



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes February 4, 2020

The Planning Board met on Tuesday, February 4, 2020 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Michael Sorrentino, Chair; Randi Holland, Angela Marcolina, Terence Boland and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation, and Sierra Pelletier, Assistant Planner were also present.

Minutes

There were no minutes to review.

Form A

There were no ANR plans to review.

Matters of Appointment

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

A request to continue the public hearing was received.

PRESENT IN INTEREST: Jill Elmstrom Mann, Mann & Mann, P.C.

PLANS "Conservation Subdivision Design, Nichols Street Condominium, Wilmington, Massachusetts" dated January 17, 2019 & "Yield, Grading & Drainage Plan" dated December 18, 2019

LETTER from Jill Elmstrom Mann dated January 30, 2020

J. Mann asked the Board to continue the public hearing to April 7, 2020. She said they need to have a resolution of their own issues by then. M. Sorrentino said everything must be submitted on time and not a minute late or he will crush her. J. Mann agreed.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Conservation Subdivision Design Special Permit #19-01 for 79 Nichols Street to April 7, 2020 at 7:30 p.m. in the Town Hall Auditorium.

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TOWN OF WILMINGTON, MA

**Public Hearing – Non-Conforming Lot Special Permit #20-01 for 11 Forest Street
Map 8 Parcel 4 – Michael Tkachuk, Applicant**

PRESENT IN INTEREST: Attorney Robert G. Peterson
Michael Tkachuk

MATERIALS CONSIDERED:

PLAN "Proposed Subsurface Septic Disposal System, 11 Forest Street, Wilmington, Massachusetts" dated March 12, 2018 and "plot Plan, 11 Forest Street, Wilmington, Massachusetts" dated May 19, 2018

ELEVATIONS and FLOOR PLANS dated February 6, 2015

LETTER from Attorney Robert G. Peterson dated January 3, 2020

Attorney R. Peterson told the Board the request is for a special permit for a non-conforming lot under Chapter 139 of the Acts of 1998. He said the lot is eligible for a building permit and he submitted title work to Mr. Silverstein, Town Counsel and he confirmed the lot is eligible for a special permit. R. Peterson said the lot is not a standard non-conforming lot since there was a structure on the lot for many years. It has an existing septic system, curb cut, water line and existing garage on site and is assessed by the Assessor as a buildable lot. He said M. Tkachuk is proposing a 20' x 36' 2-story home with 2-bedrooms and will be able to get septic approval from the Board of Health. He needed to get off-site nitrate loading rights which he has done. this lot had a structure on it for many years.

There are no comments from Engineering. M. Sorrentino asked if the existing septic is ok. M. Tkachuk said they will install a new septic. M. Sorrentino asked if they will wipe everything out and start fresh. M. Tkachuk said when he did the test holes he found what was there was in good shape but does not work for today's standards. He said there is an existing copper water line. M. Sorrentino asked if there is a need for a retaining wall and M. Tkachuk said no. T. Boland asked if the plan they had is what will be built and M. Tkachuk said he will be building the 20' x 36' house and V. Gingrich clarified the house plans show a 20' x 36' with a 6' front porch. M. Sorrentino asked how the house will compare to homes in the neighborhood and R. Peterson said the house behind it is large and everything else is two-story with a ranch abutting it on the left. M. Tkachuk said there is only 2' of foundation exposed.

Resident, L. Gebhardt, 2 Edwards Road, said she abuts on two sides and said there is not structure on the property now and she is afraid that the house will be big on a tiny lot and the builder will cut down every tree on the property and there will be a big house on a very tiny lot. M. Sorrentino asked the zone and R. Peterson said it is R20. M. Sorrentino asked if the applicant meets the frontage and R. Peterson said yes it meets the front setbacks. Resident, K. Savosik, 9 Forest Street said she thinks there will be a really tall house built on a small lot and doesn't like the idea of it. Resident, P. Meehan, 14 Beeching Avenue, said she grew up at 9 Forest Street and said the other houses on that end of Forest Street are more than 20' apart and this one will be jammed into a small lot pretty much into L. Gebhart's back yard. She does not believe it fits into the neighborhood. She said she grew up there and would not consider a mobile home a permanent structure. She said the garage has been home to foxes and coyotes. M. Sorrentino said there has been a lot of building over on Forest Street lately, at least three new houses and a couple of additions. Resident, J. Guarino, 10 Forest Street, asked how the septic will work. M. Tkachuk said it will be located in the front of the property with its leeching pits. R. Peterson said he wanted to correct himself that it is R10 and the house will be fully conforming to all setbacks. M. Sorrentino said the lot is in R10, not R20 so the house will meet the R10 setbacks. A resident at 3 Forest Street said the corner lot looks

like it belongs to the house next to it. She said the lot is tiny with some rundown storage units on it. She said she knew of previous offers to buy that lot from 2 Forest Street and the owner was holding out for a better deal. She said this is shoehorning the house on a small lot like a square peg round hole situation. Resident, R. Godzyk, 16 Muse Avenue, said he is the owner and said that the resident at 2 Forest Street said a family member made an offered his father \$2,000. M. Sorrentino said change like this to the neighborhoods is difficult and understandable. R. Peterson said he understands what residents have stated and understands everyone's concern but the Chapter that applies to this is meant to protect home owner rights on property such as this. It was never vacant.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing and approve the Special Permit #20-01 for a Non-Conforming Lot under Chapter 139 of the Acts of 1998, as shown on plans entitled, "Proposed Subsurface Septic Disposal System, 11 Forest Street, Wilmington, Massachusetts" dated March 12, 2018, prepared by Luke J. Roy, P.E., LJR Engineering, Inc., 234 Park Street, North Reading, MA 01864; and "Plot Plan, 11 Forest Street, Wilmington, Massachusetts", dated May 19, 2018, prepared by Scott M. Cerrato, P.L.S., LJR Engineering, Inc., 234 Park Street, North Reading, MA 01864. The application was filed with the Planning Board on January 6, 2020. Said property is located at 11 Forest Street and shown on Assessor's Map 8 Parcel 4.

The public hearing was opened and closed on February 4, 2020. By a motion duly made and seconded, the Board voted to approve the Special Permit, as presented, under the provisions of Section 6.1 of the Zoning Bylaws of the Town of Wilmington.

We, the Wilmington Planning Board, as requested by Michael Tkachuk, under the provisions of Chapter 139 of the Acts of 1998 considered a single-family home proposal at 11 Forest Street (Assessors Map 8 Parcel 4), as shown on plans entitled "Proposed Subsurface Septic Disposal System, 11 Forest Street, Wilmington, Massachusetts" dated March 12, 2018, prepared by Luke J. Roy, P.E., LJR Engineering, Inc., 234 Park Street, North Reading, MA 01864; and "Plot Plan, 11 Forest Street, Wilmington, Massachusetts", dated May 19, 2018, prepared by Scott M. Cerrato, P.L.S., LJR Engineering, Inc., 234 Park Street, North Reading, MA 01864 (the "Project Proposal") (the "Proposal"), do hereby vote to **APPROVE** the Project Proposal as shown on Subsurface Septic Plan, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
January 8, 2020	Application Cover Letter from Robert G. Peterson, dated January 3, 2020.
January 29, 2020	House drawings, prepared by KDK Design, dated February 6, 2015.

FINDINGS:

2. The Project to be constructed is on Map 8 Parcel 4 on the Town of Wilmington's Assessor's Map.
3. The lot contains at least 5,000 square feet and 50 feet of frontage.
4. The lot met any applicable requirements for area and frontage at the time such lot was recorded or endorsed.
5. The lot has not been held in common ownership with any adjacent land since the date of nonconformance with area or frontage requirements.
6. The lot is located on an accepted way.
7. Town water is available to the lot.
8. The Planning Board determined that the construction and maintenance of a 20'x36' single-family dwelling within the 20'x40' envelope with 6' front porch at this property as shown on the Site Plans will be consistent with public health, safety and welfare and without any substantial detriment to the public good and should be permitted in the public interest.
9. The Project Proposal as set forth in the Special Permit and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Chapter 139 of the Acts of 1998 and the Board's Special Permit Rules and Regulations.
10. 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:

1. The Project shall be constructed and operated in accordance with the Special Permit.
2. The Project shall be approved 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 this Special Permit 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 Land Court within twenty (20) days after the decision has been filed in of the office of the Town Clerk, and/or 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 tenants.
5. 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.

SPECIAL CONDITIONS:

6. The proposed 20'x36' single-family dwelling shall be built within the 20'x40' envelope shown on the Site Plans. The 6' front porch may extend beyond the 20'x40' envelope.
7. Prior to endorsement of the Plan, the Applicant must obtain septic system approval from the Wilmington Director of Public Health.
8. Prior to issuance of Building Permit, the Applicant must obtain a Simple Stormwater Management Permit.

9. A fence shall be installed along the side and rear lot lines in coordination with the abutting property owners.

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

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

MATERIALS CONSIDERED:

PLAN "635 Main Street, Wilmington, MA" dated October 18, 2018, and last revised February 4, 2020

STORMWATER REPORT dated October 23, 2018 and last revised January 14, 2020

RESPONSE TO PLANNING COMMENTS dated January 15, 2020

RESPONSE TO ENGINEERING COMMENTS dated January 14, 2020

J. Tilton told the Board he responded to all comments and submitted revised plans. He reviewed the draft decision and has no comments. The Board reviewed the draft conditions with the applicant. V. Gingrich said they built in some of the transportation conditions with the roadway improvements that are going to happen along the Rte. 38 corridor and Butters Row.

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

VOTED: To close the public hearing and approve with conditions Site Plan Review #18-15 and Multi-Family Special Permit #18-01 for 635 Main Street, as shown on plan entitled, "635 Main Street, Wilmington, MA", dated October 18, 2018 and last revised February 4, 2020, prepared by Peter M. Blaisdell, P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949. Said property is located at 635 Main Street, Wilmington, MA 01887 and shown on Assessor's Map 40 Parcel 1. Approval is as follows:

A public hearing was advertised and held on November 13, 2018 at 9:00 p.m., Town Hall, 121 Glen Road, Wilmington, MA, for a Special Permit under Section 3.8.15 of the Wilmington Zoning Bylaw for multi-family use. The public hearing was continued to December 4, 2018; January 8, 2019; February 5, 2019; March 5, 2019; April 2, 2019; May 7, 2019; June 4, 2019; July 9, 2019; August 6, 2019; September 10, 2019; October 1, 2019; November 5, 2019; December 3, 2019; January 7, 2020; and February 4, 2020.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on November 13, 2018 and closing on February 4, 2020, by a motion duly made and seconded, it was voted:

"We the Wilmington Planning Board, as requested by Jacqueline Welch, under the provisions of Section 3.8.15 and Section 6.5 of the Zoning Bylaws of the Town of Wilmington and Board's Special Permit Rules and Regulations and Site Plan Review Rules and Regulations, to consider the contemplated multi-family site plan development including ten (10) townhouse units and a thirty-nine (39) unit multistory building for property addressed 635 Main Street (Assessor's Map 40 Parcel 1), as

shown on the plan entitled, "635 Main Street, Wilmington, MA", dated October 18, 2018 and last revised February 4, 2020, prepared by Peter M. Blaisdell, P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949, (the "Plan") (the "Project"), do hereby vote to **APPROVE** the Special Permit 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:

<u>Date Submitted</u>	<u>Description</u>
October 18, 2018	Comparative Drainage Analysis, prepared by Williams & Sparages, dated October 16, 2018.
October 18, 2018	Watershed & Soils Map, prepared by Peter Blaisdell, PE, Williams & Sparages, dated October 16, 2018.
October 18, 2018	Wilmington Townhouses, Architectural Drawings, prepared by DMS Design, LLC, 10 Cummings Center, Suite 339C, Beverly, MA 01915, dated September 17, 2018.
March 1, 2019	Transportation Impact Assessment, prepared by Vanasse & Associates, Inc., dated February 2019.
March 21, 2019	Letter to Jacqueline Welch from Luke Fabbri and Ryan MacKay, Geological Field Services, Inc., dated January 21, 2016.
March 21, 2019	Phase I – Initial Site Investigation, prepared by Geological Field Services, Inc., dated January 21, 2016.
April 19, 2019	E-mail from Luke Fabbri, Geological Field Services, Inc., dated April 19, 2019.
April 19, 2019	"ASTM Phase II" letter to Jacqueline Welch from Luke Fabbri and Ryan MacKay, Geological Field Services, Inc., dated April 18, 2019.
April 19, 2019	ASTM Phase II, prepared by Geological Field Services, Inc., dated April 18, 2019.
April 24, 2019	Stormwater Report, prepared by Williams & Sparages, dated October 23, 2018; December 17, 2018; August 27, 2019; October 22, 2019; November 14, 2019; December 12, 2019; and last revised January 14, 2020.
April 24, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated April 23, 2019.

April 24, 2019	Response to Engineering Review #1, prepared by Jon Tilton, PE, Williams & Sparages, dated April 23, 2019.
May 28, 2019	Engineering Peer Review for Traffic and Parking at the Proposed Residential Community at 635-645 Main Street, prepared by Wing Wong, PE, PTOE, Green International Affiliates, Inc., dated May 24, 2019.
May 31, 2019	Response to Engineering Peer Review for Traffic and Parking, prepared by Jeffrey S. Dirk, P.E., PTOE, FITE, Vanasse & Associates, Inc., dated May 30, 2019.
June 19, 2019	Review of Proposed Sewer Connection and Sewer Capacity Analysis, prepared by Stephen G. Perry, ENV SP, LEED Green Associate, Arcadis US, Inc., 500 Edgewater Drive, Suite 511, Wakefield, MA 01880, dated May 17, 2019.
June 26, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated June 24, 2019.
June 26, 2019	Response to Engineering Review #3, prepared by Jon Tilton, PE, Williams & Sparages, dated June 24, 2019.
July 23, 2019	Response to Peer Review for Traffic and Parking, prepared by Jon Tilton, PE, Williams & Sparages, dated July 22, 2019.
August 1, 2019	Engineering Peer Review for Site Plan of Proposed Residential Community at 635-645 Main Street, Comment Follow-up Letter, prepared by Wing Wong, PE, PTOE, Green International Affiliates, Inc., dated August 1, 2019.
August 27, 2019	"Review of Access Configuration" letter, prepared by Jeffrey S. Dirk, P.E., PTOE, FITE, Vanasse & Associates, Inc., dated August 20, 2019.
August 27, 2019	Response to Peer Review for Traffic and Parking, Comment Follow –up Letter, prepared by Jon Tilton, PE, Williams & Sparages, dated August 27, 2019.
August 27, 2019	Hydraulic Analysis and Report, prepared by Michael Sanders, PE, Kleinfelder, dated August 7, 2019.
August 27, 2019	Letter to Michael Sorrentino, Chair, from Jacqueline Welch, dated August 27, 2019.
August 27, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated August 27, 2019.

August 27, 2019	Response to Engineering Review #4, prepared by Jon Tilton, PE, Williams & Sparages, dated August 26, 2019.
August 27, 2019	Letter to Jacqueline Welch from Luke Fabbri, Geological Field Services, Inc., dated August 23, 2019.
October 22, 2019	Response to Peer Review for Traffic and Parking, Comment Follow –up Letter, prepared by Jon Tilton, PE, Williams & Sparages, dated October 22, 2019.
October 22, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated October 22, 2019.
October 22, 2019	Response to Engineering Review #4, prepared by Jon Tilton, PE, Williams & Sparages, dated October 22, 2019.
November 4, 2019	Engineering Peer Review for Site Plan of Proposed Residential Community at 635-645 Main Street, Comment Follow-up Letter #2, prepared by Wing Wong, PE, PTOE, Green International Affiliates, Inc., dated November 4, 2019.
November 19, 2019	Response to Peer Review for Traffic and Parking, Comment Follow –up Letter, prepared by Jon Tilton, PE, Williams & Sparages, dated November 18, 2019.
November 19, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated November 18, 2019.
November 19, 2019	Response to Engineering Review #5, prepared by Jon Tilton, PE, and Peter Blaisdell, PE, PLS, Williams & Sparages, dated November 18, 2019.
November 19, 2019	Wilmington Townhouses, Architectural Drawings, prepared by DMS Design, LLC, 10 Cummings Center, Suite 339C, Beverly, MA 01915, dated November 18, 2019 and revised December 17, 2019.
November 19, 2019	Wilmington Apartments, Architectural Drawings, prepared by DMS Design, LLC, 10 Cummings Center, Suite 339C, Beverly, MA 01915, dated October 4, 2018 and revised December 17, 2019.
December 17, 2019	Light Fixture Specifications, prepared by Progress Lighting, 701 Millennium Blvd, Greenville, SC 29607, undated.
December 17, 2019	Wilmington Townhouses, Proposed Front/Main St. Elevation & Proposed Rear Elevation, prepared by DMS Design, LLC, 10 Cummings Center, Suite 339C, Beverly, MA 01915, dated December 3, 2018 and revised December 17, 2019.

December 17, 2019	Wilmington Apartments, Proposed Front Elevations, prepared by DMS Design, LLC, 10 Cummings Center, Suite 339C, Beverly, MA 01915, dated July 5, 2018 and revised December 17, 2019.
December 17, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated December 17, 2019.
December 17, 2019	Response to Engineering Review #6, prepared by Jon Tilton, PE, and Peter Blaisdell, PE, PLS, Williams & Sparages, dated December 17, 2019.
December 17, 2019	Stormwater Report, pages 5-7 and 11-15, prepared by Williams & Sparages, dated October 23, 2018; December 17, 2018; August 27, 2019; October 22, 2019; November 14, 2019; and last revised December 12, 2019.
January 16, 2020	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated January 15, 2020.
January 16, 2020	Response to Engineering Review #7, prepared by Peter Blaisdell, PE, PLS, Williams & Sparages, dated January 14, 2020.

PROCEDURAL HISTORY

1. Application to construct a multi-family development including ten townhouse units and a 39-unit multistory building pursuant to Section 3.8.15 of the Wilmington Zoning Bylaws was made by the above-referenced owners and applicant, and filed with the Planning Board on October 18, 2018.
2. A public hearing on the Special Permit application was held on November 13, 2018 and was continued to December 4, 2018; January 8, 2019; February 5, 2019; March 5, 2019; April 2, 2019; May 7, 2019; June 4, 2019; July 9, 2019; August 6, 2019; September 10, 2019; October 1, 2019; November 5, 2019; December 3, 2019; January 7, 2020; and February 4, 2020; and closed on February 4, 2020.
3. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS

1. The Project site is shown on Map 40 Parcel 1 and contains ten (10) townhouse units and a thirty-nine (39) unit multistory building.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards and guidelines of

Section 6.5 and Section 3.8.15 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations and Site Plan Review Rules and Regulations.

3. The Site Plan and ancillary materials submitted by the Applicant comply with the provisions, requirements, standards and guidelines of Section 6.5 and Section 3.8.15 of the Wilmington Zoning Bylaws and the Board's Special Permit Rules and Regulations and Site Plan Review Rules and Regulations.
4. The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw and complies with the requirements of the Bylaw.
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.
6. The Project is located within the Groundwater Protection District and is subject to review and approval by the Zoning Board of Appeals.
7. The Project is located adjacent to wetland resource areas and is subject to review and approval by the Conservation Commission.

DECISION

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be developed under Section 3.8.15 and Section 6.5 of the Wilmington Zoning Bylaws. It is therefore decided to grant a Special Permit for the development of ten (10) townhouse units and a thirty-nine (39) unit multistory building in accordance with the Site Plan entitled, "635 Main Street, Wilmington, MA", dated October 18, 2018 and last revised February 4, 2020, prepared by Peter M. Blaisdell, P.E., 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 this Special Permit shall be forty-nine (49).
 - b The tract of land on which the structures are to be located shall not be altered or used except
 - i as granted by this Special Permit;
 - ii as shown on the Site Plan entitled, "635 Main Street, Wilmington, MA", dated October 18, 2018 and last revised February 4, 2020, prepared by Peter M. Blaisdell, P.E., as referenced above; and
 - iii as in accordance with subsequent amendments to the Special Permit.
 - c The entire tract of land, or any portion thereof, and buildings to be constructed shall not be used, sold, transferred or leased except in conformity with this Special Permit. If applicant petitions for amendment to this Special Permit, he must submit all plans and information to the change as required by applicable rules.

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. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. The site shall be maintained in a clean and tidy condition, clear of debris and trash. Dumpsters shall remain closed and enclosures locked.
14. Transportation Demand Management (TDM) measures shall be implemented as described in the Transportation Impact Assessment dated February 2019.
15. 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:

16. These conditions of approval of the Special Permit shall be listed on the cover page of the Site Plan set.
17. The original plan date of October 18, 2018 shall be added to the cover sheet.
18. Following the 20-day appeal period, the Planning Board will sign the plans and the Decision shall be recorded at the Middlesex North Registry of Deeds.
19. Any changes required by the Zoning Board of Appeals or Conservation Commission decisions shall be made to the plans and submitted to the Planning Board for review and approval.
20. The landscaping plan shall be revised to reflect only native plant species.

PRIOR TO ISSUANCE OF BUILDING PERMIT:

21. The Wilmington Fire Department shall review and approve all building plans.
22. Condominium documents, if applicable, shall be submitted for review prior to the issuance of the first Building Permit. The documents shall include details regarding maintenance (i.e., refuse pick-up, upkeep, snow plowing) and the stormwater management Operation and Maintenance Plan.

PRIOR TO START OF CONSTRUCTION/DURING CONSTRUCTION:

23. 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.

24. 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.
25. 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.
26. 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.
27. 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.
28. Notice of start of construction shall be distributed to abutting properties two (2) weeks prior to the commencement of construction.
29. 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.
30. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Main 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 Main Street during the course of construction, as directed by Town staff.
31. 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.
32. 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 OCCUPANCY:

33. The Applicant has agreed to and shall coordinate with the Town to implement the additional low-cost safety improvements outlined by Green International Affiliates, Inc., in their Engineering Peer Review Letter dated May 24, 2019, at the Main Street/Cross Street intersection (vegetation clearing, removal of boulders, and relocation of stop bars on the side streets) subject to receipt of all necessary rights, permits and approvals. This also includes installation of intersection warning signs in the event that MassDOT improvements for the intersection occur after the Project is constructed.
34. The Applicant has agreed to and shall undertake the removal of the existing passing zone between Lowell Street and Cross Street, including the replacement of the centerline pavement markings with a double-yellow centerline and the removal of any associated warning signs subject to receipt of all necessary rights, permits and approvals.
35. Prior to Occupancy Permit, but no later than January 1, 2021, the Owner has agreed to donate and shall provide a fully executed land acquisition and the required temporary and permanent easements to realign Butters Row, in a form approved by the Town's Counsel, to the Town of Wilmington and the Commonwealth of Massachusetts for all purposes for which a public way may be used, including to accommodate a planned bridge replacement, and corridor improvements proposed by MassDOT as preliminarily shown on the plan set entitled, "Massachusetts Department of Transportation Highway Division, Plan and Profile

of Route 38 (Main Street), in the Town of Wilmington, Middlesex County, 25% Submittal" and as may be modified as the plan set advances to 100% design submission. Said land acquisition and easements extend along the parcel's entire Butters Row frontage and for a portion of the property's Main Street frontage.

36. Prior to the issuance of the Certificate of Occupancy for the property, final As-Built Plans for the Project, in form(s) and format(s) acceptable to the Town Engineer, shall be submitted to the Engineering Division and Department of Planning & Conservation.
37. All site work shall be substantially completed in accordance with the approved site plans prior to issuance of a Certificate of Occupancy. In the event that winter season conditions prohibit final landscaping and/or finish paving course from being installed prior to tenant occupancy, the Applicant may post a bond, in a form and amount acceptable to the Director of Planning & Conservation and Town Engineer, covering the cost of completion. This will be considered on a case by case basis. The Applicant must have received all other required Department sign-offs on Occupancy prior to eligibility.

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

VOTED: To approve with conditions Stormwater Management Permit #18-13 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 7, 2020

ISSUED for Property located at 635 Main Street, Wilmington, Massachusetts (Map 40 Parcel 1)

Case No.: Stormwater Management Permit #18-13

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

The Wilmington Planning Board has reviewed and approved the Stormwater Management Permit application and plan entitled, "635 Main Street, Wilmington, MA", dated October 18, 2018 and last revised February 4, 2020, prepared by Peter M. Blaisdell, P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949. Said property is located at 635 Main Street, Wilmington, MA, and shown on Assessor's Map 40 Parcel 1; material originally submitted on October 18, 2018, subject to the conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
October 18, 2018	Comparative Drainage Analysis, prepared by Williams & Sparages, dated October 16, 2018.
October 18, 2018	Watershed & Soils Map, prepared by Peter Blaisdell, PE, Williams & Sparages, dated October 16, 2018.

April 24, 2019	Stormwater Report, prepared by Williams & Sparages, dated October 23, 2018; December 17, 2018; August 27, 2019; October 22, 2019; November 14, 2019; December 12, 2019; and last revised January 14, 2020.
April 24, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated April 23, 2019.
April 24, 2019	Response to Engineering Review #1, prepared by Jon Tilton, PE, Williams & Sparages, dated April 23, 2019.
June 19, 2019	Review of Proposed Sewer Connection and Sewer Capacity Analysis, prepared by Stephen G. Perry, ENV SP, LEED Green Associate, Arcadis US, Inc., 500 Edgewater Drive, Suite 511, Wakefield, MA 01880, dated May 17, 2019.
June 26, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated June 24, 2019.
June 26, 2019	Response to Engineering Review #3, prepared by Jon Tilton, PE, Williams & Sparages, dated June 24, 2019.
August 27, 2019	Hydraulic Analysis and Report, prepared by Michael Sanders, PE, Kleinfelder, dated August 7, 2019.
August 27, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated August 27, 2019.
August 27, 2019	Response to Engineering Review #4, prepared by Jon Tilton, PE, Williams & Sparages, dated August 26, 2019.
October 22, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated October 22, 2019.
October 22, 2019	Response to Engineering Review #4, prepared by Jon Tilton, PE, Williams & Sparages, dated October 22, 2019.
November 19, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated November 18, 2019.
November 19, 2019	Response to Engineering Review #5, prepared by Jon Tilton, PE, and Peter Blaisdell, PE, PLS, Williams & Sparages, dated November 18, 2019.

December 17, 2019	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated December 17, 2019.
December 17, 2019	Response to Engineering Review #6, prepared by Jon Tilton, PE, and Peter Blaisdell, PE, PLS, Williams & Sparages, dated December 17, 2019.
December 17, 2019	Stormwater Report, pages 5-7 and 11-15, prepared by Williams & Sparages, dated October 23, 2018; December 17, 2018; August 27, 2019; October 22, 2019; November 14, 2019; and last revised December 12, 2019.
January 16, 2020	Response to Planning and Conservation Review, prepared by Jon Tilton, PE, Williams & Sparages, dated January 15, 2020.
January 16, 2020	Response to Engineering Review #7, prepared by Peter Blaisdell, PE, PLS, Williams & Sparages, dated January 14, 2020.

STANDARD CONDITIONS

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

SPECIAL CONDITIONS

1. If applicable, a Stormwater Pollution Prevention Plan shall be submitted prior to the pre-construction meeting.

2. Erosion controls shall be placed around all areas of disturbance and shall be inspected by the Department of Planning & Conservation two (2) business days prior to the start of any land disturbing or land altering activity.
3. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to installing any stormwater management system or any other critical design components.
4. Snow shall not be pushed into stormwater management areas and drainage structures shall remain clear of snow.
5. The Operation and Maintenance Plan shall be recorded prior to issuance of a Certificate of Occupancy.

ISSUED ON February 7, 2020

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

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

MATERIALS CONSIDERED:

PLANS "Definitive Location Plan, Jackie Drive, Wilmington, MA" dated October 30, 2019

LETTER from Jacqueline Welch dated January 30, 2020

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action to March 31, 2020 for Definitive Subdivision #19-03 and Stormwater Management Permit #19-13 for 635 Main Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision #19-03 and Stormwater Management Permit #19-13 for 635 Main Street to March 10, 2020 at 8:00 p.m. in the Town Hall Auditorium.

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

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

MATERIALS CONSIDERED:

PLAN "Proposed Building Addition, 228 Andover Street, Wilmington, Massachusetts" dated November 5, 2019 and last revised January 6, 2020

ENGINEERING MEMO dated January 17, 2020

PLANNING REVIEW LETTER dated January 24, 2020

R. Peterson told the Board they are working out drainage issues and the Town Engineer and Planning Director have met with them on several occasions. He said the site is not an easy

site to work with as it is all ledge. He said they filed a special permit to reduce the number parking spaces from 173 to 148. R. Peterson said that R. Penna indicates that the average number of cars on site in a day is 40 or less and the maximum number of cars on that site is 50. R. Peterson asked that the hearing be continued until March so they can resolve the remaining drainage issues. M. Sorrentino asked the applicant if he saw the Town Engineer's comments. They had, so M. Sorrentino did not read comments into the record. V. Gingrich asked if they will provide a photometric plan and A. Pojasek said they are not adding site lighting in the parking lot.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #19-17 and Stormwater Management Permit #19-14 to March 31, 2010.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-17 and Stormwater Management Permit #19-14 to March 10, 2020 at 8:15 p.m. in the Town Hall Auditorium.

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

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

MATERIALS CONSIDERED:

PLANS "Non-Residential Site Plan, 100-110 Fordham Road, Wilmington, Massachusetts" dated November 7, 2019 and last revised January 17, 2020, "ALTA/NSPS, Land Title Survey Plan, 100-110 Fordham Road, Wilmington, Massachusetts" dated July 12, 2018 and last revised August 24, 2018 submitted January 8, 2020, "Parking/Landscape Exhibit" dated November 7, 2019 and last revised January 17, 2020, "Fire Truck Exhibit" dated November 7, 2019 and last revised December 4, 2019 and "Traffic Pattern Exhibit dated November 7, 2019 and last revised December 4, 2019

STORMWATER REPORT revised January 17, 2020

RESPONSE TO COMMENTS from Benton Cole dated January 21, 2020

J. Mann told the Board she worked out all the issues. She said they have no outstanding comments from the Town Engineer. J. Merritt explained the property saying the existing buildings are Building A, B, C and D. He said the project does not increase the square footage of any of the buildings because there are no building additions going on and it does not change the use of any of the buildings. J. Merritt said it reconfigures on-site parking and circulation throughout to accommodate a tenant for Building D. There will be exterior loading areas, staging area, and traditional parking lots around the building. The parking along I-93 will be reconfigured to provide better parking. He said the area between Building B and Fordham Road is hatched to show the future use by the tenant for that building. He said this is just a site work project. J. Mann said she would like to discuss the start time. She would like to idle the diesel vehicles before 7:00 am since it is industrial there so no homes will be affected. M. Sorrentino told her to adhere to the time because it is standard that construction does not start before 7:00 a.m. V. Gingrich said she and J. Mann talked about phasing for Building D that

would be based around the tenant for that building but the site work would be staged within the two-year timeframe. J. Mann said they would like to start work so they are requesting the Board endorse plans. V. Gingrich said the plans for endorsement have not yet been reviewed so it's up to the Board if they want to sign or not. J. Mann said the Town Engineer reviewed them. V. Gingrich said the plans can be endorsed and held until they have been reviewed. The Board agreed.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #19-18 and Stormwater Management Permit #19-15 for 100-110 Fordham Road.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #19-18 for 100-110 Fordham Road as shown on plan entitled, "Non-Residential Site Plan, 100-110 Fordham Road, Wilmington, Massachusetts", dated November 7, 2019 and last revised February 4, 2020, prepared by Brenton Cole, P.E., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101. Said property is located at 100-110 Fordham Road, Wilmington, MA 01887 and shown on Assessor's Map 91 Parcel 121.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on December 3, 2019 and closing on February 4, 2020, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Attorney Jill Elmstrom Mann for Fordham Park LLC, under the provisions of Section 6.5 of the Zoning Bylaws of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan development for property addressed at 100-110 Fordham Road for creating outdoor storage areas, and relocating and expanding staging, loading, and parking areas, as shown on plan entitled, "Non-Residential Site Plan, 100-110 Fordham Road, Wilmington, Massachusetts", dated November 7, 2019 and last revised February 4, 2020, prepared by Brenton Cole, P.E., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101, submitted on November 8, 2019, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
November 8, 2019	Letter to Planning Board - Town of Wilmington, prepared by Mann & Mann, P.C., Counsellors at Law, dated November 7, 2019.
November 8, 2019	Deed, 100-110 Fordham Rd, Middlesex North Registry of Deeds, recorded September 5, 2018 and printed November 7, 2019.

November 8, 2019	Town of Wilmington Board of Appeals, Case 6-19 Special Permit, dated May 8, 2019.
November 8, 2019	Stormwater Management Permit #19-01, issued by Town of Wilmington Planning Board and Department of Planning & Conservation, dated May 8, 2019.
November 8, 2019	Site Plan Review #19-02 Decision, issued by Town of Wilmington Planning Board and Department of Planning & Conservation, dated May 8, 2019.
November 20, 2019	Landscape Plan, prepared by Paul J. Finger, R.L.A., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101, dated November 7, 2019.
November 20, 2019	Lighting Plan, prepared by Brenton Cole, P.E., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101, dated November 7, 2019.
December 6, 2019	Stormwater Management Report, prepared by Brenton Cole, P.E., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101, dated November 24, 2019 and last revised January 17, 2020.
December 6, 2019	Master Color Exhibit, prepared by Brenton Cole, P.E., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101, dated November 7, 2019 and last revised December 4, 2019.
December 6, 2019	Fire Truck Exhibit, prepared by Brenton Cole, P.E., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101, dated November 7, 2019 and last revised December 4, 2019.
December 6, 2019	Traffic Impact Assessment, prepared by Shaun P. Kelly, Vanasse & Associates, Inc., 35 New England Business Center Drive, Suite 140, Andover, MA 01810, dated December 5, 2019.
December 6, 2019	Cover Letter & Response to Comments, prepared by Brenton Cole, P.E., Granite Engineering, LLC, dated December 6, 2019.
December 13, 2019	Letter to the Inspector of Buildings and Town of Wilmington Staff, prepared by Derek Keil, BL Companies, 355 Research Parkway, Meriden, CT 06450, dated December 9, 2019.
January 15, 2020	Response to Site Plan Review Comments, prepared by Shaun P. Kelly, Vanasse & Associates, Inc., dated January 7, 2020.

January 21, 2020	"ALTA/NSPS Land Title Survey Plan, 100-110 Fordham Road, Wilmington, Massachusetts," prepared by Gregory R. Corcoran, P.L.S., Dana F. Perkins, Inc., 1057 East Street, Tewksbury, MA 01876, dated July 12, 2018 and last revised August 24, 2018.
January 21, 2020	Parking/Landscape Exhibit, prepared by Brenton Cole, P.E., Granite Engineering, LLC, 250 Commercial Street, Suite 3008, Manchester, NH 03101, dated November 7, 2019 and last revised January 17, 2020.
January 21, 2020	Cover Letter & Response to Comments, prepared by Brenton Cole, P.E., Granite Engineering, LLC, dated January 21, 2020.
January 21, 2020	"Main Inspections Pipe Run with Images", prepared by Eastern Pipe Service, 2 Thibeault Drive, Bow, NH 03304, dated January 17, 2020.
January 21, 2020	"Main Inspections Summary", prepared by Eastern Pipe Service, 2 Thibeault Drive, Bow, NH 03304, undated.
January 21, 2020	"PACP v7.0 Inspections and Scoring", prepared by Eastern Pipe Service, 2 Thibeault Drive, Bow, NH 03304, undated.
January 21, 2020	"Appendix B – Color Coded Chart", prepared by NASSCO, dated January 2018.
January 21, 2020	Field Notes for Eastern Pipe Service, undated.
January 21, 2020	CCTV Drainage videos, undated.

FINDINGS:

1. The Project site is shown on Map 91 Parcel 121 on the Site Plan.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards, and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.

CONDITIONS:

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

GENERAL:

1. The Project shall be constructed and operated in accordance with the Site Plan.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
4. The provisions of this conditional approval shall apply to and be binding upon the Applicant, its employees and all successors and assigns in interest or contract.
5. The Project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
6. Any revisions shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the Applicant must submit revised plans to the Planning Board for approval.
7. During construction, work shall not start before 7:00 a.m. and shall be completed by 7:00 p.m. No work is allowed on Sundays and holidays. Construction equipment shall not be started before 7:00 a.m.
8. The Project will be phased with Phase 1 consisting of site improvements surrounding Building D and Phase 2 consisting of all other site improvements.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

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

PRIOR TO START OF CONSTRUCTION:

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

PRIOR TO OCCUPANCY:

13. Any changes to the stormwater system and/or design for Infiltration System Nos. 2, 5, and 6, Filtration System Nos. 3 and 4, or the area designated as Porous Pavement shall be subject to the review and approval of the Director of Planning & Conservation and the Town Engineer. If changes are proposed, the Applicant shall submit a revised plan, supplementary narrative, soil test results, and corresponding calculations as may be necessary to demonstrate compliance the Stormwater Policy and local Stormwater Bylaw and Regulations. Also, any change to a pretreatment device (including make/model and type) shall be subject to the review and approval of the Director of Planning & Conservation and the Town Engineer. As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.
14. 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.

15. All site work surrounding Building D (Phase 1) 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. All site work in the remainder of the site (Phase 2) shall be completed within two years of the start of construction.

POST CONSTRUCTION:

16. The overnight/long-term storage areas shall be for vehicle storage only.
17. 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.
18. 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.
19. 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.
20. 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.
21. Snow shall be removed from the site in a timely manner following a snow event to ensure adequate parking and circulation.
22. Snow shall not be pushed into stormwater management areas, and drainage structures shall remain clear of snow.
23. Final As-Built Plans shall be submitted to the Town Engineer and Director of Planning & Conservation in form(s) and format(s) acceptable to them.

Continued Public Hearing – Definitive Subdivision #19-04 & Stormwater Management Permit #19-17 for 203 Lowell Street – Map 48 Parcel 73 – William Yetman, Applicant

PRESENT IN INTEREST: Doug Lees Land Engineering & Environmental Services
Jacqueline Welch
William Yetman

MATERIALS CONSIDERED:

PLAN "Definitive Subdivision Plan, Veterans Way, Wilmington, Massachusetts" dated November 22, 2019

STORMWATER MANAGEMENT & EROSION CONTROL PLAN dated November 22, 2019 and last revised January 16, 2020

ENGINEERING MEMO dated February 3, 2020

D. Lees said they made some revisions and they received Engineering comments. He said there are many scrivener's errors and he made some adjustments. D. Lees said there was a comment that the Board may want a traffic impact analysis. He said he showed the road and

the lots are vacant. He said it would make more sense to do traffic impact analysis once they know the tenants. M. Sorrentino asked why the Town Engineer has so many comments and D. Lees explained what he is able to correct and explained why. M. Sorrentino asked if all comments can be addressed and D. Lees said yes but they want the waiver for the location of the existing trees 12" in diameter. M. Sorrentino said that is fine.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action for Definitive Subdivision #19-04 & Stormwater Management Permit #19-17 for 203 Lowell Street to March 31, 2020.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision #19-04 & Stormwater Management Permit #19-17 for 203 Lowell Street to March 10, 2020 at 8:30 p.m. in the Town Hall Auditorium.

Public Hearing – Site Plan Review #20-01, Stormwater Management Permit #20-01, Multi-Family Special Permit #20-01 & Inclusionary Housing Special Permit #20-01 for 168 Lowell Street - Map 40 Parcel 1 – Joseph Langone, Applicant S. Hennigan recused himself

PRESENT IN INTEREST: Doug Lees, Land Engineering & Environmental Services
Jennifer Langone

PLANS "Site Development Plan, 168 Lowell Street, Wilmington, MA" dated January 6, 2020
"Photometric Plan in Wilmington, Massachusetts" dated January 6, 2020, "Fire Truck Movement" dated January 6, 2020, "Landscape Plan in Wilmington, Massachusetts" dated January 6, 2020

NARRATIVE submitted January 8, 2020

STORMWATER MANAGEMENT & EROSION CONTROL dated January 6, 2020

EXTERIOR ELEVATIONS submitted January 8, 2020

EARTH WORK VOLUME CALCULATIONS dated January 6, 2020

PLANNING REVIEW LETTER dated January 30, 2020

ENGINEERING MEMO dated February 3, 2020

D. Lees told the Board this is 3.34 acres Walpole Woodworkers site across the street from Textron. He showed the Board the wetland lines and said there is an isolated wetland. He said it is a Multi-Family application under the mixed-use residential zoning. D. Lees said there are 36 units and 5 units will be affordable. They will be ownership so they will be condominiums. There is an existing municipal pump station and the road will come in next to the pump station. There will be a two-way road at the front then it becomes a one-way and circles around. M. Sorrentino asked if the site will be served by the pump station and D. Lees said it will be served by the existing pump station. R. Holland asked if the pump station is part of Wilmington Water and D. Lees said it is. V. Gingrich said this is part of the work that was done last year and D. Lees said the property owners installed it. D. Lees said they are 2-bedroom units with the garage on the first floor with a living area and a dining room and kitchen on the second floor and bedrooms on the third floor. He said the design is similar to Rotary Park. M. Sorrentino said older folks don't like having that many levels. D. Lees said there is a 6' vinyl fence proposed on the side and he showed the porous pavement with light gray and standard pavement in dark gray on the plan. There is an infiltration pond. He said there will be private trash pickup with trash barrels, no dumpsters. D. Lees said they are

looking to put some visitor parking spaces in the back. He said he received comments from Planning and Engineering and everything is doable. R. Holland asked if there are sidewalks on the Lowell Street side and D. Lees said there are sidewalks on Lowell Street with the decks and patios out back. M. Sorrentino asked if there is a common area and D. Lees said no but there is some area in the back right corner that he would look at to do something. V. Gingrich said Spruce Farm is an over 55 with 27 units and they have a fire pit area and she is told it's very popular. D. Lees said he will look for an area to make a park and put a bench or gazebo. V. Gingrich said there are 36 units and 5 are affordable. She asked D. Lees to point out the affordable units and he did. V. Gingrich said the affordable units can be discussed at a different meeting. D. Lees said one of the differences is the affordable units will have washer dryer hookup and the market rate units will have washer and dryer included. He said market rates will have a fireplace. M. Sorrentino asked if he brought a rendering and he did. They look much like Rotary Park. T. Boland asked if they will be the same height as Rotary Park and D. Lees said yes. D. Lees said another difference between affordables and market rate is the affordables will have some hardwood and some carpet where the market rates are all hardwood and tile. T. Boland asked if it's a one way and D. Lees said yes. M. Sorrentino asked if it is gas and D. Lees said yes. V. Gingrich asked if visitor parking should be changed because it is focused at one area and she made some suggestions. M. Sorrentino asked if there is a certain amount of green space required or could some of that area be used for visitor parking. V. Gingrich said there is a certain amount of green space required and the applicant meets the requirements currently so none can be used for visitor parking. M. Sorrentino asked who the abutters are and D. Lees showed the abutters.

Upon motion duly made and seconded with 4 in favor and 1 recused, it was

VOTED: To continue the public hearing for Site Plan Review #20-01, Stormwater Management Permit #20-01, Multi-Family Special Permit #20-01 & Inclusionary Housing Special Permit #20-01 for 168 Lowell Street to March 10, 2020 at 8:45 p.m. in the Town Hall Auditorium.

Public Hearing – Site Plan Review #20-02 & Stormwater Management Permit #20-02 for 330 Ballardvale Street – Map R3 Parcel 29 – Edward O'Connor, C.E. Cyr Construction Co., Inc., Applicant

PRESENT IN INTEREST: John Judd, Gateway Consultants
Edward O'Connor, C.E. Cyr Construction Co.

MATERIALS CONSIDERED:

PLANS "330 Ballardvale Street, Wilmington, MA, Prepared for Monogram Gourmet Foods, LLC" dated January 7, 2020, and "Proposed Site Plan" dated April 8, 2008 and last revised May 27, 2008

ARCHITECTURAL PLANS "Architectural Site Plan" dated November 22, 2019 and "Monogram Foods, Warehouse Addition, 330 Ballardvale Street, Wilmington, MA 01887" dated November 22, 2019 and received January 8, 2020

EROSION CONTROL DETAILS received January 8, 2020

STORMWATER MEMO received January 8, 2020

PLANNING REVIEW LETTER dated January 29, 2020

ENGINEERING MEMO dated February 3, 2020

E. O'Connor, representing Monogram Foods, told the Board they are applying to build a small addition on the existing site. They have 4 shipping docks and 3 receiving docks. They make a

lot of sandwiches for Starbucks, Dunkin Donuts and other places so they need to store bread. The addition will be a bread storage area. It will be fully sprinklered and temperature controlled at 70° with a certain amount of humidity. He said it's on an existing paved area and they have had the technical review and J. Judd the civil engineer can respond to some action items from the CDTR committee. M. Sorrentino read the Engineering memo. J. Judd said they met with the department heads and explained what they are doing. The proposed addition is going over pavement. He has not made changes but will once the Board makes comments. V. Gingrich asked him to review the circulation. J. Judd explained the plan and said the existing building and the proposed additions is 26' x 53'. He showed the Board how trucks back in. He said that there is an area that is not asphalt but it is being used for parking due to the overcrowding. He said the intent is that the trucks can back right in. R. Holland asked if the current parking regulations can be met with the changes. J. Judd said they want the parking plan for the entire site to be shown. E. O'Connor said they have architectural plans. He said the client rents the parcel next to theirs for parking and it's on unpaved gravel parking lot.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for hearing for Site Plan Review #20-02, Stormwater Management Permit #20-02 for 330 Ballardvale Street to March 10, 2020 at 8:40 p.m. in the Town Hall Auditorium.

Public Hearing – Site Plan Review #20-03 & Stormwater Management Permit #20-03 for 72 Jonspin Road – Map R1 Parcel 306F – Paul Dionne, PJ Dionne Company, Inc., Applicant

A request to withdraw without prejudice was received.

MATERIALS CONSIDERED:

PLAN "Site Plan" dated June 21, 1995 and last revised December 11, 2019

SRORMWATER OPERATION & SITE MAINTENANCE PLAN dated January 8, 2020

PLANNING REVIEW LETTER dated January 29, 2020

ENGINEERING MEMO dated February 3, 2020

EMAIL from Michael Dionne dated January 9, 2020

EMAIL to withdraw from Michael Dionne dated February 4, 2020

Upon motion duly made and seconded, it was unanimously

VOTED: To accept the request to withdraw Site Plan Review #20-03 and Stormwater Management Permit #20-03 for 72 Jonspin Road, Map R1 Parcel 306F without prejudice.

Board of Appeals

At its meeting on Tuesday, February 4, 2020, the Planning Board voted to recommend as follows:

Case 3-20 for 30 North Street – Map 78 Parcel 29B

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. The proposed second story addition and porch do not appear to be more detrimental to the neighborhood.

Case 4-20 for 70 West Street – Map 73 Parcel 4

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. The proposed conversion of the second story and addition of dormers do not appear to be more detrimental to the neighborhood.

Old Business

There was no Old Business

New Business

Request to endorse plans for Site Plan Review #19-06 for 613 Main Street – Map 29 Parcel 11S – Brian McCarthy, RJO’Connell & Associates for Bryan Blake, The Seyon Group, Applicant

MATERIALS CONSIDERED:

PLAN “Site Plan for Redevelopment of 613 Main Street, Wilmington, MA” dated April 15, 2019 and last revised January 28, 2020

Upon motion duly made and seconded, it was unanimously

VOTED: To endorse plan entitled “Site Plan for Redevelopment of 613 Main Street, Wilmington, MA” dated April 15, 2019 and last revised January 28, 2020, prepared by Brian P. Dundon, P.E., RJ O’Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180. Said property is located at 613 Main Street, Wilmington, MA 01887 and shown on Assessor’s Map 29 Parcel 11S.

Request to endorse plans for Site Plan review #19-15 for 4 & 6 Waltham Street – Map 79 Parcels 31C & 31D – Attorney Adam Braillard, Prince Lobel Type LLP for Eco-Site Inc., Applicant

MATERIALS CONSIDERED:

PLAN “MA0017A, Anderson Property, 6 Waltham Street, Wilmington, MA 01887, Middlesex County” dated June 26, 2019 and last revised December 24, 2019

Upon motion duly made and seconded, it was unanimously

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

Upon motion duly made and seconded, it was unanimously

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

**Request to waive Site Plan Review #20-01 for 36 Nassau Avenue – Map 31 Parcel 59
Ed Pare, Esq. for Cello Partnership d/b/a/ Verizon Wireless, Applicant**

MATERIALS CONSIDERED:

PLAN: "Wilmington_5_MA_RELO-A, 36 Nassau Avenue, Wilmington, MA 01887 " dated August 21, 2019 and last revised November 12, 2019

LETTER from Edward Pare, Jr., Esq. dated January 29, 2020

V. Gingrich said this is for the 3 carriers on the water tower. She said the Town built a new water tower so the proposal is to move the carriers from the old water tower to the new one. M. Sorrentino asked if the old water tower is being removed and V. Gingrich said it is. She said this is to take the antennas off the old one and also extend the ice bridge to bring the cables to the new tower. M. Sorrentino asked if this tank is taller and V. Gingrich said it's basically the same as it was before. V. Gingrich said that one other change is one of them is putting a generator on the ground.

Upon motion duly made and seconded, it was

VOTED: To approve the request to waive Site Plan Review for Cello Partnership d/b/a Verizon Wireless (Verizon Wireless) to remove its existing antennas from the old water tank and relocate an equal number of antennas on the Town's new water tank as shown on plan entitled "Wilmington_5_MA_RELO-A, 36 Nassau Avenue, Wilmington, MA 01887 " dated August 21, 2019 and last revised November 12, 2019.

**Request to waive Site Plan Review #20-02 for 36 Nassau Avenue – Map 31 Parcel 59
Ed Pare, Esq. for New Cingular Wireless PCS, LLC (AT&T) , Applicant**

MATERIALS CONSIDERED:

PLAN: "Site Number: MA3119, Site Name: Wilmington Nassau Ave" dated August 20, 2019 and last revised January 31, 2020

LETTER from Ed Pare dated January 6, 2020

V. Gingrich explained this with the previous waiver.

Upon motion duly made and seconded, it was

VOTED: To approve the request to waive

**Request to waive Site Plan Review #20-03 for 36 Nassau Avenue – Map 31 Parcel 59
Adam Brillard, Esq. for T-Mobile Northeast LLC , Applicant**

MATERIALS CONSIDERED:

PLAN: "4NBN1308D, BN308/RFP-EAGLE RD WT, 2 Eagle Road, Wilmington, MA 01887, Middlesex County" dated March 21, 2019 and last revised January 30, 2020

LETTER from Adam Brillard dated January 29, 2020

V. Gingrich explained this with the previous waiver.

Upon motion duly made and seconded, it was

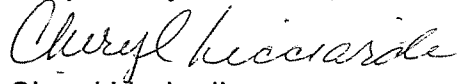
VOTED: To approve the request to waive Site Plan Review for T-Mobile Northeast LLC to remove its existing antennas from the old water tank and relocate an equal number of antennas on the Town's new water tank as shown on plan entitled

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

VOTED: To adjourn the meeting at 11:04 p.m.

NEXT PLANNING BOARD MEETING: March 10, 2020

Respectfully submitted,

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

Cheryl Licciardi
Recording Clerk