



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION  
DEPARTMENT

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**Planning Board Minutes  
March 8, 2016**

The Planning Board met on Tuesday, March 8, 2016 at 7:30 p.m. in the Town Hall Auditorium. The following members were present: Michael Sorrentino Chair; Randi Holland; Terence Boland; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation was also present. David Shedd was absent.

**Minutes**

The Planning Board had no minutes to review.

**Form A**

There were no Form A plans to review.

**Matters of Appointment**

**Continued Public Hearing - Garden of Eden Definitive Subdivision #16-01 & Stormwater Management Permit #16-01- Map 2 Parcels 201-206, 223-225 and Map 3 Parcels 207-222, Joseph Langone, Applicant**

**MATERIALS CONSIDERED:**

PLANS "Site Development Plan, Garden of Eden, Wilmington, Massachusetts" dated January 7, 2016, "Sketch Plan in Wilmington, Massachusetts" dated June 11, 2015 last revised August 13, 2015

ELEVATIONS - various pages with different dates

STORMWATER POLLUTION PREVENTION PLAN dated January 4, 2016

COMMENTS from DPW dated January 26, 2016, Fire Department dated January 26, 2016

LETTER to applicant from Planning Director dated January 26, 2016

A request to continue the public hearing was received.

Upon motion duly made and seconded, it was unanimously

**VOTED:** To continue the Public Hearing for the Garden of Eden Definitive Subdivision to April 5, 2016 at 7:45 p.m. in Room 9 of the Town Hall.

**Public Hearing - Sign Special Permit #16-01 for 13-15 Church Street - Map 41 Parcels 108 & 109, Joseph Langone, Applicant**

PRESENT IN INTEREST – Joseph Langone

**MATERIALS CONSIDERED:**

PLANS "Option 1", created by Brush Stroke, Sign & Design and filed with the Planning Board on February 12, 2016

J. Langone told the Board he is requesting a Special Permit for a sign similar to the sign on the Stuart Building. V. Gingrich said the building does not have a natural spot for the sign to be located on the first floor so the Building Inspector said a special permit is required to place the sign between the first and second floors. She told the Board the sign is a building identifier.

Upon motion duly made and seconded, it was unanimously

VOTED: To close public hearing for the Sign Special Permit #16-01 for 13-15 Church Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the Sign Special Permit #16-01 plan entitled, "Option 1", created by Brush Stroke, Sign & Design and filed with the Planning Board on February 12, 2016. Said property is located at 13-15 Church Street and shown on Assessor's Map 41 Parcels 108 & 109.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on March 8, 2016 and closing on March 8, 2016, by a motion duly made and seconded, it was voted:

To approve a wall sign that is 2.5' high x 16' wide with gold lettering. The sign will be located above the first floor architectural band.

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.

**Public Hearing - Parking Special Permit #16-01 for 206 Ballardvale Street - Map R2 Parcel 7D - Paul Kneeland for Mapvale LLC, Applicant**

PRESENT IN INTEREST – Paul Kneeland, Mapvale LLC

**MATERIALS CONSIDERED:**

PLANS "Ballardvale Street" dated March 21, 2014 and last revised February 4, 2016

P. Kneeland reminded the Board that he developed the property at 206 Ballardvale Street. He said there are two units remaining and the intent for that space was always a full service restaurant. P. Kneeland said when the market changed, restaurant owners were hesitant to open where there were no houses. He told the Board John Ryan's Pub is a potential client and he is requesting the Board grant relief for parking requirements at his site. He explained that he has a parking easement to use 70 spaces on the abutting parcel. V. Gingrich said the

new restaurant would require 32 more spaces so the Board would be granting relief of the parking requirements.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Parking Special Permit #16-01 for 206 Ballardvale Street.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions the Parking Relief Special Permit #16-01 for 206 Ballardvale Street as shown on plan entitled: "Ballardvale Street"; dated March 21, 2014 and last revised February 4, 2016, prepared by Channel Building Company. Said property is located at 206 Ballardvale Street, Wilmington, MA 01887 and shown on Assessor's Map R2 Parcel 7D. The decision is as follows:

This is to certify, following a public hearing of the Wilmington Planning Board (Board) opening on March 8, 2016 and closing on March 8, 2016, by a motion duly made and seconded at its meeting on March 8, 2016, it was voted:

We, the Wilmington Planning Board, as requested by Balquin LLC, under the provisions of Section 6.4.3.2 (Parking Relief) of the Zoning By-Laws of the Town of Wilmington to consider Parking Relief Special Permit #16-01 and do hereby vote to GRANT the Parking Relief as shown on the submitted plan, subject to the Findings and Conditions below.

#### **MATERIALS:**

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

<u>Date submitted</u>	<u>Description</u>
1. February 10, 2016	First Amendment To Access and Drainage Easement and Agreement dated October 29, 2019

#### **FINDINGS:**

1. A total of 36 parking spaces are required but only 31 spaces are available on the site. An easement agreement is in effect for the use of 70 parking spaces on the adjacent property, 200 Ballardvale Street.
2. The Planning Board determined that in accordance with Section 6.4.3.2. The reduction in parking spaces can be granted without substantial detriment to the neighborhood.
3. The Applicant satisfactorily addressed the comments made or submitted by the Planning Board.

#### **CONDITIONS:**

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

1. This Special Permit granted for Parking Relief for 206 Ballardvale Street shall be valid for this proposed restaurant only.
2. If a building permit is not issued 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, and/or the two-year period shall run from the date of the final decision on the appeal.

3. This decision in no way invalidates any of the previous conditions required by the Planning Board on this property through Site Plan Review.
4. 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.

**Public Hearing - Site Plan Review #16-01 and Stormwater Management Permit #16-03 for 196 Ballardvale Street - Map R2 Parcel 7E - Paul Kneeland for Mapvale LLC, Applicant**

PRESENT IN INTEREST – Ryan Bianchetto, Allen & Major  
Paul Kneeland, Mapvale LLC

**MATERIALS CONSIDERED:**

PLANS "Ballardvale Street" dated March 21, 2014 and last revised February 4, 2016

EXTERIOR ELEVATIONS "196 Ballardvale St" dated March 31, 2016

TRAFFIC IMPACT AND ACCESS STUDY dated January 25, 2016 – draft

DRAINAGE REPORT dated February 10, 2016

LETTER from Ryan Bianchetto dated February 11, 2016

COMMENTS from DPW dated March 7, 2016

R. Bianchetto told the Board he is representing P. Kneeland for a new retail use and the building will be 11,270 sq.ft. He said there would be standard passenger parking and a drive-thru in the rear. R. Bianchetto told the Board there will be two improvements at the entrance. He talked briefly about the traffic circulation. He said there are a few catch basins in the south section of the lot and an underground infiltration system is proposed. R. Bianchetto talked about a conveyance swale. He said there would be added green space in the parking lot. R. Bianchetto said the gas and water come in through the rear of the site. He told the Board the applicant is going before Conservation Commission as well as the Zoning Board of Appeals. He talked about the Stormwater Management Permit and said he included a report. There is no peak increase and standard erosion controls will be installed.

R. Bianchetto said he received comments from the Planning Department and the Town Engineer.

M. Sorrentino read comments into the record.

P. Kneeland said he would carefully review all comments. V. Gingrich pointed out that at the CDTR meeting concerns were mentioned but still have not been addressed. V. Gingrich reminded the applicant that the town still has not received the Traffic Assessment. She said the the parking lot has a drive isle and the new development will have curbing and green. V. Gingrich asked for some sort of edge treatment to create a safer drive aisle and P. Kneeland pointed out that he has no control since he does not own that property. M. Sorrentino asked what kind of lighting would be used and P. Kneeland said LED lighting similar to 206 Ballardvale Street. P. Kneeland explained it is a low profile pole lighting with LED lights. V. Gingrich told the applicant to think about what will be done about snow storage because 200 Ballardvale Street pushes snow towards onto the 196 Ballardvale Street property. P. Kneeland said there will be a pylon sign potentially with both 196 Ballardvale Street and 200 Ballardvale Street for the signage. V. Gingrich said that the bylaw does not allow off premises signs, so there should be no sign for 200 Ballardvale Street. R. Holland questioned the entrance described on the plan and R. Bianchetto said it is an entrance. M. Sorrentino asked if there will be a drive-thru and P. Kneeland said there would not be a coffee shop but he is not

sure what he will have as a tenant. R. Holland asked if there would be some small directional signs and V. Gingrich pointed out to the Board that should there be a tenant needing a drive-thru, there is enough queuing.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #16-01 and Stormwater Management Permit #16-03 to April 5, 2016 at 8:15 p.m.

**Public Hearing - Definitive Subdivision #16-02 and Stormwater Management Permit #16-02 for Nelson Acres - Map 57 Parcel 54E- James Brothers & George Brothers, Applicant**

PRESENT IN INTEREST – James Brothers  
George Medeiros, Esq.

**MATERIALS CONSIDERED:**

PLANS "Ava Lane, Wilmington, MA" dated January 19, 2016

DRAINAGE REPORT dated February 4, 2016

ELEVATIONS dated December 31, 2015

LETTER from Richard W. Stuart dated February 23, 2016

COMMENTS from DPW dated March 7, 2016

Attorney Medeiros told the Board he is representing the applicant who had submitted a definitive subdivision plan. He told the Board the applicant is going with a gravity design for the sewer line. Attorney Medeiros said the applicant is comfortable that he can meet all engineering concerns. He said a catch basin will be added to Ava Lane. V. Gingrich pointed out that through the review process, there were some major concerns noted. She said the project has not yet been submitted to the Conservation Commission. J. Brothers responded that Notice of Intent was ready to be submitted but there were so many revisions required that he thought he would just submit the revised plans to the Conservation Commission. V. Gingrich reviewed the major issues discussed during CDTR. J. Brothers said he will take the project back to the drawing board. R. Holland suggested sidewalks be added to both sides of the road specifically around the cul-de-sac. M. Sorrentino talked about raising the road.

M. Sorrentino read comments and letter from R. Stuart into the record.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the Public Hearing for Definitive Subdivision #16-02 and Stormwater Management Permit #16-02 for Nelson Acres to April 5, 2016 at 8:45 p.m. in Room 9 of the Town Hall.

**Board of Appeals**

At its meeting on Tuesday, March 8, 2016 the Planning Board voted to recommend as follows:

Case 4-16: 142 Grove Street

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval conditioned on the architecture fitting into the neighborhood.

Case 5-16: 100 Maplewood Ave.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval conditioned on the architecture fitting into the neighborhood.

Case 6-16: 24 Hobson Avenue

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Case 7-16: 196 Ballardvale Street

Upon motion duly made and seconded, it was unanimously

VOTED: To table the recommendation until Site Plan Review and review of the Stormwater Management Permit is completed by the Planning Board.

Case 8-16: 1 Jewel Drive

Upon motion duly made and seconded, it was unanimously

VOTED: That the auto repair shop use is generally appropriate in the General Industrial Zone and depending on the specifics of this case, the use may or may not be appropriate for this location. Site Plan Review is required by the Planning Board for a change in use.

**Old Business**

There was no Old Business to discuss.

**New Business**

**Request to waive Site Plan Review for 773 Salem Street - Map R1 Parcel 23  
Kristen LeDuc, representative for New Cingular Wireless, Applicant**

A request to waive Site Plan Review for 773 Salem Street was received.

**MATERIALS CONSIDERED:**

PLAN "AT&T, FA Number:10141346, Site Number: MA3079, Site Name, Wilmington-Salem  
Wilmington MA Street, Project: LTE 2C" dated January 6, 2016  
LETTER from Kristen LeDuc dated February 19, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees for New Cingular Wireless PCS, LLC "AT&T" located at 773 Salem Street. The proposal is to replace three (3) panel antennas and add three (3) radio units at its existing antenna and ancillary Transmission Equipment at the same height level as the existing equipment.

**Request to waive Site Plan Review for 250 Ballardvale Street - Map R2 Parcel 23B  
Amanda Goodall, representative for AT&T, Applicant**

A request to waive Site Plan Review for 250 Ballardvale Street was received.

**MATERIALS CONSIDERED:**

PLAN "AT&T, FA Number:10071739, Site Number: MAL03122, Site Name, Wilmington-Ballardvale, 250 Ballardvale Street, Wilmington, MA 01887, Crown Castle Site ID#: 842899, Project: LTE 2C" dated January 12, 2016 and last revised February 9, 2016  
LETTER from Amanda Goodall dated February 23, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees for AT&T located at 250 Ballardvale Street. The proposal is to replace three (3) panel antennas and add three (3) radio units at its existing antenna platform on the existing tower. Radio equipment inside the existing radio cabinet on the ground will also be upgraded.

**Request to release surety for Site Plan Review #05-05 for 277-279 Main Street  
Map 43 Parcels 3 &4A - Attorney Robert G. Peterson for the Applicant**

A request to release surety for 277-279 Main Street was received.

**MATERIALS CONSIDERED:**

PLAN "Wilmington Plaza South Drive" dated August 11, 2015  
LETTER e-mail from Attorney Robert G. Peterson dated February 25, 2016

Upon motion duly made and seconded, it was unanimously

VOTED: To release surety plus interest in the amount of one hundred forty-eight thousand, four hundred dollars (\$148,400.00).

**Adjourn**

**Planning Director's Comments**

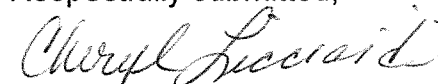
The Planning Director had no comments.

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

VOTED: To adjourn the meeting at 9:25 p.m.

NEXT MEETING is March 15, 2015

Respectfully submitted,



Cheryl Licciardi  
Recording Clerk