



TOWN of WILMINGTON

DEPARTMENT OF PLANNING & CONSERVATION

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

Planning Board Minutes

February 7, 2023

The Planning Board met on Tuesday February 7, 2023 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Terence Boland, Chair, Randi Holland, Angela Marcolina, Sean Hennigan and Peter Moser. Valerie Gingrich, Director of Planning & Conservation and Jayne Wierzbicki, Planner/Economic Development Coordinator were also present.

Minutes

The Planning Board reviewed the December 6, 2022 minutes.

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

VOTED: To approve the December 6, 2022 as amended.

The Planning Board reviewed the January 3, 2023 minutes.

Upon motion duly made and seconded, with three in favor and two abstentions (R. Holland and S. Hennigan) it was

VOTED: To approve the January 3, 2023 minutes as amended.

Form A

MATERIALS CONSIDERED:

PLAN "Plan of Land - Pershing Street, Wilmington, Massachusetts", dated January 30, 2023

PRESENT IN INTEREST – Ryan P. Donnell and Kerrie A. Malloy

V. Gingrich told the Board the ANR is combining two lots to make one. She said one of the lots was a Town-owned lot that was deemed surplus at the last Town Meeting and then sold. She said Planning and Engineering reviewed the plan. There were a couple of minor changes that were made prior to the meeting so the plan is ready to be endorsed.

Upon motion duly made and seconded it was unanimously

VOTED: To receive the ANR Plan and Application #23-01 for Pershing Street, Map 77 Parcels 26 & 27a - "Plan of Land – Pershing Street, Wilmington, Massachusetts", dated January 30, 2023.

Upon motion duly made and seconded it was unanimously

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application Map 77 Parcels 26 & 27a - "Plan of Land – Pershing Street, Wilmington, Massachusetts"

RECEIVED
TOWN CLERK
2023 APR -5 AM 8:24
TOWN OF WILMINGTON, MA

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan entitled, "Plan of Land – Pershing Street, Wilmington, Massachusetts", dated January 30, 2023

Matters of Appointment

**Continued Public Hearing – 38 Upton Drive – Map R1 Parcel 18 - Sign Special Permit #22-04
DIV 36-38 Upton LLC, Applicant**

PRESENT IN INTEREST: Matt Costa, Beals Associates
Benjamin Masselink, The Davis Companies

MATERIALS CONSIDERED:

PLAN "Plans to Accompany Special Permit – Upton Crossing, 38 Upton Drive, Wilmington, MA" dated November 15, 2022 and last revised January 12, 2023

T. Boland said the application is before the Board because two lots were joined and there are two signs and M. Costa said that was correct. M. Costa said at the last meeting the Board required a plan showing the sight lines and the intersections. V. Gingrich said they moved one of the signs so it's in the right spot and draft decisions have been prepared. There were no questions or concerns from the Board or the audience. V. Gingrich reviewed the draft decision.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for the Sign Special Permit #22-04 for two (2) 49.53 sq. ft. freestanding industrial signs, one to be located at each main entrance to the site on Upton Drive. The application was filed with the Planning Board on December 5, 2022. Said property is located at 38 Upton Drive and shown on Assessor's Map R1 Parcel 18.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the Sign Special Permit #22-04 for two (2) 49.53 sq. ft. freestanding industrial signs, one to be located at each main entrance to the site on Upton Drive. The application was filed with the Planning Board on December 5, 2022. Said property is located at 38 Upton Drive and shown on Assessor's Map R1 Parcel 18.

The public hearing was opened on January 3, 2023, and closed on February 7, 2023. By a motion duly made and seconded, the Board voted to approve the Special Permit, as presented, under the provisions of Section 6.3.2 of the Zoning Bylaws of the Town of Wilmington. Approval is subject to the following Findings and Conditions.

MATERIALS:

"Signage Site Plan" dated January 12, 2023, prepared by Todd P. Morey, P.E.

FINDINGS:

1. The signage to be erected is on a parcel on Map R1 Parcel 18 on the Town of Wilmington's Assessor's Map.
2. The Planning Board determined that the sign should be permitted in the public interest.

3. The application materials comply with the requirements of Section 6.3 of the Wilmington Zoning Bylaws and the Board's Special Permit 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:

1. This Special Permit shall be valid for these proposed signs only. Any change in signage, other than placement or replacement of Tenant name(s) on the freestanding monument sign, shall be reviewed by the Planning Board.
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 the sign has not been erected 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 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. Bylaw Exception: (Section 6.3.6.3.a) "Granted" two freestanding signs measuring 49.53 sq. ft. each, where the property has multiple buildings, one having a 718' front wall and the other a 740' front wall, and the maximum allowable freestanding sign is one (1) sign with a total square footage of 50 sq. ft.
6. All provisions of the Wilmington Zoning Bylaw pertaining to signage (Section 6.3) will be met unless an exception is specifically provided in this decision.

Continued Public Hearing –Site Plan Review #22-28 and Parking Relief Special Permit #22-05 for 99 Fordham Street – Map 79 Parcel 31B – Carlisle Capital Corporation, Applicant

PRESENT IN INTEREST – Attorney Jill Elmstrom Mann
Adam Binnie, Carlisle Capital Corporation
Bill Frisella, NorthPoint Construction
Benton Cole, Granite Engineering, LLC
Jeff Merritt, Granite Engineering, LLC

MATERIALS CONSIDERED:

PLAN "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
E-Mail from Robert Cronin dated February 7, 2023

Attorney J. Elmstrom Mann told the Board they presented at the January meeting and she is just waiting to get the permit signed. T. Boland said there was not a quorum at the last meeting or they would have been able to vote. V. Gingrich said draft decisions were prepared for the January meeting. Attorney J. Elmstrom Mann said all work has been completed except the topcoat pavement which cannot be completed until April. V. Gingrich said we received an email from a resident regarding the lighting associated with this project. Attorney J. Elmstrom Mann said the Town Engineer went out to the site and it has been built according to the plan. She

said the lights are compliant with the regulations. Attorney J. Elmstrom Mann said the e-mail stated light was shining in neighbors' windows at night. Resident, Robert Cronin, 75 Park Street, questioned the lighting angle and Attorney J. Elmstrom Mann explained how the lighting angles work. Attorney J. Elmstrom Mann said if there is an issue with the angle of the light, she will send out the contractor tomorrow. V. Gingrich explained that when a project is submitted a lighting plan is also submitted. She said the photometric plan is used to make sure none of the light is cast across the property lines. T. Boland said that someone from the Town will check to make sure the lighting is according to the details. V. Gingrich said everything stayed the same in the decision from the last approval but in the Parking Special Permit #5 "The Owner has agreed to and shall construct improvements to the Fordham Road Right-Of-Way. All work shall be completed by May 31, 2023" where it previously said all work had to be completed before use of the parking lot. V. Gingrich said that was similar in the Site Plan Review decision #16 "All work shall be completed by May 31, 2023". She said it sounds like everything is on target.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Parking Relief Special Permit #22-05 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.

Upon motion duly made and seconded it was unanimously

VOTED: To approve with conditions Parking Relief Special Permit #22-05 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 January 3, 2023 and closing on February 7, 2023 by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Adam Binnie 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 #22-05 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.

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:

7. 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.
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. Prior to endorsement of the plan, a stamped asphalt detail including specifications for joint and surface preparation shall be submitted for review and approval.
11. The Owner has agreed to and shall construct improvements to the Fordham Road Right-Of-Way. All work shall be completed by May 31, 2023.
12. Following the completion of the work, 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.

**Continue Public Hearing – Tobin Drive – Map 16 Parcel 22A – Definitive Subdivision #22-02
Khalib Khan, Applicant**

PRESENT IN INTEREST – Ethan Davis, Dana Perkins
Khalib Khan

MATERIALS CONSIDERED:

PLAN "Definitive Subdivision, Rollins Road/Pembroke Street/Tobin Drive", dated December 7, 2022
PLANNING REVIEW LETTER dated February 3, 2023
FIRE DEPARTMENT REVIEW LETTER received February 7, 2023
ENGINEERING REVIEW LETTER dated February 7, 2023
LETTERS from Andy Pojasek dated December 7, 2022 and lats revised January 23, 2023

E. Davis told the Board there was a site walk that was beneficial. He said the biggest change to the plan was with respect to an engineering comment and plans were changed to widen the roads on Rollins and Pembroke to 16' and Tobin Drive to 20'. He said he received comments from the Planning Department on Friday and from Engineering this afternoon. He said it seems as though Engineering is satisfied with changes they made previously. V. Gingrich told the Board they also received comments from Fire Department this evening. V. Gingrich said the applicant will need to do at least 40' of frontage for the existing lot and home so that has a hammerhead amount of frontage for the new parcel and there were comments from the Fire Department about access. V. Gingrich said the Board will need to see the correct amount of

frontage for the new home on the new lot as well as the existing home on that new lot. T. Boland asked if the applicant needs to extend Tobin and V. Gingrich said yes. T. Boland said Tobin will need to be extended and the applicant said he did not understand. V. Gingrich said the exposed pavement would have to be extended. V. Gingrich said the Deputy Fire Chief was present if there are any questions. T. Boland asked the Deputy Chief to explain his memo. Chief Pozzi said he would like a residential sprinkler in the house since the roadway is narrow it will delay a response. He said the fire hydrant is out on Marion Street. He said the other fire hydrants are through the woods. He said the house sprinkler is not a requirement but it is the best recommendation he can provide. T. Boland said there are two issues that pose a problem for the fire safety, that being the width and the distance. K. Khan asked what they do with the existing homes that have no sprinklers. Deputy Chief Pozzi said we look to improve going forward because we can't change what already exists. T. Boland said in the past the Board has gone with the Fire Department recommendations because they know more fire safety. He suggested they consider the residential sprinkler system. Resident, E. Khan, 6 Tobin Drive said K. Khan is her son. She said they lived in town for over 39 years. She said her husband had a stroke 3 years ago and multiple fire engines came and there was no problem. She said there are plenty of hydrants. She said she feels as though her son is being made to jump through hoops and he's running out of money as a result. T. Boland said he understands the homes in the area do not have this protection. E. Khan said the town should do something to improve the situation for her and her neighbors. She also said it doesn't seem right that her son is responsible for improving 3 roads. Resident, S. Liberty, 28 Marion Street, said builders have built without having to go through what he is being asked to do. She asked what the difference of what some people are required to do and not others. She pointed out the two houses that were built at the end of Pembroke and were not required to pave the road. T. Boland said he does not know what the specifics of that project was, but he has a recommendation from the Fire Department for life safety for this project and he is inclined to take it. V. Gingrich said Tobin, Pembroke and Rollins are all private ways and the town cannot make improvements to them. E. Khan said they paid taxes for years. V. Gingrich explained that since the town cannot improve private ways, the homeowners are responsible for road repairs. She said if a roadway is built out and the town can accept it as a public way then the town can manage and maintain that roadway. E. Khan needed more of an explanation. V. Gingrich said in a private way the residents own a portion, but others have the right to use it. She said that if K. Khan paved it to roadway standards there is a process if all neighbors would have to give up their interest of their portion of the roadway for the town to accept it at a town meeting. V. Gingrich said the town won't accept a way that isn't paved. She said tax dollars don't go towards road improvements. V. Gingrich said that money comes from the state. R. Holland said she has been on the Board for 22 years but missed last month's meeting. She explained the process of building a road whether it be a definitive subdivision or 81G application. She said this is the first meeting regarding this project she has been involved with. T. Boland said the Board is going to take the Fire Department recommendation and asked that the applicant consider the residential sprinkler. Resident, B. Smith, 30 Marion Street said she lives on the corner of Marion and Rollins. She said the Town has been maintaining the road and asked what makes it a private way if the town maintains it. V. Gingrich said DPW often fills potholes for making it safe for residents to get to their homes. She said they won't repave that roadway, but they will make it safe. She said the town does do trash pickup and snow removal. V. Gingrich said they can't make costly repairs to private ways. R. Holland said in the 90's there was the unaccepted ways committee that was formed. She explained how private ways get accepted as public way and the betterments piece. E. Khan asked if there is a deadline for the reviewers to submit their comments and T. Boland said there is not. E. Khan said there should be and T. Boland said he believes that the individuals reviewing the projects are doing the best they can considering they are fitting in the review along with their other projects.

Upon motion duly made and seconded it was unanimously

To continue the public hearing for Definitive Subdivision Plan #22-02 at 6 Tobin Drive to March 7, 2023 at 7:40 p.m. in the Town Hall Auditorium.

**Public Hearing – 230, 234, & 240 Ballardvale Street – Map R2 Parcels 23E, 23F and 23G
Site Plan review #23-03 and Stormwater Management Permit #23-02
Atlantic Oliver Ballardvale LLC, Applicant**

PRESENT IN INTEREST – Michael Newhouse, Esq.
Jeff Merritt, Granite Engineering
Brenton Cole, Granite Engineering

MATERIALS CONSIDERED:

PLAN “Non-Residential Site Plan, 230, 234 & 240 Ballardvale Street, Tax Map R2 Lots 23E, 23F, 23G, 230-240 Ballardvale Street, Wilmington, Massachusetts, Middlesex County” dated January 12, 2023

STORMWATER MANAGEMENT REPORT dated January 12, 2023

PROJECT NARRATIVE _ SITE DESIGN STANDARDS received January 12, 2023

LONG-TERM POLLUTION PREVENTION PLAN & OPERATION AND MAINTENANCE (O&M) MANUAL received January 12, 2023

PLANNING REVIEW LETTER dated February 3, 2023

ENGINEERING MEMO dated January 31, 2023

LETTERS from Brenton Cole dated January 12, 2023

Attorney M. Newhouse told the Board one owner owns 3 contiguous properties on Ballardvale Street. He said they are developed and occupied, being used for a variety of different purposes. He told the Board the applicant would like to consolidate the lots. He said that would eliminate lot lines.

B. Cole said 240 Ballardvale Street is 5 acres and has a single industrial building on it. 230 Ballardvale Street also has a single industrial building on it and approximately 5 acres. B. Cole said the larger of the three lots is 234 Ballardvale Street which is the rear lot with a single industrial building on it. He said they all share access through a central corridor that leads out to Ballardvale Street. He said the proposed project is an internal storage lot located to the rear of 230 Ballardvale Street. He said all three lots would be consolidated, and the owner is looking to provide flexibility to his tenants. B. Cole said the tenants have tractor trailer storage, fleet storage, some have vans, and some have rent trucks. He showed an area on the plan that the owner would like to use for a storage area that used to be the old septic system but the buildings are all tied to municipal sewer now, so they are looking to use it as an accessory use. B. Cole showed the Board page 6 of the plan set, which is a blowup of the central parking lot where the storage is located. He told the Board there are wetlands which will require them to file a Notice of Intent with the Conservation Commission. B. Cole told the Board that in order to collect the stormwater, mitigate and recharge, there is an underground stormwater system which is connected into the closed drainage system that the industrial park has. He said he received comments from Planning and Engineering and will continue to work through them. T. Boland asked if tractor storage and B. Cole said yes. R. Holland said there will be no building. T. Boland asked if it will be 18-wheelers that will be stored there and B. Cole said yes, mainly tractor trailer storage. He said there will also be some van, fleet storage. T. Boland asked if it is multiple tenants and B. Cole said yes. T. Boland asked if the plan is to have them lease specific

parts of the parking lot and B. Cole said yes. R. Holland said just to clarify, the applicant is building a storage lot, not a building, and B. Cole said that is correct. T. Boland asked if it is gated and B. Cole said it is not. There were no questions from the Board or audience.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-03 and Stormwater Management Permit #23-02 for 230, 234, 240 Ballardvale Street to March 7, 2023 at 7:45 p.m. in the Town Hall Auditorium.

Continued Public Hearing – Birch Street Definitive Subdivision #22-01 and Stormwater Management Permit #22-12 – Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 Haralambos Katsikis, Applicant

PRESENT IN INTEREST: Michael Newhouse, Esq.
Luke Roy, LJR Engineering

MATERIALS CONSIDERED:

PLAN "Definitive Subdivision Birch Street" dated April 25, 2022 and last revised January 20, 2023
STORMWATER ANALYSIS dated April 2022 and last revised January 2023
RESPONSE to Engineering comments dated January 24, 2023
LETTER from Attorney Michael J. Newhouse dated January 24, 2023
PLANNING REVIEW LETTER dated February 7, 2023
FIRE DEPARTMENT MEMO received February 7, 2023
ENGINEERING MEMO dated February 7, 2022

M. Newhouse told the Board L. Roy will walk through the engineering changes that have been made. He said the road-width has been increased to 26' which required the stormwater work to be redone. He said there are still a few items that need to be discussed.

T. Boland suggested L. Roy highlight what wasn't covered in the Town Engineer's memo. L. Roy said the major changes were increasing the pavement width to 26' and increasing the radius of the turnaround area to 50' with the 50' radius to the centerline and 13' from the centerline to the other side of the pavement. He showed the firetruck turning template. He said there were several stormwater updates. He said they worked on the grading of the lots improving the steepness of the driveways. T. Boland said today's comments are similar to last months. V. Gingrich said they also received Fire Department comments today. T. Boland went through each item listed on the Engineering memo. The first was listing trees over 12' in diameter. V. Gingrich said the project will have to be filed with the Conservation Commission as well. She said the Conservation Commission likes to see tree replacement within the buffer zones. T. Boland asked if there is a recommendation as to how far they must go and V. Gingrich said 100' buffer line is shown on the plans now but that will be reviewed by the Commission when they file. She said focusing on the resource areas would be the minimum. T. Boland asked L. Roy if he did his best with the centerline grade and L. Roy said the existing road and they are not able to modify it. T. Boland asked if what is being built is better than what is currently there. L. Roy said the new section will meet the regulations. T. Boland addressed the driveway cuts of not more than 65'. He said he has no problem with the waiver on this. T. Boland said the section of Birch Street leading up to Rte. 129, the Board needs to address what state that will be in when the project is complete and that it will not be worse than it currently is. He said typically the goal is to improve things that are in poor condition. He asked how long a run in it is and L. Roy said from the beginning of Lowell Street it is 400' to 450'. He said there is

a section in front of 5 Birch Street that is in good shape. L. Roy said it is the first 200' to Lowell Street that is in bad shape. T. Boland asked V. Gingrich if there is a recommendation from the Town Engineer as to what is standard for what the Board should expect to see when this is complete. V. Gingrich said the Town Engineer will be looking for a proposed design. T. Boland said his concern is if the road is not in great shape and he worries what it will be like when the construction is complete. He doesn't understand why the developer wouldn't improve that area. M. Newhouse said a construction management plan has been requested and he agrees that makes sense. He said at the same time they will look at the section of Birch Street that is in good shape now and present something to the Board. T. Boland read a comment that the underground infiltrations system in the right-of-way is not supported and L. Roy said he feels it's a good design although he does understand engineering's concern. He said it is very easy to maintain and accessible. V. Gingrich said the Board could have a discussion of stormwater maintenance since it's a private way and the Town will not be maintaining it. She said in the past the Town has had problems with just a swale needing to be mowed and the homeowner refused. The Town accepted that roadway. The success of the stormwater system depends on the maintenance. T. Boland asked what the alternative design would be. L. Roy said the only alternative would be to take lot 7 and redo the stormwater. He said there is no way to do something behind the homes because it's not accessible for maintenance. He said if there was some way he felt he could engineer design something, he would. T. Boland said the whole concern is how is the maintenance going to get done and will it get done. There was a discussion of the sediment that would need to be cleaned and the process. There was a great deal of discussion regarding the turnaround with Deputy Fire Chief C. Pozzi expressing concern the truck may have to make a three-point turn. T. Boland said the turning analysis needs to be done the right way. L. Roy said the template he used for the turning analysis was provided to him by the Town Engineer so he thought it would fit the Town's fire truck. T. Boland said there would be a 3-point turn in the circle. Deputy Fire Chief C. Pozzi said they carry a 37' ladder on top of the truck. There was a long discussion about the turnaround and fire hydrants. Deputy Fire Chief C. Pozzi said at least 2 hydrants are needed and possibly a third. He said they cannot use the hydrants used for the daycare because they won't go the distance. L. Roy said Kleinfelder reviewed the project. Deputy Fire Chief said they didn't look at the distances. L. Roy said there is no watermain on Lowell Street for this point. T. Boland asked if these will be on well since there is no water and L. Roy said 5 Birch Street gets its water from Bay Street and for their project, one home will have a well and the others will be on the watermain extension they are doing. The water comes through March Road. T. Boland said he was confused and L. Roy said there is a hydrant at the end of March Road and one on Hall Street and the new one they are proposing. T. Boland asked the Deputy Fire Chief if he needed more hydrants and he said there is no access because there is not a through street, so the apparatus needs a hydrant. T. Boland asked if it is just a second hydrant at the end of the street that is required. Deputy Fire Chief Pozzi said it's over 900' from the hydrant at Hall Street, over 600' from Lowell Street so T. Boland said he understood what the Deputy Fire Chief was asking. Resident J. Sullivan, 7 Birch Street said she gets her water from Bay Street. T. Boland said that won't solve the problem. He asked L. Roy if this can be accommodated, and L. Roy said they could add a hydrant but he said adding anything between Lowell Street and the easement would be impossible. Deputy Fire Chief C. Pozzi said he will not change his recommendation and L. Roy questioned if this is something new. Deputy Fire Chief C. Pozzi said the Subdivision Rules and Regulation were updated October 2019 and the Fire Code changed in December of 2022. T. Boland said they will have to look at the intent of the subdivision rules. Attorney M. Newhouse added that this development will enhance the fire safety of the homes already existing in that area. Resident J. Sullivan, 7 Birch Street commented on lot 2 and asked if there have been conversations with Tennessee Gas since there are such strict regulations. L. Roy said they have had correspondence with Tennessee Gas and they are looking for a plan once they

receive approval. He agreed they are strict and no structures can be located in the easement. J. Sullivan asked if the infiltration system is not working, what will be done about and what happens if it fails. L. Roy said if there is accumulation of stuff and it overflows there are manholes but it is something that needs to be looked at. Resident J. Livermore, 9 March Road said she is particularly concerned about Item # 15 "As indicated previously, the proposed underground infiltration system located within the Right of Way of Birch Street is not supported by the Department of Public Works. Underground infiltration practices are not typically allowed within a new subdivision roadway section because of the difficulty in maintaining these systems coupled with their susceptibility to clogging. There does not appear to be any developable land remaining to relocate the system if, or when, it fails. Any future replacement of the system in-kind would have significant adverse impact to residents as contractors would need to use most of the proposed turn-around to replace the system. Surface infiltration and stormwater practices are preferred as issues with sedimentation or clogging can more easily be seen and addressed before any impact to the roadway (surcharge) or resource area". She said her expertise is not with infiltrators but if it fails it will cause an adverse effect to abutters. She said the homes on Allenhurst will be flooded. T. Boland said they need to let everyone know how it will work and how it will be maintained. J. Livermore said when they are gone 10 years from now and it isn't properly maintained, where do the abutters stand. T. Boland said he didn't have the answers and that is what the Board is trying to find out since it is a private way, and they want to make sure it will not pose issues in the future. There was more discussion and concern regarding the Town Engineer's comment #15 and T. Boland said the applicant will take it under advisement because the Town Engineer needs them to say how it will work without failing. Resident, S. Vozzella, 12 Allenhurst Way and other audience members suggested that applicants do something better at future meetings since they can't hear what is being said even with the microphones. J. Livermore is also concerned about Item #3. She is concerned if they connect Birch Street to March Road. She suggested a third alternative be to reduce the number of houses and put in a 100' turnaround. Resident asked when did it change that they are going to connect Birch Street with March Road. T. Boland said that is not being discussed. Attorney M. Newhouse said they have no problem plotting out the trees, 12 inches or greater. He said the wetlands have not been delineated and they have not gone to the Conservation Commission.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Definitive Subdivision Application #22-01 and Stormwater Management Permit #22-12 for Birch Street, Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 to March 31, 2023.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision Application #22-01 and Stormwater Management Permit #22-12 for Birch Street, Map 49 Parcels 4, 4A, 5, 6, 7, 8, 9, & 11 to March 7, 2023 at 7:50 p.m. in the Town Hall Auditorium.

Continued Public Hearing – Site Plan Review #22-15, Stormwater Management Permit #22-11, Ground Water Protection District Special Permit #22-03, Inclusionary Housing Special Permit #22-01 and Multi-Family Special Permit #22-01 for Cross Street - Map 40 Parcel 11 – One Cross, LLC, Applicant

PRESENT IN INTEREST: Robert G. Peterson, Jr. Esq.
Ben Minnix, Eaglebrook Engineering

MATERIALS CONSIDERED:

Plan "Proposed Permit Site Plans, Cross Street, Wilmington, Massachusetts" dated May 11, 2022 and last revised January 18, 2023

LETTER FROM Jason Plourde, VHB dated January 10, 2023

LETTER FROM GREEN INTERNATIONAL dated February 3, 2023

RESPONSE TO COMMENTS LETTER from Michael Juliano dated January 18, 2023

Attorney R. Peterson, Jr. provided the Board with a quick overview of what was submitted following the last meeting. B. Minnix said one comment was for coordination of utility pole. He said MassDOT is proposing to move it just behind the curb. The other change is with the crosswalk. He said Green International advised that they should include crosswalk signage. B. Minnix said they received a follow-up comment from Green International that they do not like the proposed location for a sign. He said they have no problem moving the sign and asked for a recommendation as to where it should be placed. He explained the potential problems if the sign is placed in certain locations. B. Minnix said the last change was regarding an Engineering comment under Stormwater Management, so they straightened the bend on the discharge line. Attorney R. Peterson, Jr. said there are two outstanding conditions that need to be addressed from Green International. He said he was confused about the signalization. V. Gingrich asked if they can provide the trip distribution to Green International. Attorney R. Peterson, Jr. said he will have VHB take care of it. V. Gingrich said they would like the entrance closer to Lowell Street slightly widened. B. Minnix said that won't be an issue.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline to March 31, 2023 for Site Plan Review #22-15, and Stormwater Management Permit #22-11.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-15, Stormwater Management Permit #22-11, Groundwater Protection District Special Permit #22-03, Multi-Family Special Permit #22-01 and Inclusionary Housing Special Permit #22-01 for Cross Street to March 7, 2023 at 8:00 p.m. in the Town Hall Auditorium.

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

PRESENT IN INTEREST: Kristen Costa, L.A. Associates
Craig Newhouse

MATERIALS CONSIDERED:
None

K. Costa told the Board they wanted to discuss the wetland impact at the crossing. She said their botanist asked that they have the Board answer questions. The items talked about were reducing the pavement road width from 28' down to 26', eliminating a sidewalk on one side of the road. She said the south side would make the most sense because there are only a couple of homes. She said they would also like to reduce the width of the other sidewalk from 5' to 4' at the crossing. She said the reduction in the pavement width and sidewalk width would both be at the crossing. K. Costa told the Board if all three things happen this would reduce the impact over 1000 sq.ft. She said they are working toward a final design. T. Boland asked how they would manage the reduction width from 28' to 26' in that one spot. He asked if there will be signage with red flashing lights. C. Newhouse said there would be guard rails. T. Boland said he was thinking about what it would look like to the driver. T. Boland said he wouldn't have a reduction in the width of the road just in that section. S. Hennigan said he doesn't have a problem with the sidewalk on one side because there is a way to get back in. V. Gingrich said the recent subdivisions you approved all had sidewalks on both sides. She said if the Board wants to deviate from that, it is their decision. V. Gingrich suggested the Board think about the fact that the road could be extended in the future. R. Holland asked what would keep them from putting sidewalks on both sides or at least at the entrance up to the first house. R. Holland brought up what the Board approved for Cheyenne Drive. There was a discussion regarding the road possibly extending in the future. C. Newhouse said if it's going to extend they will most likely submit a Conservation Subdivision Design and probably have a sidewalk on one side. P. Moser asked what benefit it is narrowing the road specifically at the crossing. C. Newhouse said that's where it impacts as far as DEP/Conservation. He said the concern is the impact of going through the wetlands. He said they are close to reaching the maximum which is about 5,000 sq.ft. This will allow them to just make it from going over the 5,000 sq.ft. V. Gingrich asked if it will be proposed to become a public way. K. Costa said it would. V. Gingrich suggested the Board consult with the Town Engineer. V. Gingrich asked if they submitted anything that shows the narrowing and K. Costa said they had not. T. Boland said the Board would like to get the Town Engineer's opinion. He said not having sidewalks on both sides would be going against what the Board normally approves. He would not be inclined to do that.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Definitive Subdivision Plan #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive off Marion Street to March 31, 2023.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Definitive Subdivision Plan #21-01 and Stormwater Management Permit #21-15 for Eagleview Drive to March 7, 2023 at 8:05 p.m. in the Town Hall Auditorium

Public Hearing – 885 & 889 Woburn Street - Map 37 Parcel 4 & 4A - Site Plan Review #23 04, Stormwater Management Permit #23-03 - 887 Woburn, LLC, Anthony C. Martignetti, Applicant

PRESENT IN INTEREST: Robert G. Peterson, Jr. Esq.
Jack O'Leary, Green Seal Environmental
Anthony Martignetti

MATERIALS CONSIDERED:

PLAN "Proposed Transfer Station, 885-889 Woburn Street, Wilmington, Massachusetts" dated January 11, 2023

STORMWATER MANAGEMENT REPORT, PROPOSED TRANSFER STATION dated January 2023

SITE INFORMATION received February 3, 2023

PLANNING REVIEW LETTER dated February 3, 2023

DPW MEMO dated February 2, 2023

ENGINEERING MEMO dated February 2, 2023

BOARD OF HEALTH DECISION received February 3, 2023

LETTER from Ariana Bond, Rubin and Rudman LLC (representative for abutter of 316 New Boston Street, Woburn and 895R Woburn Street) dated February 7, 2023

Attorney R. Peterson, Jr. told the Board his client is seeking to construct a waste handling facility to accept demolition and construction materials. He said they have been before the state DEP and the Board of Health and they are happy to discuss how they got to this point.

J. O'Leary told the Board the site is on the southern end of Woburn Street across from Industrial Way and currently occupied by 3 buildings. He showed the railroad spur highlighted in yellow on the plan. He said the proposal is to demolish the 3 existing buildings and build a new 37000 s.f. building for material processing and recycling. He said there would be 2 driveways. He said they are proposing parking along the front. He showed the circulation plan. J. O'Leary showed the landscaped areas on the plan. He said the site will be served by all the utilities and currently served by municipal sewer. He said the stormwater is currently controlled somewhat. It goes into the railroad right-of-way on the west side and goes into a drain on Woburn Street. He said in accordance with the bylaw they proposed some stormwater management for a redevelopment site. He said he received comments from the Town Engineer. T. Boland talked about the 5 page memo from the Town Engineer as well as a comment letter from Planning and Conservation which focuses on circulation, traffic and queuing and how that's expected to play out. Attorney R. Peterson, Jr. said it's one of the sites that has a lot of other regulations as well with respect to DEP and Board of Health, but they will look at that. He said they will sit down with the Town Engineer but they wanted to have their first public hearing with the Board first. V. Gingrich said the Department received a letter this evening from an abutter to the site.

A. Bond, Rubin and Rudman LLC said she represents Fairfield Woburn Limited Partnership owning 316 New Boston Street, Woburn as well as 895R Woburn Street. She said her client currently has approval to construct 425 units at 316 New Boston. She said she submitted this to get some answers to questions. She started with the first questions and asked if the Zoning Officer approved this as a warehouse because it seems more like a general manufacturing facility. Attorney R. Peterson, Jr. referred her to the procedures relative to the site and said the proposed use is allowed unless specifically disallowed in a zoning district. He said it's an allowed use regardless. He said they are far beyond drafting a letter to a zoning official

because the use is explicitly allowed. A. Bond said her second question is has the applicant received consent or a determination of inapplicability in writing to allow a building permit to be issued if it obtains Site Plan Approval or a Special Permit? T. Boland said he doesn't want to go through every bullet point but he is not sure this applies at this point. Attorney R. Peterson, Jr. said it does not pertain to this development. A. Martignetti showed the Board his picture book of what the property looked like when he purchased it in 2017. He said it's a square peg in a square whole scenario. He said they are trying to do something that has been done in an industrial area since as far back as he can remember, and it had a recycling use since the 50's. He said he finds his use harmonious. T. Boland said the process is just starting and traffic and everything will be discussed during different meetings. He said the bulleted items are being raised in the Planning and Engineering letter so the concerns will be addressed. He asked if there was something specific she wanted addressed and A. Bond said the main concern is that traffic will affect the already permitted project for the housing development. T. Boland said the Board will look to see that truck traffic is not adversely affecting anyone's ability to get to Target for instance. V. Gingrich suggested having a meeting with the applicant to go over comments. R. Holland has a problem with the driveway access point. She said her other concern is the driveway entrance. T. Boland asked what types of trucks will be entering the site. A. Martignetti said any trucks but most likely triaxles. Attorney, R. Peterson, Jr. said they will not be pulling straight out and explained the way the driveway will be used. He said it will be easier to understand once the site circulation is complete. T. Boland said he thinks there could be an issue with making 180° turn. He said it would be great if there was a single way through. A. Martignetti said they want traffic coming from 93. He said trucks should enter the site by the south. T. Boland asked if coming from Industrial Way is not a viable route. A. Martignetti said everyone is to enter from the south. T. Boland asked if coming from Industrial Way is a viable route and A. Martignetti said coming from Industrial Way is wrong. He said that is not how the site is meant to operate. T. Boland said Industrial Way goes to West Street where they can pick up I-93. T. Boland asked how they intend to stop people from coming in the wrong way. Attorney R. Peterson, Jr. read condition #8 of the Board of Health decision as follows: The Facility shall implement "Hauler Rules" to outline queuing procedures, traffic routes, and disciplinary actions for violations. Specifically, the Facility shall require that trucks over 10,000 GVWR using the Facility shall not travel northerly on Woburn Street to or from the Facility (with the exception being any truck traveling to or from a garaging location located at: 779 thru 856 Woburn Street, Eames Street and/or Jewel Drive). All such trucks entering the Facility must be properly registered with the MassRMV to the aforementioned garaging locations. The "Hauler Rules" shall be provided to the Board of Health prior to operation of the Facility. Attorney R. Peterson, Jr. said they cannot leave the facility and turn left. He said that eliminates all the traffic turning left. T. Boland said the people coming in from Industrial Way don't know that. There was a great deal of discussion about the truck entry. Attorney R. Peterson, Jr. said they enter and go around the facility counterclockwise and exit counterclockwise. T. Boland said there will be a traffic peer review.

Attorney J. Blake, for Woburn Street Associates LLC said his client is a direct abutter to the south. He talked about the industrial business with accessory offices with the entrances to the offices in the back. He discussed the overhead doors for the trucks stored there. Attorney R. Peterson, Jr. said with respect to the doors, the Board of Health is involved and there is a lot of talk regarding the closing speed as well as the acoustics. T. Boland said the Board can have a condition of approval that the doors stay closed when the process allows. Attorney J. Blake asked about the hours of operation and T. Boland asked the applicant the hours of operation. Attorney R. Peterson, Jr. said it's from 5:00 a.m. to 7:00 p.m., Monday through Friday, 5:00 a.m. to 7:00 p.m. and 5:00 to 1:00 p.m. Saturday. A. Martignetti said some things of transfer will be 24 hours.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-04 and Stormwater Management Permit #23-03 for 885 & 889 Woburn Street, Map 37 Parcels 4 & 4A to March 7, 2023 at 8:15 p.m. in the Town Hall Auditorium.

Continued Site Plan Review #22-16, Stormwater Management Permit #22-13 and Ground Water Protection District Special Permit #22-05 for 208 Main Street - Map 44 Parcel 178B Gabriel Schuchman Alrig USA Development, LLC, Applicant

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

MATERIALS CONSIDERED:

LETTER from Jake Modestow dated January 31, 2022

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline to March 28, 2023 for Site Plan Review #22-16, Stormwater Management Permit #22-13

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-16, Stormwater Management Permit #22-13 and Ground Water Protection District Special Permit #22-05 for 208 Main Street, Map 44 Parcel 178B to March 7, 2023 at 8:25 p.m. in the Town Auditorium.

Continued Public Hearing – Site Plan Review #22-22, Stormwater Management Permit #22-16, Ground Water Protection District #22-07 & Sign Special Permit #22-02 for 800 Salem Street - Map R1 Parcel 24 - David Wilkinson for WCV-800 Salem LLC, Applicant

PRESENT IN INTEREST: Matt Costa, Beals Associates
David Wilkinson, Camber Development
Brandon Nelson, Camber Development

MATERIALS CONSIDERED:

OPERATION & MAINTENANCE CONTROL PLAN dated October 6, 2022 and last revised January 20, 2023

PLANNING REVIEW LETTER dated January 10, 2023

RESPONSE TO PLANNING COMMENTS from Matthew Costa dated January 26, 2023

RESPONSE TO ENGINEERING COMMENTS from Matthew Costa dated January 26, 2023

RESPONSE TO TRAFFIC COMMENTS from Jeffrey Dirk, Vanasse & Associates dated Traffic January 26, 2023

M. Costa presented an overview to the Board. He said they are still waiting for comments from the Town Engineer. The addressed concerns brought up in the Planning review letter and said they addressed the light spilling over Salem Street to the abutting property across the street. He said they provided a truck turning analysis for fire trucks. He said the Deputy Fire Chief does not have any more issues with that. He said Fire had some comments on dumpster screening and they will provide dumpster screens. He said there will be compactors on site. He talked about the sidewalk on the western side was removed. They added a holding tank for

the pumphouse. He said the water suppression system will be powered by a diesel pump and they added the holding tank because typically they would have the drain go into the Municipal System but since they don't have a Municipal System, they provided the holding tank. He said they did address the street sweeping to reduce dust and the engineer will address the mechanical type. M. Costa said one issue that Engineering has is that Salem Street has issues with ponding in two locations. He asked that they try to mitigate and address the issue to reduce the ponding. He said they offered routine street sweeping and asked the applicant to remove the sediment along the road. He said they looked into grading off the edge of the road. He said they didn't want to do that because they would have to remove existing vegetation along Salem Street. M. Costa said there is an existing berm rail. He said they didn't want to lose the natural buffer to the development. He said they were also asked to include a stormwater system so when the Town develops Salem Street, they can decide to plug into their system. He said they will install and maintain a swale. He said they did increase the height of the building by about 4' but it will still comply with regulations. He said the rooftop equipment will be screened.

Upon motion duly made and seconded it was unanimously

VOTED: To extend the action deadline to March 31, 2023 for Site Plan Review #22-22 and Stormwater Management Permit #22-16 for 800 Salem Street, Map R1 Parcel 24.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-22, Stormwater Management Permit #22-16, Groundwater Protection District Special Permit #22-07 and Sign Special Permit #22-02 for 800 Salem Street, Map R1 Parcel 24 to March 7, 2023 at 8:30 p.m. in the Town Hall Auditorium

Continued Public Hearing – Site Plan Review #22-24, Stormwater Management Permit #22-18 and Parking Relief Special Permit #22-04 for 326 Ballardvale Street - Map R3 Parcel 25A Hamid Jaffari for Reading Municipal, Applicant

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

MATERIALS CONSIDERED:

PLAN "Public Service Utility, 326 Ballardvale Street, Wilmington, MA" dated September 21, 2022 and last revised December 23, 2022

RESPONSE LETTER from T. Williams dated January 26, 2023

ENGINEERING MEMO dated January 24, 2023

E-MAIL from Attorney Robert Peterson, Jr. dated January 30, 2023

REQUEST TO EXTEND ACTION DEADLINE dated January 31, 2023

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action to March 31, 2023 for Site Plan Review #22-24 and Stormwater Management Permit #22-18.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-24, Stormwater Management Permit #22-18 and Parking Relief Special Permit #22-04 for 326 Ballardvale Street to March 7, 2023 at 8:40 p.m. in the Town Hall Auditorium.

Public Hearing – Site Plan Review #23-01, Stormwater Management Permit #23-01 for 90 Eames Street - Map 38 Parcel 3A - Eames Street LLC, Applicant

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

MATERIALS CONSIDERED:

PLAN "Eames Street LLC, Warehouse Storage Facility, Wilmington, Massachusetts" dated December 2022

STORMWATER MANAGEMENT PLAN, WAREHOUSE STORAGE FACILITY, WILMINGTON, TRAFFIC MEMORANDUM from William Lyons, Jr. dated September 4, 2021

SOUND STUDY dated March 3, 2022

MASSACHUSETTS dated December 2022

SAMPLE TANK PHOTO received January 5, 2023

LETTER from Attorney Robert G. Peterson dated February 1, 2023

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action to April 28, 2023 for Site Plan Review #23-01 and Stormwater Management Permit #23-01.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-01 and Stormwater Management Permit #23-01 for 90 Eames Street to April 4, 2023 at 7:40 p.m. in the Town Hall Auditorium.

Continued Public Hearing – Site Plan Review #22-25 - 26 Upton Drive - Map R1 Parcel 18G DISH Wireless L.L.C., Applicant

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

MATERIALS CONSIDERED:

POST MODIFICATION INSPECTION from B&T Engineering dated November 13, 2008

LETTER from Attorney M. Dolan dated February 7, 2023

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action to March 31, 2023 for Site Plan Review #22-25 for 26 Upton.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #22-25 for 26 Upton Drive to March 7, 2023 at 8:50 in the Town Hall Auditorium extend

**Public Hearing – Site Plan Review #23-06, Stormwater Management Permit #23-05 and Groundwater Protection District Special Permit #23-01 for 30 Upton Drive
Map R1 Parcel 18H - Stephen Albano, Applicant**

PRESENT IN INTEREST: Devin Howe, Beals Associates

MATERIALS CONSIDERED:

PLAN “Plans to Accompany Permit Documents for Upton Park, 30 Upton Drive, Wilmington, Massachusetts” dated January 15, 2022 and last revised January 12, 2023
STORMWATER MANAGEMENT PERMIT dated January 5, 2022 and last revised January 12, 2023
LETTER from Devin Howe dated January 12, 2023
ENGINEERING MEMO dated January 31, 2023

D. Howe told the Board the applicant is looking to amend the previously approved Site Plan, Stormwater and Groundwater Protection Special Permit. He said the Board approved this project in August of last year for a warehouse of 45,600 s.f. and they are proposing a warehouse behind the building. T. Boland asked if that was the one with the angle loading docks and D. Howe said there are 4. He said they relocated the loading docks He said the building is 38000 s.f.. They expanded the mezzanine space. D. Howe said he received one comment from the Town Engineer regarding the stormwater system. He has a response for the Town Engineer, and he is looking for approval. T. Boland said this can be approved at the next meeting once the Town Engineer reviews it. D. Howe said they see the Town Engineer’s comments as minor. T. Boland said the Town Engineer will want to see the changes to make sure they meet the town standards. V. Gingrich said the Town Engineer will want to see the design.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-06, Stormwater Management Permit #23-05 and Groundwater Protection District Special Permit #23-01 for 30 Upton Drive to March 7, 2023 at 9:00 in the Town Hall Auditorium.

**Public Hearing - Site Plan Review #23-05 and Stormwater Management Permit #23-04
38 Upton Drive - Map R1 Parcel 18 – Michael Cantalupa, Applicant**

PRESENT IN INTEREST: Matt Costa, Beals Associates
Benjamin Masselink, The Davis Companies
Ashley Dunn, Dyer Brown
Keith Giguere, Dyer Brown
Saurabh Ullal, 6K Inc.
Robert Troccolo, IF Designs

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, 2023, “Vehicle Turning Analysis Loading Movements” dated October 7, 2021
ARTCHITECTURAL PLANS BLDG A & D dated January 10, 2023
ARTCHITECTURAL PLANS BLDG B dated January 12, 2023
STORMWATER MANAGEMENT REPORT dated October 2021
OPERATION AND MAINTENANCE CONTROL PLAN dated October 7, 2021 and last revised January 10, 2022
LETTER from Devin Howe dated January 12, 2023

ENGINEERING MEMO dated February 7, 2023

M. Costa told the Board the previous approvals were given in 2019. He said they came in for manufacturing uses a couple of months ago. He showed the Board aerials from earlier this year. He said 6K would be the potential tenant for half Building B. He showed another view of the back towards the residential. He said Building A is towards the west and Building B is towards the east. He said not much has changed on the updated site plan. He said 6K is a manufacturing company that has this process that uses microwave plasma to create this new age type battery that is more sustainable and uses a lot less power. He said towards the back they will not need all the trailer spaces. The space will be used to house their mechanical and electrical equipment. They got rid of the loading docks. He showed the two loading spaces on the plan. He talked about the small shed that will house the mechanical equipment and the overhang will cover a few tanks that hold the different materials that are used within the building. He talked about the underground holding tank that is beneath the pavement that will capture spills of the chemicals that are used. The roof would be extended over the containment area to make sure rainwater doesn't fill them. Overall parking has not changed. He said there will be a slight increase in water usage. M. Costa talked about the reused water and talked about the recirculating water. He said they reached out to Kleinfelder. He said they are increasing sewer use. He talked about the traffic and he's in a process to provide additional information as requested by Planning. He said there is a slight increase in the number of cars in the morning peak hours and he will provide a memo. M. Costa said there will be rooftop mechanical equipment that will be screened. He talked about the two tanks in the back and said one is 48'. The total height of the building is 56.5'. M. Costa showed a view from the site entrance and he said from the intersection you can barely see the units and they are placed in the middle of the building which provides additional screening. M. Costa said the screening is on the roadway side and none in the back. He showed another view from Upton looking straight at the building. He doesn't feel neighbors will be affected. He said they made a great effort to provide screening. He said they added windows to create that appeal for the building with different color paint of light and dark gray. T. Boland told the applicant to follow-up on traffic. V. Gingrich said the Fire Department asked for a peer review and she asked if it has been started. A. Dunn said it has been started. V. Gingrich said she received an e-mail from a resident who uses the trail off of Ashwood and was really disappointed to be met with a fence so she asked if they could work up a trail that links to Upton Drive and maybe snake it along the wetlands. M. Costa said they could go back to Conservation but the only problem is the maintenance of it. He asked if it would be the Davis Companies' responsibility to maintain it and V. Gingrich said that can be discussed. She said nobody is picturing anything formal. B. Masselink asked where the town wants the trail and said that they would want it outside the sidewalks and fenced area for security purposes. P. Moser asked about the tanks and if meets the requirements and A. Dunn said it does.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-05 and Stormwater Management Permit #23-04 for 38 Upton Drive to March 7, 2023 at 9:05 in the Town Hall Auditorium.

**Public Hearing - Site Plan Review #23-02 and Multi-Family Special Permit #23-01
203 Lowell Street - Map 48 Parcel 73 – 203 Lowell Street Owner LLC, Applicant**

PRESENT IN INTEREST: Doug Lees, Land Engineering Environmental Services, Inc.
David Roche, Procopio Companies

MATERIALS CONSIDERED:

PLAN "Wilmington Residential Special Permit Amendment, 203 Lowell Street, Wilmington, MA 01887" dated January 10, 2023, "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" dated October 18, 2018 and last revised January 9, 2023

RENDERINGS dated January 10, 2023

PLANNING REVIEW LETTER dated February 3, 2023

LETTER from David Roache dated January 11, 2023

ENGINEERING MEMO dated February 7, 2023

D. Roche said they needed to make changes to the interior of the building as well as the façade. They are also reconsidering the design of the commercial aspects based on tenants. He said the parking garage revisions, they were at 57 spaces and now they have 59. He said the accessible spaces are slightly closer to the garage entrance adjacent to the elevator and the elevator flipped to the left hand side. He showed the façade change using a variety of materials and colors. They will have white siding on the upper two floors and the lower end will be a light gray vinyl. The balconies will be a lighter gray. He said they like vinyl for its durability. He talked about the material they use and he also wanted to discuss phasing and occupancy. He said they are ready to pull a permit for the residential building. He said all utilities would be in, the grading would be completed, all paving would be in to binder, all curbing and landscaping would be in. T. Boland asked to discuss the garage and talked about the original approval. D. Roche said there are no spaces adjacent to the door. T. Boland asked if the doorway is set back 8' and then said it was similar to what was previously approved. R. Holland said this is an improvement. T. Boland said they want to make sure they have the commercial aspect. D. Roache said that's expected. He said a condition that says no occupancy permits allowed until all building permits are pulled for remaining buildings. T. Boland discussed other comments. He said landscaping is important. D. Roche said they are concerned about not being able to water plants during construction. T. Boland said he does not want extra paved space. There was a discussion about the sidewalk. V. Gingrich said getting folks from their sidewalk to the commercial building is not possible so she asked them to work on that. D. Roche said they will make an effort. T. Boland said there are closets in the den and D. Lees said the original sewer plan was based upon restaurants that were going to be built and so there is enough room for 4 extra bedrooms on each. D. Roche said they desire restaurants as well. T. Boland asked about irrigation and D. Roche said they are proposing irrigation. D. Roche asked if the public hearing needs to be closed to issue conditions. V. Gingrich said the public hearing remains open until all materials and revisions have been submitted.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Site Plan Review #23-02 and Multi-Family Special Permit #23-01 for 203 Lowell Street to March 7, 2023 at 9:15 in the Town Hall Auditorium

Board of Appeals

At its meeting on February 7, 2023, the Planning Board (Board) voted to recommend as follows:

Case 4-23: 79 Nichols Street – Map 35 Parcel 29

V. Gingrich said the process is just beginning.

Upon motion duly made and seconded, it was by a vote of 5-0

VOTED: To continue discussion on the proposal as it proceeds through the Board of Appeals process. A recommendation will be provided following further review.

Case 5-23: 38 Upton Drive – Map R1 Parcel 18

V. Gingrich said they did renderings. T. Boland said it's up to Board of Appeals. T. Boland asked if they can be seen from Ashwood's backyard.

Upon motion duly made and seconded, it was by a vote of 5-0

VOTED: To recommend approval. The Board feels that the Special Permit is appropriate for the increase in height due to mechanical equipment.

Old Business

Request to endorse 41 Westdale Avenue - Map 72 Parcel 5 & 16 - Non-Conforming Lot Special Permit #22-01 - Northeastern Development Corp., Applicant

A request to endorse plan for 41 Westdale Avenue Non-Conforming Lot Special Permit #22-01 was received.

MATERIALS CONSIDERED:

PLAN "Special Permit Plan, 41 Westdale Ave., Wilmington, Massachusetts" dated September 29, 2022 and last revised November 21, 2022

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plan for the Special Permit #22-01 for a Non-Conforming Lot under Chapter 139 of the Acts of 1998, entitled, "Special Permit Plan" dated September 29, 2022, last revised November 21, 2022, prepared by Douglas E. Lees, P.L.S., Land Engineering & Environmental Services, Inc., 1 Bridgeview Circle, Tyngsboro, MA 01879. Said property is located at 41 Westdale Avenue and shown on Assessor's Map 72 Parcels 5 & 16.

Request to initiate street acceptance for Green Meadow Drive – Joseph Langone, Northeastern Development Corp., Applicant

MATERIALS CONSIDERED:

LETTER from Joseph Langone dated December 14, 2022

V. Gingrich told the Board the developer is requesting to not go eighteen months. She said the roadway was just paved in November and the town always goes through a winter and DPW does not recommend that it be accepted at this time. She said this is a recommendation as to whether the Selectman should initiate street acceptance.

Upon motion duly made and seconded it was unanimously

VOTED: To recommend to the Select Board that Green Meadow Drive not be considered for acceptance at this time. The long-standing practice of delaying street acceptance until 12-18 months after final paving should be followed to ensure the new infrastructure is functioning properly. Since final paving occurred in September 2022, street acceptance could be considered for the 2024 Annual Town Meeting.

New Business

Request to endorse plan for 40-50 Fordham Road - Map 91 Parcels 131 & 131A, Map 99 Parcel 1 - Anne R. Garr for HRP Fordham, LLC, Applicant

MATERIALS CONSIDERED:

PLAN "Site Plan for Tenant Improvement At 40-50 Fordham Road Wilmington, MA, Assessors Map 91 Lots 131 & 131A, Assessors Map 99 Lot 1" dated January 13, 2020 and last revised September 20, 2022

Upon motion duly made and seconded it was

VOTED: To endorse plan for 40-50 Fordham Road entitled "entitled "Site Plan for Tenant Improvements at 40-50 Fordham Road Wilmington, MA, Assessors Map 91 Lots 131 & 131A, Assessors Map 99 Lot 1"; dated January 13, 2020 and last revised September 20, 2022, prepared by Richard J. O'Connell, P.E., RJO'Connell & Associates, Inc., 80 Montvale Avenue, Suite 201, Stoneham, MA 02180.

Request to endorse plan for 353 Middlesex Avenue - Map 79 Parcel 31B John O'Donnell, Applicant

MATERIALS CONSIDERED:

PLAN "Site Improvements for Iron Mountain, 353 Middlesex Avenue, Wilmington, Massachusetts", dated November 9, 2022.

Upon motion duly made and seconded it was

VOTED: To endorse plan for 40-50 Fordham Road entitled "entitled "Site Improvements for Iron Mountain, 353 Middlesex Avenue, Wilmington, Massachusetts", dated November 9, 2022, prepared by Eugene T. Sullivan, P.E., Eugene T. Sullivan, Inc., 230 Lowell Street, Suite 2A, Wilmington, MA 01887, and Steven M. Horsfall, P.L.S., Kelly Engineering Group, 0 Campanelli Drive, Braintree, MA 02184.

Site Plan Review Waiver #23-01 – 65 Industrial Way – Map 56 Parcel 122 – Catherine Conklin for AT&T, Applicant

MATERIALS CONSIDERED:

PLAN "AT&T Mobility, Generator Project, 30KW Generac Diesel Generator, 200 Generac ATS" dated January 19, 2021 and last revised November 11, 2022.

NARRATIVE dated December 8, 2022

V. Gingrich said this is for a generator on a graded platform. There is no change to pervious area.

Upon motion duly made and seconded it was

VOTED: To approve the request to waive Site Plan Review to add a 30 kw diesel generator on an existing concrete pad within the fenced area in accordance with plan entitled: "AT&T Mobility, Generator Project, 30KW Generac Diesel Generator, 200 Generac ATS" dated January 19, 2021 and last revised November 11, 2022.

Discussion

North Wilmington Estates Definitive Subdivision – Schedule for Completion

PRESENT IN INTEREST: Peter Nicosia, Esq.
Steve Lawrenson

Attorney P. Nicosia told the Board they are approaching closing the project up. He said they submitted milestone deadlines. He said they are trying to complete this as soon as possible. He said there is work to be done with respect to the Homeowner's Associations. He said there is some work that needs to be done to the last lots. He is hoping building permits don't get held up.

S. Lawrenson said they are finishing up the sidewalks and the open space has had a lot of work done to it. They are ready for planting. The walkways are in. The reinforced concrete slabs are in. He said J. Magaldi chose the benches and they have been ordered. He said all the electrical is piped in so it just needs plantings. They want to plant species that will survive. Attorney P. Nicosia said the Planning Director can advise what plants will survive. T. Boland asked if the Board needs to extend the completion deadline and V. Gingrich said she would look into whether the Board needs a vote for that. She said this was just a discussion.

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

VOTED: To adjourn the meeting at 11:54 p.m.

NEXT PLANNING BOARD MEETING: March 7, 2023

Respectfully submitted,

A handwritten signature in black ink that reads "Cheryl Licciardi". The signature is written in a cursive, flowing style.

Cheryl Licciardi
Recording Clerk

