



TOWN OF WILMINGTON
121 GLEN ROAD
WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

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**Planning Board Minutes
June 6, 2017**

The Planning Board met on Tuesday, June 6, 2017 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino Chair; Terence Boland; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation and Carolyn Cronin, Assistant Planner were also present. David Shedd was absent

Minutes

There were no Planning Board minutes to review.

Form A

226 & 230 Burlington Ave. - Map 17 Parcel 54 & Map 6 Parcels 1, and 29, 31 & 33 Dell Drive
Map 17 Parcels 46, 47, & 48 "Plan of Land, Burlington Ave. & Dell Drive, Wilmington,
Massachusetts" – Steve Lawrenson, Applicant

V. Gingrich explained the plan and said this is in R10 zone.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #17-03 for 226 & 230 Burlington Ave.
Map 17 Parcel 54 & Map 6 Parcels 1, and 29, 31 & 33 Dell Drive
Map 17 Parcels 46, 47, & 48 "Plan of Land, Burlington Ave. & Dell Drive,
Wilmington, Massachusetts" dated June 1, 2017, Stephen Lawrenson, Applicant

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and
Application #17-03 for 226 & 230 Burlington Ave., Map 17 Parcel 54 & Map 6
Parcels 1, and 29, 31 & 33 Dell Drive, Map 17 Parcels 46, 47, & 48 "Plan of Land,
Burlington Ave. & Dell Drive, Wilmington, Massachusetts" dated June 1, 2017.

The Board endorsed the plan.

20 Boutwell Street – Map 18 Parcel 5 “Plan of Land in Wilmington, Massachusetts” – C.S. Newhouse Builders, Inc., Applicant

V. Gingrich told the Board this is a frontage exception lot and they are breaking off a non-buildable lot.

Upon motion duly made and seconded it was

VOTED: To receive the ANR Plan and Application #17-04 for 20 Boutwell Street – Map 18 Parcel 5 “Plan of Land in Wilmington, Massachusetts” dated June 1, 2017, C.S. Newhouse Builders, Inc., Applicant

Upon motion duly made and seconded it was

VOTED: That approval under Subdivision Control is not required for ANR Plan and Application #17-04 for 220 Boutwell Street – Map 18 Parcel 5 “Plan of Land in Wilmington, Massachusetts” dated June 1, 2017.

The Board endorsed the plan.

Matters of Appointment

Public Hearing - Site Plan Review #17-04, Parking Relief Special Permit #17-03 & Stormwater Management Permit #17-05 for 15 Industrial Way - Map 46 Parcel 101, Paul Richardson, Applicant

PRESENT IN INTEREST – Paul Richardson
Ryan Bianchetto, Allen & Major
Bob Carly

MATERIALS CONSIDERED:

PLANS “Site Improvements, 5 Waltham Street, Wilmington, MA” dated February 8, 2017
STORMWATER MANAGEMENT REPORT, 5 Waltham Street, Wilmington, Massachusetts dated February 8, 2017

LETTER from Eugene Sullivan, dated February 8, 2017

MATERIALS CONSIDERED:

PLANS “Site Development Plans for Renovated Distribution Center, 15 Industrial Way, Wilmington, MA” dated April 4, 2017 and last revised May 22, 2017 and “Layout & Materials Plan, 15 Industrial Way, Wilmington, MA” dated April 4, 2017

DRAINAGE REPORT - RENOVATED DISTRIBUTION CENTER, 15 Industrial Way, Wilmington, Massachusetts, dated April 4, 2017

R. Bianchetto told the Board all Engineering concerns have been addressed. He briefly gave a review of the project and said the parking spaces in the middle are not needed as the tenant will only need 10 or 15 spaces.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing and approve with conditions the Parking Relief Special Permit #17-04 for 15 Industrial Way as shown on plan entitled, “Layout & Materials

Plan, 15 Industrial Way, Wilmington, MA”, prepared by Professional Engineer, Timothy J. Williams, Allen & Major Associates, Inc., dated April 4, 2017. Said property is located at 15 Industrial Way, Wilmington, MA 01887 and shown on Assessor’s Map 46 Parcel 101.

This is to certify, following a public hearing of the Wilmington Planning Board (Board) opening on June 6, 2017 and closing on June 6, 2017, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by 3IW, 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 #17-04 as shown on plan entitled: “Layout & Materials Plan, 15 Industrial Way, Wilmington, MA” prepared by Timothy J. Williams, PE; Allen & Major Associates, Inc., 100 Commerce Way, PO Box 2118, Woburn, MA, 01888; dated April 4, 2017, 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.	None	

FINDINGS:

1. The proposed project includes building and parking lot improvements. The proposed use requires 77 parking spaces. The Applicant will stripe 54 parking spaces.
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 15 Industrial Way shall be valid for this proposed use only. Any change in use in the building shall meet the parking requirements or apply for a Special Permit.
2. If construction has not commenced within two (2) years of a special permit approval, the approval shall lapse and then a new application, fees and public hearing will be required, provided that if there is an appeal to the Land Court within twenty (20) days after the decision has been filed with the Town Clerk, 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.

Continued Public Hearing – Over 55 Housing Special Permit #17-01 & Stormwater Management Permit #17-02 for 401 Andover Street - Map R3 Parcels 8 & 10, Luke Roy for Stephen Wright, Applicant

PRESENT IN INTEREST: Luke Roy, LJR Engineering
Stephen Wright
Michael Newhouse
Kristen Costa, L.A. Associates

MATERIALS CONSIDERED:

PLANS "Site Plan, Over 55 Housing, Spruce Farm" dated March 6, 2017 and last revised April 24, 2017

STORMWATER MANAGEMENT REPORT, "Stormwater Analysis" dated March 2017

TRAFFIC IMPACT ASSESSMENT dated April 20, 2017

SUPPLEMENTAL SIGHT DISTANCE EVALUATION dated May 18, 2017

Engineering memo dated March 31, 2017

L. Roy told the Board he revised plans to address quite a few engineering comments. He added the zoning district to plans, fencing, added a landscape plan, photometric information as well as architectural. He said the open space area was modified. L. Roy said draft language for the open space restriction was provided to the Planning Department as well as draft homeowner's association documents. He said the water main information was provided. L. Roy said he adjusted the infiltration basin, adjusted the low point, adjusted the water gate valve and calculations for the stormwater were modified. He updated the stormwater BMP table. A more detailed erosion control plan was provided. L. Roy discussed the runoff. He said he added two parking spaces at the common area. L. Roy told the Board that the proposed driveway sight distance was carefully looked at. He said the Andover Street speed limit is 20 mph in that section but cars travel at an average of 38 mph. GPI recommended improved signage to highlight the speed limit. He stated that they are working on getting a sight line easement from the abutter. He showed on the plan the area that shading and street lights are needed.

M. Sorrentino said the Town Engineer is satisfied. V. Gingrich asked what the street name will be? S. Wright said the people living there asked if the street could be named after the family so it will be "Hensey Way".

V. Gingrich pointed out that the location of the affordable units changed. M. Newhouse said the affordable will be lots 17, 10, and 24, spread out in different phases of the construction. R. Holland asked if it would be 10% and V. Gingrich said 3 units is 10% of the project. S. Cotton, Foster's Pond Corp. asked about Foster's Pond Right of Way and whether the Condo Association would retain their interest in the ROW? M. Newhouse said the interest could possibly be released to the association and they would work with them on that issue.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing and approve with conditions, the Special Permit to construct an Over 55 Housing project with 27 units at 401 Andover Street, as shown on a site plan entitled: "Site Plan, Over 55 Housing, Spruce Farm" dated March 6, 2017 and last revised April 24, 2017, registered Professional Engineer: Luke J. Roy,

LJR Engineering, Inc., 234 Park Street, North Reading, MA 01864. Approval is as follows:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on April 4, 2017 and closing on June 6, 2017, by a motion duly made and seconded, it was voted:

"We the Wilmington Planning Board, as requested by Verneice Hensey, Christopher M. Chisholm, and Lisa P. Chisholm, owners, and Spruce Farm, LLC, applicant, under the provisions of Section 9.0 of the Zoning By-Laws of the Town of Wilmington and Board's Special Permit Rules and Regulations, to consider the contemplated site plan development for property addressed 401 Andover Street (Assessors Map R3 Parcels 8 & 10), as shown on the plan set sheet entitled: "Site Plan, Over 55 Housing, Spruce Farm" prepared by Luke J. Roy, P.E, dated March 6, 2017 and last revised April 24, 2017, (the "Plan") (the "Project"), do hereby vote to APPROVE the Special Permit Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

	<u>Date Submitted</u>	<u>Description</u>
1.	March 9, 2017	"Spruce Farm Over 55 Housing Development Stormwater Analysis, Wilmington, Massachusetts" prepared by LJR Engineering, Inc., 234 Park St., North Reading, MA, 01864 dated March 6, 2017 and revised on April 24, 2017.
2.	April 25, 2017	"Traffic Impact Assessment, Proposed Residential Development, 401 Andover Street, Wilmington, MA" prepared by Rebecca Brown, PE and Donald Panjaitan of Greenman-Pederson, Inc., 181 Ballardvale St., Suite 202, Wilmington, MA, 01887 dated April 20, 2017.
3.	May 24, 2017	"Supplemental Sight Distance Evaluation, Proposed Residential Development, 401 Andover Street, Wilmington, MA" prepared by Rebecca Brown, PE of Greenman-Pederson, Inc., 181 Ballardvale St., Suite 202, Wilmington, MA, 01887 dated May 18, 2017

PROCEDURAL HISTORY

1. Application to construct an Over 55 Housing development pursuant to Section 9 of the Wilmington Zoning Bylaws was made by the above-referenced owners and applicant, and filed with the Planning Board on March 9, 2017.
2. A public hearing on the Special Permit application was held on April 4, 2017 and closed on June 6, 2017.
3. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS:

1. The Project site is shown on Map R3 Parcels 8 &10 and contains 27 Over 55 Housing Units in the form of single-family structures and duplexes.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards and guidelines of Section 6.5 and Section 9 of the Wilmington Zoning By-Laws and the Board's Site Plan Review Rules and Regulations.
3. The Site Plan and ancillary materials submitted by the Applicant comply with the provisions, requirements, standards and guidelines of Section 6.5 and Section 9 of the Wilmington Zoning By-Laws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.
5. The Project is subject to an Order of Conditions issued by the Wilmington Conservation Commission.

DECISION

In view of the foregoing, the Planning Board hereby decides that the aforesaid property is a proper parcel to be developed under Section 9 of the Wilmington Zoning Bylaws. It is therefore decided to grant a Special Permit for the development of twenty-seven (27) units in accordance with the Site Plan entitled: "Site Plan, Over 55 Housing, Spruce Farm" prepared by Luke J. Roy, P.E, dated March 6, 2017 and last revised April 24, 2017, and the terms and conditions stated below. The following shall be required at the Applicant's sole expense, unless otherwise noted:

1. The Project shall be constructed and operated in accordance with the approved Site Plan.
2. Notwithstanding any future amendment to the Wilmington Zoning Bylaw, Massachusetts G.L. c. 40A, or any other legislative act:
 - a The maximum number of dwelling units to be constructed under this Special Permit shall be twenty-seven (27).
 - b The tract of land on which the structures are to be located shall not be altered or used except
 - i as granted by this Special Permit;
 - ii as shown on the Site Plan entitled: "Site Plan, Over 55 Housing, Spruce Farm" prepared by Luke J. Roy, P.E, dated March 6, 2017 and last revised April 24, 2017, as referenced above; and
 - iii as in accordance with subsequent amendments to the Special Permit.
 - c The entire tract of land and buildings to be constructed shall not be used, sold, transferred or leased except in conformity with this Special Permit. If applicant petitions for amendment to this Special Permit, he must submit all plans and information to the change as required by applicable rules.
3. If no substantial construction has commenced within two (2) years of approval, approval shall lapse and a new application, fees and a public hearing shall be required.
4. Any changes to the Site Plan shall be subject to the Special Permit review process.

5. Within five days of transfer of ownership of the property, the Planning Board shall be notified in writing of the new property owner's name and addresses.
6. The project drive/roadway shall be named Hensey Way.
7. As required by Section 9.6.2, the project shall include three (3) affordable two-bedroom dwelling units to be counted on the Town's Subsidized Housing Inventory (SHI) with the Department of Housing and Community Development (DHCD). The affordable units shall be Units 10, 17, and 24. The affordable units shall be deed restricted and marketed as required by the Department of Housing and Community Development to count on the SHI.
8. The fair marketing plan for the three (3) affordable units shall include a local preference for Wilmington residents as allowed by DHCD.
9. Open Space shown on the Site Plan shall be deed restricted in accordance with Section 9.12.2 of the Zoning Bylaw.
10. Maintenance of the premises, including but not limited to roadway maintenance and repair, snow plowing and removal, landscaping, trash removal/recycling, and any other amenities associated with the Project shall remain the responsibility of the owner. No dumpsters shall be permitted on the site. The owner shall be responsible for all trash collection.
11. The Project's stormwater management system shall be inspected, operated, and maintained in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair, and replacement of all drainage structures constructed pursuant to the project shall be the owner's responsibility.
12. All domestic water mains and services constructed for the project on the project site shall meet the requirements of the Town's Water and Sewer Division and shall remain private. The operation, maintenance, repair, and replacement of all water pipes, mains, fittings, and appurtenances on the property shall be the owner's responsibility.
13. All landscaping, fencing, and lighting shall be maintained by the Owner for the duration of the use.
14. The site shall be maintained in a clean and tidy condition, clear of debris and trash.
15. The required sight line easement area shall be maintained, and kept clear of any obstructions to provide required sight distance from the project driveway. This may require periodic pruning, trimming, and cutting of vegetation.
16. Snow shall be stored in designated areas only. Any snow exceeding on-site capacity shall be removed from the site.

PRIOR TO ENDORSEMENT OF PLANS:

17. Following the 20 day appeal period, the Planning Board will sign the plans, which shall be recorded the Middlesex North Registry of Deeds.
18. Prior to endorsement, the plans shall be revised to show any changes required by the Wilmington Conservation Commission.
19. Prior to endorsement of the plans, the Applicant shall submit a phasing plan and schedule for the project to the Department of Planning and Conservation.
20. Prior to endorsement, an executed sight line easement shall be obtained along Andover Street to provide the required sight distance looking south from the proposed driveway.
21. Prior to endorsement, the plan shall be revised to include additional street light fixtures along the proposed project drive/roadway.

22. Prior to endorsement, the plan shall be revised to remove open space shading from the proposed septic system location.
23. Prior to endorsement, the plan shall be revised to provide a wider access path to Infiltration Basin #3.
24. Prior to endorsement, the plans shall be revised to show additional landscaping between units 6 and 7.
25. Prior to endorsement, the plans shall be revised to avoid street tree plantings in proximity to proposed septic systems.
26. Prior to endorsement, the plans shall be revised to minimize grading and disturbance immediately upgradient of the bordering vegetated wetland area that is adjacent to the common area shown on the plan.
27. Prior to endorsement, these conditions of approval of the Special Permit shall be listed on the cover page of the Site Plan set.
28. Prior to endorsement, the plans shall be revised to show the berm abutting Foster's Pond Road on the grading and landscaping plan.

PRIOR TO START OF CONSTRUCTION/DURING CONSTRUCTION:

29. At least one week prior to the start of work, a pre-construction conference shall be scheduled with the Department of Planning & Conservation and Engineering Division to review the construction schedule, permitted drawings, and permit conditions.
30. At the time of the pre-construction conference, the developer will be required to submit a schedule of work, project contacts, soil erosion and sedimentation control plan, information on plans for stockpiling of earth materials and/or any plans for hauling of earth materials (if approved under the earth removal bylaw) for review by the Planning Department and Engineering Division.
31. At the time of the pre-construction conference, the developer shall provide evidence that all required local, state, and federal permits and approvals have been obtained.
32. Prior to the start of construction, the Applicant shall demonstrate compliance with NPDES Construction General Permit filing requirements and shall submit a copy of the Stormwater Pollution Prevention Plan to the Department of Planning & Conservation and Engineering Division.
33. Prior to construction, the applicant shall install erosion controls to be inspected by the Department of Planning & Conservation and Engineering Division.
34. Notice of start of construction shall be distributed to abutting properties two weeks prior to the commencement of construction.
35. During construction, work shall not start before 7:00AM and be shall be completed by 7:00PM Monday-Friday. No work is allowed on Sundays and Holidays. Work on Saturdays may be permitted with written consent from the Department of Public Works. Construction equipment shall not be started prior to 7:00AM.
36. The Applicant or designated authority shall give reasonable notice to the Engineering Division for inspection prior to installing any utility, roadway sub-base, pavement, proposed stormwater management system or installation of other critical design components identified during the preconstruction conference.
37. The Applicant shall maintain the construction entrance in an appropriate manner throughout the course of construction to prevent sediment from accumulating in Andover

Street. Street sweeping and replacement of the stones for the construction entrance may be needed from time to time throughout the phases of construction. The Applicant will be responsible for immediate removal of any sediment tracked onto Andover Street during the course of construction, as directed by Town staff.

PRIOR TO ISSUANCE OF BUILDING PERMIT:

38. Prior to the issuance of the first building permit, the Local Affordable Unit Application for the three (3) affordable housing units shall be approved by the Department of Housing and Community Development.
39. Prior to the issuance of the first building permit, the roadway shall be constructed through binder course and stormwater management components associated with the roadway shall be completed. In addition, an acceptable form of surety shall be provided for the completion of the roadway and associated infrastructure.
40. Prior to the issuance of a building permit, an ANR plan shall be submitted to combine the two project parcels.
41. Homeowners Association (HOA) documents shall be submitted for review prior to the issuance of the first building permit. The HOA documents shall include the stormwater management Operation and Maintenance Plan and the existing use of Foster's Pond Road by others.
42. Prior to the issuance of a building permit, the sight line easement deed shall be recorded at the Middlesex North Registry of Deeds and a copy of the recorded easement shall be provided to the Department of Planning & Conservation.

PRIOR TO ISSUANCE OF OCCUPANCY:

43. Prior to the issuance of the first Certificate of Occupancy, the Regulatory Agreement for the three affordable units, in a form acceptable to the Town and DHCD shall be recorded.
44. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall record a permanent deed restriction, in a form acceptable to the Town, for the open space shown on the approved site plan in accordance with Section 9.12.2 of the Zoning Bylaw.
45. Prior to the issuance of the first Certificate of Occupancy in each construction phase, street lights shall be illuminated for the phase in which the Occupancy is requested.
46. Prior to the issuance of the first Certificate of Occupancy, the Applicant shall submit a progress as-built plan of the roadway and associated infrastructure.
47. Prior to the issuance of the last Certificate of Occupancy for the property, final As-Built Plans for the project, in form(s) and format(s) acceptable to the Town Engineer shall be submitted to the Engineering Division and Department of Planning and Conservation.

WAIVERS:

The Planning Board has reviewed the request for waivers from Section 9 of the Wilmington Zoning Bylaw and:

1. Approves a waiver of Section 9.12.3 of Zoning Bylaw to allow the percentage of the open space that is wetland to exceed the percentage of the entire tract that is wetland. The Planning Board finds that a waiver of this requirement will promote the purpose of the bylaw.

Continued Public Hearing – Site Plan Review #17-02 and Stormwater Management Permit #17-03 for 33 Industrial Way - Map 46 Parcel 109, Jeffrey A. Brem for Anuj Mohan, Applicant

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

MATERIALS CONSIDERED:

PLANS "Proposed Site Plan Building Addition, Chemgenes, 33 Industrial Way, Wilmington, MA" dated March 2, 2017, Pre-Development Map "Chemgenes" dated March 2, 2017
STORMWATER MANAGEMENT REPORT dated March 2, 2017
LETTER from Jeffrey Brem, dated March 7, 2017
Engineering memo dated April 2, 2017 & May 3, 2017

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline to July 31, 2017.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing to July 11 at 7:45 p.m.

Public Hearing – Modification to Garden of Eden Definitive Subdivision #17-01, Map 2 Parcels 201-226, 223, 223A, 224, 224A & 225 and Map R3 Parcels 207-222, Joseph Langone, Applicant

PRESENT IN INTEREST: Joseph Langone
Doug Lees

MATERIALS CONSIDERED:

PLANS "Detail Sheet in Wilmington, Massachusetts, Garden of Eden" dated: January 7, 2016 and last revised May 1, 2017
LETTER from Doug Lees dated May 1, 2017

D. Lees told the Board the developer would like to modify the definitive subdivision because he initially put the wrong granite curbing on the plan, which would require a waiver from the Planning Board.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the requested waiver from the Wilmington Subdivision Regulations to allow Type VB granite curbing throughout the subdivision in place of the required Type VA4 granite curb as shown on revised Sheet 14 of the Definitive Subdivision, plan entitled: "Detail Sheet in Wilmington, Massachusetts, Garden of Eden" dated: January 7, 2016 and last revised May 1, 2017, prepared by Professional Land Surveyor: Douglas E. Lees: Land Engineering & Environmental Services, Inc., 130 Middlesex Road, Tyngsboro, MA 01878; property is shown on Chestnut Street, Assessor's Map 2 Parcels 201-206, 223, 223A, 224, 224A, &-225 and Map 3 Parcels

207-222. The proposed subdivision is for twenty-six (26) buildable lots. Approval is subject to the following conditions and waivers:

PROCEDURAL HISTORY

4. Application for an Amendment to Definitive Subdivision approval pursuant to M.G.L. Chapter 41, Section 81-L was made by the above-referenced owner and filed with the Planning Board on May 1, 2017.
5. A public hearing on the Definitive Subdivision application was held on June 6, 2017.
6. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review.
7. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

FINDINGS

The Planning Board determined that the proposed project has less detrimental impact on the property and surrounding area than a conventional development proposed for the tract after consideration of factors defined in the Conservation Subdivision Design Special Permit.

The Planning Board determined that the Definitive Subdivision Plan does not substantially vary from the Concept Plan presented and approved in the Conservation Subdivision Design Special Permit issued on January 5, 2016.

DECISION

CONDITIONS:

1. All conditions and waivers issued for the Garden of Eden Definitive Subdivision #16-01 issued May 3, 2016 remain in full force and effect.
2. Any modification to the approved plans must receive the prior approval of the Planning Board.

WAIVERS:

The Planning Board has reviewed the request for waivers of the Subdivision Rules and Regulations and approves or denies the same as specifically contained hereinafter.

1. Approves a waiver of Section V(E) paragraph 1 to allow the subdivision to be constructed with Type VB Vertical Granite Curbing throughout the subdivision in place of Type VA4 curb.

Board of Appeals

At its meeting on Tuesday, May 9 the Planning Board voted to recommend as follows:

Case 15-17: 178 Main St.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Case 16-17: 7 Green Meadow Dr.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Case 17-17: 5 Green Meadow Dr.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Case 18-17: 9 Green Meadow Dr.

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Old Business

**Request to waive Site Plan Review for One Jewel Drive – Map 24 Parcel 205
Faith Harvest Glory Church, Applicant**

PRESENT IN INTEREST: William A. Yetman
Kevin F. Yetman

W. Yetman told the Board the use is a church. He said the interior space will change and the applicant will sign a lease so there is no overlap of use. V. Gingrich said there is not enough parking on the site, but the shared calculation allowed by the bylaw worked out to provide enough spaces. She pointed out this is a change of use.

Pastor M. Ndansi told the Board he is holding services at the Hilton in Wakefield in the function hall. He said he has about thirty-five adults from Woburn, Lowell, Salem, and Lynnfield and he is from West Africa. He's lived here five years. Pastor Ndansi told the Board his church is a bible believing church and support an orphanage in Africa. He said space is a problem right now. M. Sorrentino asked if he is connected to other churches and Pastor Ndansi answered the Assembly of God in Little Rock, Arkansas.

W. Yetman said his name will be added to the existing directory sign and there will be no other sign for the church. He will put a cross in the entryway. W. Yetman said his son is a lawyer and put the lease agreement together. The pastor said he is happy with the arrangement.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees for 1 Jewel Drive for a change in use from warehousing/light manufacturing/auto repair/body shop to religious use. No exterior modification will be made to the site. Required parking will be satisfied through Shared Parking calculations as permitted by the Zoning Bylaw, Section 6.4.12 and as shown on the "Parking Credit Schedule Chart, One Jewel Drive, Wilmington, Massachusetts" submitted as part of the waiver request.

New Business

Decision for Site Plan Review #17-05 and Stormwater Management Permit #17-06 40-50 Fordham Road - Map 91 Parcels 131 & 131A – Richard O'Connell for Ronald A. Dardeno, Applicant

PRESENT IN INTEREST: Rich O'Connell
Ronald A. Dardeno

MATERIALS CONSIDERED:

PLANS "Site Plan for Tenant Improvements, 40-50 Fordham Rd., Wilmington, MA" dated March 21, 2017 and last revised May 2, 2017

STORMWATER MANAGEMENT REPORT dated March 22, 2017 revised on April 12, 2017

TRAFFIC IMPACT ASSESSMENT dated March 23, 2017

TRAFFIC MONITORING dated May 2, 2017

Engineering memo dated May 3, 2017

V. Gingrich asked about the phasing plan. R. O'Connell said the intent is to have UPS finished before the end of the year and the paving will happen within the next couple of years. V. Gingrich said it is addressed in condition #18 that prior to occupancy, the site work associated with 40 Fordham (Building 1), including Bioretention Area 1 and improvements directly east of Building 1 shall be complete. Stormwater management components, including removal of pavement and construction of water quality swales shall be completed prior to Occupancy, with the final stabilization of the swales occurring during the next available growing season (Fall 2017). The Applicant shall post a bond in a form and amount acceptable to the Director of Planning and Town Engineer for any work that is not completed prior to occupancy. All site work shall be completed within three (3) years. V. Gingrich pointed out that condition 16 was added.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #17-05 for 40-50 Fordham Road as shown on plan entitled, "Site Plan for Tenant Improvements, 40-50 Fordham Rd., Wilmington, MA" prepared by Richard J. O'Connell, PE, RJ O'Connell & Associates, Inc., 80 Montvale Ave., Stoneham, MA, 02180; dated March 21, 2017 and last revised May 2, 2017. Said property is located at 40-50 Fordham Road, Wilmington, MA 01887 and shown on Assessor's Map 91 Parcels 131 & 131A.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on May 9, 2017 and closing on June 6, 2017, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Wilmington Realty Trust, under the provisions of Section 6.5 of the Zoning By-Laws of the Town of Wilmington and Board's Site Plan Review Rules and Regulations, to consider the contemplated site plan development for

property addressed at 40-50 Fordham Rd. (Assessors Map 91, Parcels 131 & 131A and Map 99, Parcel 1, as shown on plan set entitled: "Site Plan for Tenant Improvements, 40-50 Fordham Rd., Wilmington, MA" prepared by Richard J. O'Connell, PE; RJ O'Connell & Associates, Inc., 80 Montvale Ave., Stoneham, MA, 02180; dated March 21, 2017 and last revised May 2, 2017, (the "Site Plan") (the "Project"), do hereby vote to **APPROVE** the Site Plan and the Project, subject to the Findings and Conditions below.

MATERIALS:

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

<u>Date submitted</u>	<u>Description</u>
1. April 13, 2017	"Stormwater Report, 40-50 Fordham Rd., Wilmington, Massachusetts" prepared by Richard J. O'Connell, PE, of RJ O'Connell & Associates, Inc., 80 Montvale Ave., Suite 201, Stoneham, MA 02180 dated March 22, 2017 and revised on April 12, 2017.
2. April 13, 2017	"Traffic Impact Assessment Proposed UPS Distribution Facility, Wilmington, Massachusetts" prepared by Shaun P. Kelly of Vanasse & Associates, Inc., 10 New England Business Center Drive, Suite 314, Andover, MA 01810 dated March 23, 2017.
3. May 10, 2017	"Traffic Monitoring Proposed Distribution Facility, Wilmington, Massachusetts" prepared by Shaun P. Kelly of Vanasse & Associates, Inc., 10 New England Business Center Drive, Suite 314, Andover, MA 01810 dated May 2, 2017.

FINDINGS:

1. The Project site is located at Map 91 Parcels 131 & 131A and Map 99, Parcel 1.
2. The Site Plan contains a design that is sufficiently developed to provide the basis for the Board's determinations regarding the provisions, requirements, standards and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
3. The development of the site as set forth in the Site Plan and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Section 6.5 of the Wilmington Zoning Bylaws and the Board's Site Plan Review Rules and Regulations.
4. The Applicant satisfactorily addressed the comments made or submitted by the general public and various Town of Wilmington departments except as contained in specific conditions that follow.
5. Any revisions shall be submitted to the Director of Planning & Conservation for review. If these are deemed substantial, the applicant must submit revised plans to the Planning Board for approval.

CONDITIONS:

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

GENERAL:

6. The Project shall be constructed and operated in accordance with the Site Plan.
7. 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.
8. If no substantial construction has commenced within two (2) years of a site plan approval, the approval shall lapse and a new application, fees and public hearing will be required. If there is an appeal, the two-year period shall run from the date of the final decision on the appeal.
9. The provisions of this approval shall apply to and be binding upon the applicant, its employees and all successors and assigns in interest or contract.

PRIOR TO ENDORSEMENT OF THE PLANS:

10. The plan shall be revised to show any and all changes required by the Wilmington Conservation Commission.
11. The applicant shall submit a proposed phasing schedule and plan to the Department of Planning & Conservation and Engineering Division for review and approval.

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:

12. An updated sprinkler report shall be submitted to the Fire Department demonstrating that the sprinkler system is adequate for the change in use.
13. Updated flow allocations of the wastewater treatment plant shall be submitted to the Board of Health.

PRIOR TO CONSTRUCTION:

14. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and shall be inspected by the Department of Planning & Conservation at least two business days prior to the start of construction.
15. Prior to the commencement of construction, erosion controls shall be installed in accordance with the Stormwater Management Plan and the latest NPDES Construction General Permit and corresponding Stormwater Pollution Prevention Plan. A copy of the NPDES Stormwater Pollution Prevention Plan shall be kept on-site during construction activities and a copy submitted to the Department of Planning & Conservation.

DURING CONSTRUCTION/ PRIOR TO THE ISSUANCE OF CERTIFICATE(S) OF OCCUPANCY:

16. As-Built Plans in form(s) and format(s) acceptable to the Town shall be submitted to the Engineering Director and Director of Planning and Conservation. An As-Built Plan shall be submitted following completion of each phase of work.
17. The Applicant shall give reasonable notice to the Engineering Division for inspection prior to backfilling any proposed underground stormwater management system or installation of any other critical design components.
18. Prior to occupancy, the site work associated with 40 Fordham (Building 1), including Bioretention Area 1 and improvements directly east of Building 1 shall be complete. Stormwater management components, including removal of pavement and construction of

water quality swales shall be completed prior to Occupancy, with the final stabilization of the swales occurring during the next available growing season (Fall 2017). The Applicant shall post a bond in a form and amount acceptable to the Director of Planning and Town Engineer for any work that is not completed prior to occupancy. All site work shall be completed within three (3) years.

POST CONSTRUCTION:

19. Traffic monitoring shall be performed as described in the traffic monitoring memo dated May 2, 2017. Counts shall include both vehicular and pedestrian movements. Monitoring shall occur twice a year to reflect normal conditions and peak seasonal (holiday) activity. Traffic counts shall be submitted to the Town of Wilmington Department of Planning & Conservation and the Town of North Reading Planning Department for the three years following occupancy.

POST OCCUPANCY:

20. The Applicant shall maintain or replace landscaping as shown on the approved Site Plan for the duration of the use. The Applicant shall use best practices to maintain the required landscaping in presentable and healthy condition.
21. The Project shall be operated in accordance with the Operation and Maintenance Plan. The operation, maintenance, repair and replacement of all drainage structures constructed pursuant to the Project and located within the site shall be the Applicant's responsibility.
22. The Applicant shall maintain the Project site in a clean and tidy condition clear of debris and trash.
23. Snow shall not be pushed into stormwater management areas. Drainage structures shall remain clear of snow.

**Request to reduce surety for PHASE I for Murray Hill Definitive Subdivision #14-01
Map 4 Parcels 4K, 6 & 7, Craig S. Newhouse, C.S. Newhouse Builders, Inc.**

A request to reduce surety for PHASE I Murray Hill Definitive Subdivision was received.

Upon motion duly made and seconded, it was unanimously

VOTED: To deny the request to reduce surety. The Planning Board expects the developer to complete a significant amount of work prior to requesting a release of surety.

**Request to waive Site Plan Review for 301 Ballardvale Street – Map R3 Parcel 26A
Monogram Gourmet Foods, LLC, Applicant**

PRESENT IN INTEREST: Richard Foster
Ryan Vechinski

R. Vechinski told the Board he is speaking for Monogram Foods. They need to expand their business and add a bakery across the street from their current facility. They will add 40 to 50 jobs. R. Vechinski told the Board they will make external modifications including a loading dock. He said they meet the setback and parking space requirements. R. Vechinski told the

Board the external modifications would delete green space but they will add it back in another area.

V. Gingrich explained the plan to the Board. She said current zoning is met. V. Gingrich said if this is waived the applicant will file a Simple Stormwater Management Permit. R. Holland questioned the fact that the applicant is one of three tenants and they are claiming there is no change to parking. R. Vechinski said the site exceeds the parking requirements. He told the Board that Monogram Foods supplies retail stores.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review and filing fees for 301 Ballardvale Street for exterior modifications and a change in use from office/light manufacturing to bakery manufacturing. Exterior modifications include construction of one new loading dock on the north side of the building to replace 715 sf of open space and creating 854 sf of open space at the southern end of the parking lot, as shown on a plan entitled "Aerial Layout – Greenspace, 301 Ballardvale St., Wilmington, MA" dated May 24, 2017.

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

VOTED: To adjourn the meeting at 9:45 p.m.

NEXT MEETING is July 11, 2017

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cheryl Licciardi".

Cheryl Licciardi
Recording Clerk