on 11 Commonwealth Avenue, so the ponds were consolidated to one pond on 11 Commonwealth Avenue. To accomplish that, he mirrored the house and moved the leach field to the west and extended the lot line to the end of the street and added a hydrant. D. Lees said there are easements required and they are in the process of obtaining them from 8 Commonwealth Avenue. He said there is an easement needed for the turnaround and the one needed for the pond on 11 Commonwealth Avenue and maintenance will not be the Town's obligation. The maintenance of the stormwater system would remain with the owner of 11 Commonwealth Avenue. He said since Commonwealth Avenue is a private road, a variance from the Board of Appeals is needed to construct a home on a private road. D. Lees talked about the memo from the Town Engineer questioning how it meets the stormwater management standards. He will have a discussion with the Town Engineer before he resubmits to ensure all concerns are addressed.

D. Lees wanted to address a comment that was reoccurring about the roadway centerline grade. He said the proposal is to bring the grade down so all the runoff goes down to the end of the road but because of the existing grades out there they can only go ½ %. He said that is typically done in commercial parking lots, but it is something that needs to be paid attention to during construction because it's less than the 1% required by the town. The town requires a pitch of not less than 1% in its design standards. He read comment #5 from the Town Engineer's memo. D. Lees said the water will not pond in the middles of the road as there is curbing on both sides. He said the water will flow down road to the gutter lines. M. Sorrentino asked how close he could get to the 1% and D. Lees said the ½ is as close as he could get. M. Sorrentino asked him to outline the corners of the property, so he did. M. Sorrentino asked that Doug outline the property. M. Sorrentino asked if the Board or anyone in the audience had questions. The Board had none. V. Gingrich said there are people in the audience from the neighborhood, but it appears they don't wish to speak it this time.

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 March 31, 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 to March 1, 2021 at 8:40 p.m.

**Continued Public Hearing – Definitive Subdivision #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive off Marion Street - Map 5 Parcels 2J, 3, 3A, 3C, 3D, & 3E - Craig Newhouse, Applicant**

A request to continue the public hearing was received.

**MATERIALS CONSIDERED:**

REVIEW LETTER from Planning dated January 21, 2022

ENGINEERING MEMO dated January 21, 2022

E-MAIL from Craig Newhouse dated February 1, 2022

Upon motion duly made and seconded it was

VOTED: To continue the public hearing for Definitive Subdivision Plan #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive to March 1, 2022 at 7:50 p.m. in the Town Hall Auditorium.

**Continued Public Hearing - Site Plan Review #21-18 for 773 Salem Street - Map R1 Parcel 23 Ellen Freyman, Esq. for Verizon, Applicant**

**MATERIALS CONSIDERED:**

STRUCTURAL ANALYSIS REPORT dated January 27, 2022

PRESENT IN INTEREST – Ellen Freyman, Shatz, Schwartz, and Fentin Counsellors at Law  
Juan Latorre, III, Verizon Wireless  
Sylvester Bhembe, Hudson Design Group LLC

Attorney, E. Freyman apologized for not getting the revised structural report sooner, but they had to get it from the tower owner. She said they took out the assumptions that the modifications for the 2019 were made. She said there is nothing they could get to certify the work was done. Attorney, E. Freyman said that AT&T did the work and the tower owner purchase it after presumably the work was done. She said they are concerned to make sure the tower is structurally sound and she is not sure how to confirm the work was done. She asked that the confirmation the improvements were made be added as a condition in an approval decision. M. Sorrentino said the previous work needed to be done and V. Gingrich said when the previous application came in, there was a peer review of the structural report the structural report and they had to make modifications to the tower so it could support the equipment. There were arms that needed to be reinforced, bolting that needed to happen. M. Sorrentino asked if the town issued a building permit for that work and V. Gingrich said there should have been a building permit application. M. Sorrentino if there is no documentation the work was done, then this applicant would be responsible. V. Gingrich said that's the concern. M. Sorrentino asked the applicant if a structural engineer provided calculations based upon what is there and Attorney, E. Freyman said based upon what is going on and with the assumption the repairs were made. She said she expected the information to be in the report but when she learned it wasn't part of the report, she went back to tower owner asked that he retrieve something from AT&T showing the repairs were made. M. Sorrentino said if work was done there should be an As-Built plan showing the work done. She asked that the Board approve the submission with a condition so they could get a building permit, they will do the work or provide the town with proof the work was done. M. Sorrentino said the Board does not want to make it a condition. V. Gingrich said the previous report had it passing but upon further review, it turned out there were modifications needed. Attorney E. Freyman said if the meeting is continued to March, will it issue a decision in April? M. Sorrentino said if everything is acceptable by the March meeting, draft condition could be reviewed.

Upon motion duly made and seconded it was

VOTED: To extend the deadline for action to March 31, 2022 for Site Plan Review #21-18 for 773 Salem Street.

Upon motion duly made and seconded it was

VOTED: To continue the public hearing for Site Plan Review #21-18 for 773 Salem Street to March 1, 2022 at 8:00 p.m. in the Town Hall Auditorium. own Hall Auditorium.

**Public Hearing - Site Plan Review #22-01 and Stormwater Management Permit #22-01 for 5 Cornell Place - Map 99 Parcel 143 Andy Pojasek for Ferro-Ceramic Grinding Inc., Applicant**

**MATERIALS CONSIDERED:**

PLAN "Existing Condition Plan of Land, 5 Cornell Place, Wilmington, Massachusetts" January 2, 2022

STORMWATER REPORT dated January 4, 2022

PLANNING REVIEW LETTER dated January 31, 2022

PRESENT IN INTEREST – Andrew Pojasek, Dana Perkins

A. Pojasek told the Board the applicant is looking to install an 8'x40' medal storage container. They are proposing to hide it behind the building on top of a concrete pad. It will be used for unused equipment, used office furniture and things of that like. M. Sorrentino asked if there were comments from the Town Engineer and she said there were minor changes requested

such as adding the catch basins to the O&M plan, change the parking to reflect the office in the existing building. The applicant has no issues with making the changes. There were no comments from the Board and there were no audience members present for the hearing. V. Gingrich suggested keeping the hearing open until the revised plan is submitted.

Upon motion duly made and seconded it was

VOTED: To continue Site Plan Review #22-01 and Stormwater Management Permit #22-01 for 5 Cornell Place to March 1, 2022 at 8:15 p.m. in the Town Hall Auditorium.

**Public Hearing - Site Plan Review #22-02 and Stormwater Management Permit #22-02 for 30 Upton Drive - Map R1 Parcel 18H Stephen Albano, Applicant**

**MATERIALS CONSIDERED:**

PLAN "Plans to Accompany Permit Documents for Upton Park, 30 Upton Drive, Wilmington, Massachusetts, Original issue dated January 5, 2022

TRAFFIC IMPACT AND ACCESS STUDY ASSESSMENT dated December 2021

STORMWATER REPORT dated January 5, 2022

LETTER from Devin Howe dated January 6, 2022

OPERATION AND MAINTENANCE CONTROL PLAN dated January 5, 2022

PLANNING REVIEW LETTER dated January 31, 2022

PRESENT IN INTEREST – Devin Howe, Beals Associates  
Rebecca Brown, Greenman Pederson, Inc.

D. Howe showed the Board a Power Point presentation addressing the site and concerns mentioned. He said the property is 12 acres. He said the property is located at 30 Upton Drive and he showed the relation to 36 & 38 Upton Drive. He said the property is bordered by industrial and commercial properties. He showed the location of the detention pond for where the existing stormwater drains. The property is located in the General and Highway Industrial District. He said the existing development contains a single-story brick building that's 81,000 sq.ft. and features industrial warehouse and office space. D. Howe said there is parking on all sides of the building. He said there are 7 loading docks. There is an intermittent stream that they delineated with the Town's Conservation Commission. He said it flows down to the detention pond. He said the proposed development is for a 46,000 sq.ft. footprint. He said they are proposing a 3600 sq.ft mezzanine level which would consist of office space. There would be 10% office space and warehouse in the building. He said there would be a split in the middle of the building to allow the possibility for two tenants. They are proposing to restripe the existing parking lot. D. Howe showed on the plan where they will add parallel parking and said where there is lawn area in the front of the building, they will add additional parking spaces and make sure they can save the existing trees. He said when they were originally striped, they were 10' wide and the town's regulations only require 9' so they were able to pick a few additional spaces without having to construct additional infrastructure. Parking will be on both sides of the building in case there are two tenants. He said for truck access they will maintain the two existing curb-cuts off Upton Drive. He showed the traffic pattern. He said they are providing four sawtooth loading spaces for the building so trucks can pull into and out of the spaces. D. Howe said the existing building is 81,000 sq.ft. and the proposed building 45,690 sq.ft. building. The gross square footage is an additional 3600 from the mezzanine level. He said for parking there are 342 spaces but they only need 245 parking space. The loading spaces have increased from 7 to 11. D. Howe talked about the proposed stormwater management system. He described what currently exists saying it all flows into the detention pond. He said they intend to treat and recharge in a managed way to improve on the

existing conditions of the site that has no stormwater controls. He said they have complied with MassDEP standards and the town's comprehensive regulations. He told the Board he received memo from the Town Engineer but has not had a chance to review it and does understand the Town Engineer has concerns. He said he will review it and make sure that the comments are addressed. D. Howe said the plan only shows the proposed utilities. He pointed out the existing waterline location they are proposing to connect to. He said there are a couple fire hydrants, and they added a couple of additional hydrants, however, one of the comments is that the Fire department wants to confirm the fire hydrant's locations. He said he will setup a meeting with the Fire Department to firm-up the fire hydrant locations. He said the existing septic system has additional capacity because it was designed for a larger capacity than it is being used for. They performed a Title 5 inspection and had brief conversations with Health Department. They are proposing to install a pumpstation. For the electric and telecom, they will connect to existing utility pole and underground them into a transformer. He said all utilities for this project will be underground. He showed where the gas extends into the site. He said they meet all setback, lot requirements and zoning requirements. D. Howe said the proposed building will have high bays. He said 10% of the building will be used as office and some would be mezzanine level. He showed renderings of the front side and southern elevation or the backside of the building. He told the Board they provided a comprehensive landscaping plan. He said they located the trees where they would have sun exposure. R. Brown said she prepared a comprehensive traffic impact study. She said the study area she looked at was consistent with the study done for 36 & 38 Upton Drive project and included the intersections along Rte. 125, with the I-93 ramps, with Ballardvale Street and with Andover Street. She said she also included the intersections of Andover Street and Jonspin Road and Upton Drive as they provide access into this site along Upton Drive. R. Brown said she looked at the two site driveways as well. She said the first thing they did was look at safety and evaluated the collision history. She said the crash rate is lower than statewide and districtwide averages that indicated there were really no significant safety concerns. She said the one location there was a little higher crash rate was at the Ballardvale Street and Rte. 125 intersection. She said that intersection was previously identified as a high crash location but recently there were improvements made there which included some roadway restriping, and reapplication of pavement marking as well as signal timing optimization that helped alleviate some of the queuing that was occurring. That intersection is no longer listed as HSIP eligible following the implementation of those improvements. She said the number will go down as it is based on a 5-year period. She said in looking at the safety, she looked at the site lines at Upton Drive and Jonspin Road as they meet Andover Street to ensure traffic going in and out would have adequate site lines. R. Brown said stopping site distance at all these locations were over 500' with the exception of Upton Drive. She said at that location you can see through the signal about 400' which is well in excess of what is required. Based on the collision history and site line measurements, she did not identify any significant safety issues, consistent with the findings of the study for 36 & 38 Upton Drive. She said they looked at actual traffic volumes. R. Brown said COVID 19 impacted traffic volumes, so she said they used older counts from June and August of 2018. She said they supplemented that with traffic counts at the two site driveways to understand how much traffic is being generated there today to estimate what the increase would be in traffic. She said in June the traffic volumes heading in the westbound direction were a little higher and in August the volumes headed in the eastbound were a little higher. She said they projected the traffic volumes out to a seven-year design horizon consistent to MassDOT standards out to a 2028 condition based on a 1% growth rate per year. She said they also added traffic from 7 other development projects that have been proposed or not yet constructed and she showed the location of the 7 developments. She said they looked at how much traffic would be generated by the project. She said now the site is generating significantly lower traffic than what ITE suggests. She said the net increase would be 87 trips in the am peak hour and 90 trips in the evening peak hour.

She said they used the same distribution as 36 & 38 Upton. She said there were some levels of service of E & F. One was at the intersection of Ballardvale Street and Rte. 125. This development isn't going to increase traffic on Ballardvale Street and the development will not increase more than two vehicles. R. Brown said MassDOT installed a new traffic signal at Ballardvale Street and Rte. 125. She said there are improvements proposed for the intersection of Andover Street and Upton Drive intersection to add "Do Not Block the Box" pavement markings and signage at the intersection and cut back the median island and reconstruct it to better allow truck turns in and out. The site lines exceeded AASHTO recommendations, and the collision history shows that there is no significant safety issues at any of the study intersections and all the volume projections that were included were extremely conservative and showed minimal increases of delay in any of the intersections.

D. Howe said he received two letters, one from Planning & Conservation Department and one from Engineering Department and all concerns will be addressed. V. Gingrich said the Town Engineer recommends a traffic peer review and if the applicant is agreeable to that, she will start the process. She suggested TEC and D. Howe agreed. M. Sorrentino asked if one of the comments was that the applicant would have to check the water pressure since they are connecting to an existing line. D. Howe said that was a comment from the Town Engineer. He said they will reach out to the town's consultant, Kleinfelder to run a hydraulic analysis. T. Boland asked about parking summary and wanted to know if the number of spaces provided, and the number of spaces required is the same. He asked if the requirements are based the town's bylaws. D. Howe said they provided the exact number of spaces the town requires.

Upon motion duly made and seconded with 4 in favor and one abstention (R. Holland) it was

VOTED: To continue the public hearing Site Plan Review #22-02 and Stormwater Management Permit #22-02 for 30 Upton Drive to March 1, 2022 at 8:25 p.m. in the Town Hall Auditorium.

### **Board of Appeals**

At its meeting on February 1, 2021, the Planning Board (Board) voted to recommend as follows:

#### **Case 1-22: 31 Arlene Avenue – Map A90 Parcel 10**

V. Gingrich told the Board the case is for the Ground Water Protection District. The applicant is proposing a 25' x 36' garage on a single-family lot. She said this went through the Conservation Commission process so Engineering review the stormwater and infiltration. She said the applicant is providing a drip trench around the garage to comply with the infiltration requirement. T. Boland asked what they are asking for and V. Gingrich said they are asking for the Ground Water Protection District.

Upon motion duly made and seconded, it was unanimously

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

### **Old Business**

There was no Old Business



## **New Business**

**Decision for 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**

### **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

V. Gingrich said the hearing was closed at the previous meeting. She said Attorney R. Peterson looked at the drafts and has no concerns. M. Sorrentino asked if any member has questions and if all have seen them. T. Boland said they are fine.

Upon motion duly made and seconded it was

**VOTED:** To approve with conditions Site Plan Review #21-05 for 225 Andover Street as shown on plan entitled "Proposed Site Development, 225 Andover Street, Wilmington, MA 01887", dated February 8, 2021 and last revised November 29, 2021, prepared by Michael G. Joyce, P.E., Joyce Consulting Group, 439 Washington Street, 3rd Floor, Braintree, MA 02184. Said property is located at 225 Andover Street, Wilmington, MA 01887 and shown on Assessor's Map R1 Parcel 108.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on May 4, 2021 and closing on January 4, 2022 by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Timothy MacDonald, 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 225 Andover Street to construct a 3-story storage facility with a footprint of 26,412 square feet with associated site improvements, as shown on plan entitled "Proposed Site Development, 225 Andover Street, Wilmington, MA 01887", dated February 8, 2021 and last revised November 29, 2021, prepared by Michael G. Joyce, P.E., Joyce Consulting Group, 439 Washington Street, 3rd Floor, Braintree, MA 02184, submitted on March 11, 2021, (the "Site Plan") (the "Project"), do hereby vote to APPROVE the Site Plan and the Project, subject to the Findings and Conditions below.

### **MATERIALS:**

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

#### **Description**

Stormwater Report, 225 Andover Street, Wilmington MA, prepared by Joyce Consulting Group, PC, last revised November 29, 2021  
Proposed Floor Plans and Proposed Elevations prepared by Phoenix Architects, dated December 2, 2021

Parking Demand Letter prepared by Jason R. Plourde, P.E., VHB dated August 16, 2021

Traffic Assessment prepared by Jason R. Plourde, P.E., VHB dated July 12, 2021

Response to Comments, dated November 29, 2021, October 12, 2021, June 29, 2021, prepared by Michael Joyce, P.E.

**FINDINGS:**

1. The Project site is shown on Map R1 Parcel 108 on the Site Plan.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.
5. The Project has been granted a Parking Relief Special Permit #21-01 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. Minor field adjustments may be approved by the Director of Planning & Conservation.

**PRIOR TO ENDORSEMENT OF THE PLAN:**

7. A Ground Water Protection District Special Permit shall be obtained by the Applicant.
8. The Operation and Maintenance Plan shall be submitted as a separate document.

9. The Applicant shall submit an updated truck turning diagram for review and approval of the Wilmington Fire Department to ensure adequate public safety access around the building.
10. The Applicant shall revise the plan to include a new fire hydrant in a location to be approved by the Wilmington Fire Department.

**PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

11. The Wilmington Fire Department shall review and approve building plans.
12. The Applicant shall verify with the Building Inspector that floor drains are not required for the building. Any changes to the plan shall be submitted to the Department of Planning & Conservation for review and approval. Any changes deemed by the Director of Planning & Conservation to be substantially shall require an amended application to the Planning Board.

**PRIOR TO THE START OF CONSTRUCTION:**

13. A pre-construction meeting shall be scheduled with the Department of Planning & Conservation and Town Engineer. The developer shall submit a construction schedule at the time of the pre-construction meeting.
14. At the time of the pre-construction meeting, the Applicant shall provide evidence that all required local, state, and federal permits and approvals have been obtained.
15. The Applicant shall demonstrate compliance with NPDES Construction General Permit filing requirements and shall submit a copy of the Stormwater Pollution Prevention Plan to the Department of Planning & Conservation and Engineering Division.
16. Erosion controls shall be installed around all areas of work as a limit of disturbance and shall be inspected by the Department of Planning & Conservation at least two (2) business days prior to the start of construction.
17. Notice of start of construction shall be distributed to abutting properties two (2) weeks prior to the commencement of work.

**DURING CONSTRUCTION:**

18. During construction, work shall not start before 7:00 a.m. and shall be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment shall not be started before 7:00 a.m.
19. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.
20. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Andover 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 Andover Street during the course of construction, as directed by Town staff.
21. It is the responsibility of the Applicant to adhere to the Town's Earth Removal Bylaw (Section 32 of the Town's Inhabitant By-laws) and file for a permit through the Board of Selectmen, if necessary.

**PRIOR TO OCCUPANCY:**

22. The Applicant shall install a toxic gas monitoring system inside the proposed building.

23. The Applicant shall perform a radio signal strength survey at the facility to ensure proper Emergency Responder Radio Coverage.
24. All rooftop HVAC equipment shall be screened.
25. The O&M Plan shall be recorded at the Registry of Deeds.
26. Prior to the issuance of Occupancy, As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
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 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 Owner shall be responsible for removing and maintaining vegetation along the site frontage consistently to ensure that sight lines remain unobstructed at the site driveway intersection with Andover Street.
29. 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, benches, and fencing in presentable and healthy condition.
30. 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.
31. No outdoor storage is permitted.
32. No indoor vehicle storage is permitted.
33. The Owner shall use good housekeeping practices as outlined in the Operation and Maintenance Plan to maintain the site and keep it in good working condition. The Owner shall provide copies of completed maintenance and inspection logs for the construction period and copies of logs of the long-term pollution prevention plan to the Department of Planning & Conservation.
34. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project shall be the Owner's responsibility.
35. Snow shall be removed from the site within seven days following a snow event to ensure adequate parking and circulation.
36. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
37. Final As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to

Upon motion duly made and seconded it was

VOTED: To approve with conditions Parking Relief Special Permit #21-01 for 225 Andover Street as shown on plan entitled "Proposed Site Development, 225 Andover Street, Wilmington, MA 01887", dated February 8, 2021 and last revised November 29, 2021, prepared by Michael G. Joyce, P.E., Joyce Consulting Group, 439 Washington Street, 3<sup>rd</sup> Floor, Braintree, MA 02184. Said property is located at 225

Andover Street, Wilmington, MA 01887 and shown on Assessor's Map R1 Parcel 108.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on May 4, 2021 and closing on January 4, 2021, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Timothy MacDonald, 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 #21-01 as shown on plan entitled: "Proposed Site Development, 225 Andover Street, Wilmington, MA 01887", dated February 8, 2021 and last revised November 29, 2021, prepared by Michael G. Joyce, P.E., Joyce Consulting Group, 439 Washington Street, 3rd Floor, Braintree, MA 02184, 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:

Description

Stormwater Report, 225 Andover Street, Wilmington MA, prepared by Joyce Consulting Group, PC, last revised November 29, 2021

Proposed Floor Plans and Proposed Elevations prepared by Phoenix Architects, dated December 2, 2021

Parking Demand Letter prepared by Jason R. Plourde, P.E., VHB dated August 16, 2021

Traffic Assessment prepared by Jason R. Plourde, P.E., VHB dated July 12, 2021

Response to Comments, dated November 29, 2021, October 12, 2021, June 29, 2021, prepared by Michael Joyce, P.E.

**FINDINGS:**

5. The proposed Project includes constructing a 3-story storage facility with a footprint of 26,412 square feet. Total building square footage is 79,236, requiring 80 parking spaces onsite. The approval is for the provision of 35 parking spaces.
6. Demand for parking is estimated to be 8 parking spaces during a typical weekday and 7 parking spaces on a typical Saturday according to the Parking Demand Letter prepared by VHB and dated August 16, 2021.
7. 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.
8. 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:

7. This Special Permit granted for Parking Relief for 225 Andover Street shall be valid for the proposed storage facility only. Any change in use shall meet the parking requirements or apply for a Special Permit.
8. 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.
9. 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.
10. The Owner has agreed to and shall regularly trim vegetation along the property frontage within the Andover Street right-of-way to maintain sufficient intersection sight distance for vehicles, in accordance with the Traffic Assessment prepared by VHB dated June 15, 2021.

Upon motion duly made and seconded it was

VOTED: To issue the Stormwater Management Permit #21-05 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**

February 4, 2022

ISSUED for Property located at 225 Andover Street, Wilmington, Massachusetts (Map R1 Parcel 108)

Case No.: Stormwater Management Permit **#21-05**

Applicant: Mr. Timothy MacDonald, American Maplewood Properties, LLC, 87 New Salem Street, Wakefield, MA 01880

The Wilmington Planning Board has reviewed and approved the Stormwater Management application and Operation & Management Plan entitled "Proposed Site Development, 225 Andover Street, Wilmington, MA 01887", dated February 8, 2021 and last revised November 29, 2021, prepared by Michael G. Joyce, P.E., Joyce Consulting Group, 439 Washington Street, 3<sup>rd</sup> Floor, Braintree, MA 02184. Said property is located at 225 Andover Street, Wilmington, MA 01887 and shown on Assessor's Map R1 Parcel 108, material originally submitted on March 11, 2021, subject to the following conditions:

**MATERIALS:**

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

Description

Stormwater Report, 225 Andover Street, Wilmington MA, prepared by Joyce Consulting Group, PC, last revised November 29, 2021

Proposed Floor Plans and Proposed Elevations prepared by Phoenix Architects, dated December 2, 2021

Parking Demand Letter prepared by Jason R. Plourde, P.E., VHB dated August 16, 2021

Traffic Assessment prepared by Jason R. Plourde, P.E., VHB dated July 12, 2021

Response to Comments, dated November 29, 2021, October 12, 2021, June 29, 2021, prepared by Michael Joyce, P.E.

## **STANDARD CONDITIONS**

7. Waivers granted: None
8. The development shall not alter the flow of stormwater runoff leaving the site, nor shall it alter the stormwater flow to any adjoining properties, public ways or wetland resource areas.
9. The development shall comply with the performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Handbook.
10. The Applicant shall provide and maintain erosion and sedimentation controls until the site is permanently stabilized.
11. The Applicant shall inspect and maintain the site and stormwater management systems. Maintenance requirements for the site shall remain in perpetuity with the parcel.
12. To the maximum extent practicable, the development shall provide on-site infiltration and meet the Recharge Additional Performance Standards as specified in Appendix E of the Town of Wilmington Comprehensive Stormwater Management Regulations adopted February 2, 2010 and last amended on October 2, 2018.

## **SPECIAL CONDITIONS**

5. A Stormwater Pollution Prevention Plan shall be submitted prior to any land disturbing activity at the site.
6. Erosion controls shall be placed around all areas of disturbance and shall be inspected by the Department of Planning & Conservation two (2) business days prior to the start of any land disturbing or land altering activity.
7. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to installing any stormwater management system or any other critical design components.
8. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
6. The Stormwater Management System Operations and Maintenance (O&M) Manual, and Long-Term Pollution Prevention Plan (LTPPP) shall be recorded at the Registry of Deeds prior to any issuance of a Certificate of Occupancy.

**Request to endorse plans for Site Plan Review #21-13 for 154-156 West Street  
Map 56 Parcels 1 & 2 – Anthony Capachietti, PE for Wesley Reed, Applicant**

A request to endorse plans for Site Plan Review #21-13 for 154-156 West Street was received.

**MATERIALS CONSIDERED:**

PLAN "Site Plan in Wilmington, Mass." dated July 13, 2021 and last revised January 27, 2022  
LETTER addressing changes made to plan from Anthony Capachietti dated January 27, 2022  
CONSTRUCTION PERIOD POLLUTION PREVENTION PLAN dated January 27, 2022  
LONG-TERM POLLUTION PREVENTION PLAN dated January 27, 2022

V. Gingrich told the Board this is not ready for endorsement because one of the conditions is that the applicant needs approval from the Water & Sewer Commission prior to endorsement and that is happening this month. She requested that the Board table the endorsement.

Upon motion duly made and seconded it was unanimously

VOTED: To table endorsing plans for 154-156 West Street until they receive approval from the Water & Sewer Commission.

**Discussion**

**Potential Zoning Changes**

V. Gingrich told the Board she sent out an e-mail of the draft articles that were discussed for the upcoming Town Meeting. She said she drafted a survey that would serve as an introduction to some of the topics. She asked the Board how they felt about the articles and if they have revisions and survey. She said Town Counsel has reviewed and made some wording changes but no content change. M. Sorrentino suggested V. Gingrich share her screen so the Board could discuss the articles.

V. Gingrich said the Pet Care Facility article is for some corrections. She said it was changed at last Town Meeting and the Neighborhood Mixed District was omitted from this paragraph. She said another was changing the parking lot landscaping, reducing the parking lot size from 40 spaces to 20 spaces to capture smaller parking lots but keeping the requirement at 5% of the area to be landscaped. She said it says exclusive of the perimeters. V. Gingrich said interior landscape islands need to be constructed. She said she also clarified that shade trees are required to combat heat island effect. She said the new language states the islands can be used for stormwater BMP if shade trees are also provided. V. Gingrich said this is all under the Planning Board's Site Plan Review. T. Boland asked how big a parking lot is that is 20 spaces. He said 5% would be 1 tree. T. Boland said any parking lot that is less than 40 spaces could basically be all concrete and V. Gingrich said yes. V. Gingrich talked about design standards that were being added to the existing design standards. T. Boland asked what 6.4.4 applies to and V. Gingrich said that applies to any Site Plan. M. Sorrentino said it's not just factory building, industry, or restaurant. T. Boland feels the Board will get a lot of questions. He said if this applies to a residential development. V. Gingrich said there is a new section added to site design and standards for building and site design in the Central Business District, Neighbor Business District, and Mixed-Use District. T. Boland said creating wide side walks and shade trees is something they'd like to see everywhere.

M. Sorrentino asked V. Gingrich if she did anything as far as parking requirements. V. Gingrich said the Board is not proposing changes to the parking requirements.



V. Gingrich put in the article about changing all the references from Selectmen to Selectboard.

V. Gingrich talked about an article rezoning the General Industrial parcels to Neighborhood Mixed Use in the North Wilmington area. V. Gingrich said this is an opportunity and it might be a good time to do it. She said there will be a lot of pressure on the Waltham Street to become more active. T. Boland said if it is presented as here's what is allowed now and here's what will be allowed residents can't argue with the benefit. V. Gingrich asked the Board if they looked at the survey. She reviewed the survey with the Board. There was a discussion of the 40B project on Middlesex Avenue and M. Sorrentino asked if they could put businesses and V. Gingrich said that was suggested but the applicant did not want to.

### **Updates on Projects Under Construction**

V. Gingrich gave the Board some project updates. She said 201 Lowell Street has a demo permit in for another Textron building. She said they are starting work on the Textron renovation but not on the warehouse yet. V. Gingrich told the Board that at 168 Lowell Street the developer put in a foundation without a permit so the Building Inspector issued a cease and desist, and they will have to provide a structural evaluation of the foundation before they proceed. She told the Board that Highland Estates, Darby Lane, the roadway is up to binder, and he is working on lot releases, so he is working on septic designs. She said there have been complaints from an abutter about construction starting before 7:00 am. She said she has spoken to both J. Castellano and the abutter. She said she received a report that the excavator at that was blocking entrance at the access was being started before 7:00 am so the arm could swing to allow folks into the site and there were calls made to the Police Department. She said if there are further violations, the developer would be invited to come before the Board.

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

VOTED: To adjourn the meeting at 10:02 p.m.

NEXT PLANNING BOARD MEETING: March 1, 2021

Respectfully submitted,-

  
Cheryl Licciardi  
Recording Clerk

