



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

(978) 658-8238
(978) 658-3311
FAX (978) 658-3334

**Planning Board Minutes
May 5, 2015**

The Planning Board met on Tuesday, May 5, 2015 at 7:00 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chairman; Randi Holland; David Shedd; Christopher Neville and Terence Boland. Valerie Gingrich, Director of Planning & Conservation, and Michael Vivaldi, Assistant Planner, were also present.

Minutes

The Planning Board had no Minutes to review

Form A

There were no ANR Plans to review.

Matters of Appointment

Hazard Mitigation Plan Workshop

PRESENT IN INTEREST – Sam Cleaves, MAPC

S. Cleaves told the Board there will be a map for public mark-up. He said this is the second go around and it is a FEMA requirement of the state. He told the Board it takes several years for approval. It is for prevention of loss of life, injury, and property. S. Cleaves said it is important to plan for flooding in our state. MAPC works with FEMA and MEMA and the Planning Directors of all cities and towns then they engage the public. He said he relies on what local people feel believe is critical. Examples of what is considered are risks, plowing, and heat shelters to name a few. There were 98 sites identified in the first go around. S. Cleaves said part of the plan involves pulling information from databases. He said they look at what is in the state plan and what worked in the past plan. Then they look to see where the gaps are and what actions are needed to reduce vulnerability. Priorities are identified. He discussed the five successful improvements that have been made. He said there are natural hazards, i.e. flood related, brush fire related, winter related, wind related and dam failures. S. Cleaves said

there will be a second public meeting on the draft plan in the fall. This is not a binding plan. The plan will be valid for another five years and there are FEMA grants that can be applied for.

C. Neville asked if the Town is now in compliance. S. Cleaves answered Wilmington is not in compliance at this time but if there was a natural disaster the Town would receive a grant. V. Gingrich asked S. Cleaves to explain his spreadsheet. He told the Board the blue indicates flooding and the orange is development areas. R. Holland asked what the numbers 92, and 75 indicate. S. Cleaves said those are critical infrastructure and are green. W. McGowan asked if the repetitive loss areas are in the plan. S. Cleaves answered yes but said they are not allowed to publish the addresses.

Continued Public Hearing – Site Plan Review #15-01 and Stormwater Management Permit #15-01 for 203 Lowell Street - Map 48 Parcel 73 - Michael A. Palmer, Applicant

MATERIALS CONSIDERED:

PLAN "Proposed Restaurants, 203 Lowell Street, Wilmington, Massachusetts" dated December 7, 2014

STORM DRAINAGE MANAGEMENT REPORT dated December 8, 2014, March 30, 2015

COMMENTS – DPW memo dated February 2, 2015, June 1, 2015 and Deputy Fire Chief dated January 28, 2015

LETTER from Attorney Robert G. Peterson, dated January 9, 2015

LETTERS from Eugene Sullivan, Eugene T. Sullivan, dated March 30, 2015

E-MAIL from Eugene Sullivan, Eugene T. Sullivan, Inc. dated September 24, 2014

LIGHTING PLAN dated March 20, 2015

HYDRAULIC ANALYSIS from Kleinfelder dated March 11, 2015

TRAFFIC MEMO from DJK dated March 25, 2015

LETTER from Textron Systems - Approval of Drainage and Easement Use dated April 1, 2015

PRESENT IN INTEREST – Robert G. Peterson, Esq.

Attorney R. Peterson told the Board the real problem with this project is traffic and the applicant has hired Ron Müller to conduct a traffic study. P. Alunni, Town Engineer told the Board E. Sullivan agreed to DPW change requests.

Attorney R. Peterson said R. Müller is hoping to have the study into the Board prior to the June meeting. V. Gingrich explained to the Board what was asked of the applicant.

VOTED: To extend the deadline for action for Stormwater Management Permit #15-01 for 203 Lowell Street - Map 48 Parcel 73 to June 30, 2015.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #15-01 and Stormwater Management Permit #15-01 - Map 48 Parcel 73 to June 2, 2015 at 8:15 p.m.

Continued Public Hearing – Site Plan Review #14-04 and Stormwater Management Permit #14-06 for 90 Eames Street - Map 38 Parcels 3A & 3B - Tresca Brothers Sand & Gravel, Applicant

MATERIALS CONSIDERED:

PLAN "90 Eames Street, Wilmington, Massachusetts" dated April 22, 2014
DEPARTMENT OF ENVIRONMENTAL AFFAIRS - Noise Guidelines dated April 2003
SOIL EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT REPORT dated June 2010 and last revised April 2014
SOIL EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT REPORT dated June 2010 and last revised October 2014
SOIL EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT REPORT dated January 15, 2015 and March 2015
STORMWATER POLLUTION PREVENTION PLAN dated October 24, 2014, December 16, 2014, May 4, 2015
PLAN SHEET "Proposed Conditions Plan" dated January 13, 2015
PLAN SHEETS "Proposed Plan Layout" dated April 22, 2014, "Existing Conditions" dated April 22, 2014 and last revised April 29, 2015, "Proposed Conditions" dated January 13, 2015 and last revised April 29, 2015, "Details and Notes" dated April 22, 2014 and last revised April 29, 2015
COMMENTS – DPW memo dated September 10, 2014, November 10, 2014 and February 3, 2015, e-mail from Jamie Magaldi dated October 30, 2014, e-mail from Paul Alunni dated November 12, 2014
LETTERS from Attorney William R. Landry, Blish & Cavanagh, dated August 6, 2014 and October 6, 2014
INSTALLATION, OPERATION & MAINTENANCE MANUAL for Concrete Reclaimer received October 29, 2014
TECHNICAL MEMORANDUM from Daniel Mills, MDM Transportation Consultants, Inc. dated October 24, 2014
LETTER from Daniel J. Mills, MDM Transportation Consultants, Inc. dated December 17, 2014
TRAFFIC MEMORANDUM from MDM Transportation, Daniel Mills dated March 24, 2015
MEMORANDUM from MDM Transportation, Daniel Mills dated April 21, 2015
LETTER from EA Engineering, Science, and Technology, Inc., dated November 24, 2014 and January 21, 2015
CORRESPONDENCE from resident Ronald Mochi dated September 15, 2014 and November 17, 2014 was distributed to all Planning Board members. Additional correspondence from Ronald Mochi dated December 26, 2014
CORRESPONDENCE from resident Edina Martin dated November 11, 2014
NEWS PAPER ARTICLE dated November 13, 2014
TECHNICAL MEMORANDUM from William F. Lyons, Jr., of Fort Hill dated November 12, 2014
ILLUSTRATIONS AND CHART from Fort Hill received December 2, 2014
CORRESPONDENCE from William F. Lyons, Jr., Fort Hill dated November 12, 2014
CORRESPONDENCE from Burns & Levinson LLP dated October 6, 2014, November 11, 2014, December 1, 2014, and April 29, 2015
CORRESPONDENCE from ARCADIS dated August 5, 2010, November 12, 2014, January 20, 2015, February 17, 2015, March 24, 2015,
CORRESPONDENCE for TEC dated February 17, 2015, April 3, 2015
MassDEP approval for Air Quality Non-Major Comprehensive Plan

CORRESPONDENCE from DiPrete Engineering dated October 21, 2014, January 2015, March 19, 2015, April 29, 2015
RESUMES for Daniel J. Mills, P.E., PTOE, Eric M. Prive, PE
POLICE ACCIDENT REPORT dated March 28, 2015
TEC - Traffic Peer Review comments dated April 3, 2015
OPERATIONS & MAINTENANCE PLAN dated October 17, 2014, January 20, 2015, March 18, 2015, and April 29, 2015
CHART - "Required Intersection Site Distance for Site Driveway - A Safety Issue"

PRESENT IN INTEREST – William Landry, Blish Cavanaugh
Alex Rothchild, ARCADIS

W. Landry told the Board his partner attended the last meeting for him and he believes that the drainage issues are under control. He said there were some issues regarding traffic and whether there should be a restriction on Rte. 38. W. Landry mentioned He mentioned William Lyons of Fort Hill and also said that TEC and D. Mills of MDM all submitted letters regarding traffic issues. He said A. Rothchild submitted the requested noise study and the noise generated is not above the ambient. Attorney Lipkind asked how the background noise levels were calculated and A. Rothchild told the Board two methodologies were used and information was supplied to the Planning Board.

M. Sorrentino said there are three letters from traffic engineers that the Board still needs to review. He said that a presentation was made and Attorney Lipkind submitted information that is above his expertise. M. Sorrentino said the Board is still taking the noise under advisement.

V. Gingrich said a town traffic study will be done to the areas proposing projects on Lowell Street, Eames Street and Industrial Way. She explained what the engineer should provide that report prior to the next Planning Board meeting.

C. Neville asked where the Board stands with respect to noise for next month. V. Gingrich said that there could be some language in the decision addressing noise. W. Landry said the analysis shows that their levels will not exceed the appropriate noise levels.

M. Sorrentino suggested continuing the public hearing allowing the Board time to review everything presented. W. Landry said Traffic Engineer, D. Mills submitted information regarding traffic issues and will prepare an executive summary.

Attorney Lipkind told the Board he brought a noise expert and asked if the Board would hear from him. He said there was a reference that Attorney Landry made to back-up alarms report but he has not been able to obtain a copy.

VOTED: To extend the deadline for action for Site Plan Review #14-04 and Stormwater Management Permit #14-06 for 90 Eames Street, Map 38 Parcels 3A & 3B to June 30, 2015.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #14-04 and Stormwater Management Permit #14-06 - Map 38 Parcels 3A & 3B to June 2, 2015 at 8:45 p.m.

Continued Public Hearing – Site Plan Review #15-04 for 45 Industrial Way - Map 46 Parcel 110 - 45 Industrial Way LLC, Applicant

MATERIALS CONSIDERED:

PLAN "Site Development Plans for Renovated Distribution Center, 45 Industrial Way, Wilmington, MA" dated February 5, 2015 and last revised May 5, 2015

DRAINAGE REPORT dated February 21, 2105, March 3, 2015, March 24, 2015 and last revised April 21, 2015

TRAFFIC REPORT from Ron Müller & Associates dated January 15, 2015

COMMENTS – DPW memo dated February 23, 2015, March 31, 2015, April 30, 2015, Fire Department memo dated February 26, 2015

LETTER from Attorney Robert G. Peterson dated February 5, 2015

LETTERS from Allen & Major Associates, Inc. dated March 24, 2015, April 21, 2015 and May 5, 2015

PRESENT IN INTEREST – Robert G. Peterson, Esq.
Ryan Bianchetto, Allen & Major
Dave McLane, Howland Development
Paul Richardson, Howland Development

Attorney R. Peterson said R. Bianchetto has been revising the plans. R. Bianchetto told the Board architectural plans were submitted a few meetings ago. He said the company colors are purple and green. R. Bianchetto said the freestanding sign is 11 feet off the building. There were changes to the infiltration, fencing, and setbacks to the bio-retention. He said more information was submitted regarding the stormwater pumping, the triangular parcel was added to the plan as well as six tractor-trailer parking spaces. R. Bianchetto said that thirteen parking spaces and several isles were removed from the front parking area and a bio-retention area was added. He said the Conservation Commission requested moving the dumpster fencing. There was fencing added so no snow will be pushed into certain areas. R. Bianchetto said he submitted revised plans with a letter of explanation.

M. Sorrentino asked the Town Engineer if the applicant complies with Stormwater and P. Alunni said they do. He said a pump system is never recommended but the applicant demonstrated that no outside areas will be impacted if there should be a failure. Paul Alunni said the sand filters being provided will be an improvement. M. Sorrentino asked if the plans submitted this evening are the final plans and R. Bianchetto said yes. R. Bianchetto said the bio-retention area will clean the water before it is discharged and meets the ten-year stormwater standards.

D. Shedd asked R. Bianchetto to explain how snow removal will work. R. Bianchetto said a snow storage plan was submitted to the Planning Department a few weeks ago. He said the stormwater storage areas are quite substantial. There are two stormwater pumps and there is a natural gas generator attached in case of a power outage. Attorney R. Peterson said the

applicant has been working 24/7 to resolve any issues. He said the closing of this public hearing is crucial because his client may lose the proposed tenant.

P. Richardson told the Board he is going to lose FedEx. He said he does not like the odds and requested the Planning Board hold an extra meeting in May so it can issue the decision and certificate of approval. V. Gingrich told the applicant the Board has to be comfortable with the revised plans in order to close the hearing. She said she does not know if the Conservation Commission is comfortable with what was been presented. P. Richardson said they will offer \$500,000 for traffic mitigation to address an increase of traffic. He suggested that 90 Eames Street should contribute to the mitigation as well.

Upon motion duly made and seconded it was unanimously

Upon motion duly made and seconded it was unanimously

VOTED: To close public hearing for Site Plan Review #15-04 - Map 46 Parcel 110

**Public Hearing – Special Permit #15-01 for 50 Hopkins Street - Map 11 Parcel 40
Robert K. Ahern for RKACO LLC, Applicant**

A request to continue the public hearing to the July meeting was received.

MATERIALS CONSIDERED:

PLAN ““Special Permit, Plan of Land in Wilmington, Massachusetts”; dated December 30, 2014 and last revised February 3, 2015

Upon motion duly made and seconded it was unanimously

VOTED: To extend the deadline for action for Special Permit #15-01 - Map 11 Parcel 40 to July 31, 2015.

Upon motion duly made and seconded it was unanimously

VOTED: To continue the public hearing for Special Permit #15-01 - Map 11 Parcel 40 to July 7, 2015 at 7:30 p.m.

Board of Appeals

Cases 4 & 5-2015 / 45 Industrial Way

Map 46 Parcel 110

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval for the Special Permits. The Planning Board has closed the public hearing for Site Plan Review, and the property has been designed to meet the full intent of the zoning bylaw as close as possible while still providing for stormwater drainage.

Case 7 -2015 / 108 Woburn Street

Map 94 Parcel 135

Upon motion duly made and seconded, it was

VOTED: To recommend receiving additional information supporting the functionality of the proposed underground infiltrators. The neighborhood is known to have seasonal flooding concerns in relation to the estimated seasonal high groundwater (ESHGW); it may limit the functioning of the underground infiltrators.

Case 8 -2015 / 15 Beech Street

Map 6 Parcel 75

Upon motion duly made and seconded, it was

VOTED: To recommend approval.

Old Business

There was no old business to discuss

New Business

Decision for Site Plan Review #15-06 for Amendment to 269 Main Street - Map 43 Parcel 4C - Michael Coffman for Wilmington Main Realty LP, Applicant

MATERIALS CONSIDERED:

PLAN "Proposed Sidewalk Improvement" dated February 17, 2015 and last revised March 10, 2015

ADVISORY OPINION - Bohler Engineering dated April 3, 2015

SIGN PLAN - dated June 3, 2014

CONSTRUCTION FLOOR PLAN

COMMENTS – Deputy Fire Chief dated March 3, 2015

LETTER from Bridge Lane Neighbors received April 7, 2015

PRESENT IN INTEREST – William Proia, Riemer & Braunstein LLP

W. Proia asked the Board about one of the conditions. V. Gingrich said there was a new handicap ramp close to the drop off area. She said it can be eliminated.

Upon motion duly made and seconded it was unanimously

VOTED: To approve the public hearing for Site Plan Review #15-06 - Map 43 Parcel 4C for Amendment to 269 Main Street

Decision for Site Plan Review #15-05 and Multi-Family Special Permit #15-01 for 13-15 Church Street - Map 41 Parcels 108 & 109 - Northeastern Development Corp., Applicant

MATERIALS CONSIDERED:

PLAN "Proposed Site Plan, 13 & 15 Church Street, Wilmington, Mass" dated March 17, 2008 and last revised December 29, 2008

PRESENT IN INTEREST – Michael Newhouse, Esq.
Joseph Langone, Northeastern Development

Upon motion duly made and seconded it was unanimously

VOTED: To approve an amendment of the use of the first floor of the above referenced building, from two (2) residential units and two (2) retail/office units to three (3) residential units and one (1) retail/office unit, making a total of eleven (11) residential units and one (1) retail/office unit.

All other conditions for approval of 13-15 Church Street for Site Plan Review #15-05 (previously Site Plan Review #08-04) & Multi-Family Special Permit #15-01 (previously Multi-Family Special Permit #08-01) shall remain in full force and effect.

Request to establish surety, accept surety and release lot for 81G Application #14-01 for Bond Street - Map 21 Parcel 5-31 & 5-31A - James Newhouse, Jr. Applicant

A request to establish surety, accept, surety and release lot for 81G Application #14-01 for Bond Street was received.

Upon motion duly made and seconded it was unanimously

VOTED: To establish and accept surety for the completion of 14 Bond Street (formerly known as 18 Bond Street) in the amount of eleven thousand, six hundred twenty-six dollars and zero cents (\$11,626.00). Surety was presented in the form of an IOLTA check. In exchange for surety, the Planning Board also voted to release 14 Bond Street.

Planning Director's Comments

V. Gingrich told the Board the first three hearing on this evening's agenda have traffic impacts so the Town is going to do a mini traffic study of that area being Lowell Street, West Street and Industrial Way. She said the Town is working with TEC and should have the completed study in June. C. Neville asked if TEC will be incorporating the 2011 traffic report. V. Gingrich said it was requested that 203 Lowell Street and 45 Industrial Way submit additional traffic information. C. Neville asked P. Alunni, Town Engineer, about the town land near the corner of Textron and if land would have to be taken to fix the situation at the intersection. P. Alunni said there is a grade change but there is a possibility that area could be corrected and that is the reason the Town have engaged TEC's help. D. Shedd pointed out the Board previously discussed a grant to improve that area of roadway. He reminded everyone that the town widened West Street. C. Neville said that the sliver of land where Woburn Street meets Eames Street really needs to be examined. V. Gingrich told the Board the Town needs to be

careful to allow truck movement in that area. She said the development of the Olin site is possible and also needs to be considered.

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

VOTED: To adjourn the meeting at 9:50 p.m.

NEXT MEETING is May 19, 2015

Respectfully submitted,

Cheryl Licciardi
Recording Clerk