



TOWN OF WILMINGTON, MASSACHUSETTS

PLANNING & CONSERVATION
DEPARTMENT

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**Planning Board Minutes
July 7, 2015**

The Planning Board met on Tuesday, July 7, 2015 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chairman; Randi Holland; David Shedd; 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

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

A letter requesting to withdraw Special Permit #15001 for 50 Hopkins Street was received.

MATERIALS CONSIDERED:

PLAN "Special Permit, Plan of Land in Wilmington, Massachusetts" dated December 30, 2014 and last revised April 1, 2015

Upon motion duly made and seconded it was unanimously

VOTED: To accept the request to withdraw without prejudice Special Permit #15-01 for 50 Hopkins Street - Map 11 Parcel 40.

**Public Hearing – Sign Special Permit #15-02 for 200 Ballardvale Street
Map R2 Parcel 7 - Mallory Prentiss for OSRAM Sylvania, Inc., Applicant**

MATERIALS CONSIDERED:

OSRAM sign designs and dimensions

PRESENT IN INTEREST – Mallory Prentis, VVA Sweett
Laura Walsh, OSRAM
Eric Lambiaso, Sasaki Associates
Samuel Pease, Sasaki, Associates

S. Pease told the Board the proposed sign exceeds the maximum size allowed by zoning. He said sign proposed will be on the corner of the building. He said the applicant is requesting relief from the Board because of the exceeded allowance of the size of the sign. E. Lamiaso told the Board the material used will match the facade material.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for 200 Ballardvale Street Sign Special Permit.

**Public Hearing – Site Plan Review #15-08 for Water Tower/Nassau Avenue/Eagle Road
Map 31 Parcel 59 - Attorney Christopher Swiniarski for Bell Atlantic Mobile of
Massachusetts dba Verizon Wireless, Applicant**

MATERIALS CONSIDERED:

PLAN "Wilmington 5 MA" dated May 15, 2015

STRUCTURAL ANALYSIS REPORT dated May 14, 2014

CORRESPONDENCE from Attorney Christopher Swiniarski dated May 26, 2015

CORRESPONDENCE from resident Joanne Cavallaro received July 7, 2015

PRESENT IN INTEREST – Christopher Swiniarski, Esq. Mallory Prentis, VVA Sweett
Ronald A. Dardeno, Esq.

Attorney C. Swinarski told the Board the site is a standard location with existing wireless carriers. He said at the CDTR meeting members requested the shelter be moved to the existing concrete pad. The applicant stated they will create a gravel driveway to access the pad. He said two options were proposed; a larger shelter to contain the generator and another with the generator outside for the Board to choose. V. Gingrich told the Board this is the result of the Town putting out a RFP for carriers on that site. She said DPW reviewed the proposal and had no comments. R. Holland suggested if there is a generator outside, it should be fenced. R. Dardeno told the Board Verizon will build a larger shelter to have the generator completely enclosed. D. Shedd asked if there is an easement for accessing the tower. Attorney Swiniarski told the Board Eagle Road is owned by the Town. V. Gingrich said the applicant will hold a lease with the Town and Eagle Road is considered a Town owned driveway. D. Shedd asked if there is an easement held with the Water Department. V. Gingrich told the Board all the tenants can access the Tower through Eagle Road.

M. Sorrentino read a letter from resident, J. Cavallaro, 16 Dunton Road, expressing her concerns. Attorney Swinarski responded saying the antennas are attached to the tower and it is not discernible to the eye because it is only a 6" bracket. In response to J. Cavallaro's concern regarding the impact the installation will have on power of abutting homes, Attorney Swinarski said there will be no impact whatsoever. He responded to her concerns about an increase in power surges to abutting homes and concerns about wave/microwave and cancer by saying studies have been done on results of cell towers and there are guidelines of acceptable levels. Attorney Swinarski said these installations operate at 1%. It is a small emission so it is negligible. D. Shedd asked if the applicant would need to do blasting and Attorney Swinarski said it is likely but they would have to come back before the Planning Board if they hit ledge.

Resident, C. LeGoff, 1 Corey Avenue, asked in terms of health, when you say it is less than 1%, what proof is there? Attorney Swinarski's response was it is by design. He said the same equipment is used at thousands of sites. Attorney Swinarski said they are allowed by federal law. He said he is not sure if it is substantially different than what Nextel had on the site previously. V. Gingrich explained to the audience that the Board is to review only the project layout. Resident, R. Stornaiuolo, 3 Grand Street, told the Board this is a hot zone, meaning there are many residents in the area that had suffered with cancer. He told the Board by approving the application, the Board is allowing an increase of the frequencies which he opposes. Resident, G. Stornaiuolo, 3 Grand Street, told the Board she did some research on cell towers and according to that research, there has not been enough studies done. She said the signals are transmitted back and forth and that is what is damaging. G. Stornaiuolo said the American Cancer Association is not sure of the damaging effects cell towers have. She said she does not think it is fair that she has to feel unsafe in her own home. She said the public exposure depends on the power and what the base is made of. M. Sorrentino explained to the audience that the Planning Board has no say other than to see if the application meets Site Plan requirements.

Upon motion duly made and seconded it was unanimously

VOTED: To close the public hearing for Site Plan Review #15-08 for Nassau Avenue/Eagle Road - Map 31 Parcel 59

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 last revised July 6, 2015

STORM DRAINAGE MANAGEMENT REPORT dated December 8, 2014, March 30, 2015, and May 21, 2015

COMMENTS – DPW memo dated February 2, 2015, June 1, 2015, July 2, 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, May 21, 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

TRAFFIC REPORT from MDM Transportation Consultants dated May 26, 2015

PEER REVIEW COMMENTS from TEC dated June 26, 2015

PRESENT IN INTEREST – Robert G. Peterson, Esq.
William Yetman, Howland Development
Eugene Sullivan, Eugene T. Sullivan
Rebecca Brown, TEC
Samuel Gregorio, TEC

Attorney R. Peterson told the Board the site still had some engineering issues but he believes the issues have been resolved. He told the Board the applicant will need an earth removal permit.

E. Sullivan said the first concern engineering had was with earth removal and he said he provided the calculations for that. The second concern had to do with the pond which he raised 3". The final concern was with the pond near the pet facility. He told the Board all drainage concerns have been addressed and he believes the Town Engineer is satisfied. V. Gingrich told the Board that members of TEC will discuss the Peer Review.

S. Gregorio, TEC, told the Board that TEC conducted a review and focused on access to the site. He said there are no stop signs at the end of the Woburn Street driveways. At restaurant B, there is potential for conflict when cars are backing up and TEC recommends raised islands. S. Gregorio told the Board there are no handicap ramps crossing Woburn Street and there are no sidewalks connecting the restaurant with the pet facility. TEC feels the outside seating for restaurant A should be relocated and a buffer added where the sidewalk is. S. Gregorio said the dumpsters are at the end of the parking isles and TEC recommends the applicant provide documentation that a trash truck can turn to access them. He pointed out that no fire lanes are shown for any of the buildings. TEC recommends the applicant meet with the Fire Department and provide the town with a turn template proving that trucks can turn. TEC believes that in terms of cut-through using the main isles, the applicant should consider some other elements for the internal driveways. He suggested raised isles or landscaping be added. S. Gregorio said TEC believes fifty spaces are sufficient to meet the parking demand for the petcare facility. As part of the study, in terms of trip generation, with respect to restaurant A, TEC suggested that the Board consider requesting the restaurant come back before the Board should they have any changes. He said the square footage should not be used for the trip generation, but instead use the number of seats on the site. He said the traffic impact analysis had several inaccuracies. There were lane width discrepancies. All roadways do not account for pedestrians. The study did not include any of the queues. TEC believes the applicant can trim some vegetation. Also, several intersections will be impacted and do warrant mitigation for improvements. In terms of Lowell Street and Woburn Street, there should be a higher mitigation for improvements. He said there should be turn lanes or widening. At a minimum, fair share contribution should be provided for intersection improvements. TEC will take a more comprehensive look at the traffic study.

M. Vivaldi suggested adding bicycle racks on the site and E. Sullivan said the client would agree to that.

D. Shedd asked E. Sullivan to speak about the numbers from TEC's report. W. Yetman told the Board they hired who they thought was the best traffic engineer. A suggestion was made to close the public hearing and get a response from MDM in the meantime. V. Gingrich said the issues on site will need to be discussed at a continued hearing. D. Shedd said he feels as though the applicant is not prepared to discuss mitigation at the intersection. Attorney R. Peterson told the Board there is already an issue with the intersection and he does not believe it is fair to have this applicant fix the problem. D. Shedd said the Board would like a contribution and they are not asking for the applicant to correct the entire issue. W. Yetman pointed out that Textron paid nothing and neither did Analog and he feels it is unreasonable to expect this applicant to pay for repairs.

D. Shedd told the applicant to respond to respond to TEC's report.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action for Stormwater Management Permit #15-01 for 203 Lowell Street - Map 48 Parcel 73 to August 7, 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 August 4, 2015 at 7:30 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, and May 4, 2015

PLAN SHEET "Proposed Conditions Plan" dated January 13, 2015 and last revised May 18, 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, May 28, 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, and May 19, 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, and 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"

CORRESPONDENCE from Eric Prive , to Valerie Gingrich dated June 12, 2015 and to Paul Alunni dated June 12, 2015 and letter dated June 22, 2015

PLAN SHEETS pages 1, 4, & 5 dated April 22, 2014 and last revised June 12, 2015, page 2 dated January 13, 2015 and last revised June 22, 2015 and page 3 dated June 22, 2015

PRESENT IN INTEREST – William Landry, Blish Cavanaugh
Eric Prive, DiPrete

W. Landry told the Board that the traffic issues have been exhausted and D. Mills report on traffic was satisfactory. He said at the last hearing, A. Rothchild and Board would not impose a study on noise but would add a condition in the decision that would include conducting a noise test once the operation was started. E. Prive said he met with V. Gingrich and P. Alunni

to go over the stormwater issues. E. Prive said the existing fence is to be removed and a new fence will replace it. Some details for the off-site waterline construction were added to the plan.

Representative J. Miceli said he received several calls from folks in that area and the neighbors are upset. He told the Board a few years ago he flew to Washington to fight against TransRail and his point was that the residents feel they are not being heard. He told the Board he is registering his strong opposition. Representative J. Miceli believes it is wrong to approve this project. This will make things in that area a little bit worse. D. Shedd said he has been on the Board from the beginning with this project and he believes it changes the dynamics of the area. Attorney A. Lipkind commented that the applicant is going to install a facility that will load fifteen concrete trucks plus five aggregate trucks per hour. He said in the beginning, the applicant told the Board this is a satellite facility, with their main operation in Millis. No traffic was to go to Main Street. He read from previous conditions and he said Mr. Sorrentino asked what it would take to run the site. Attorney A. Lipkind said W. Landry told the Board the facility would operate six days a week starting at 7:00 a.m. and he believes the neighbors will not be happy about that. He reminded the Board that D. Shedd wanted Lowell Street where it meets Woburn Street included in the traffic studied but that has not happened yet. Attorney A. Lipkind said that tractor trailers cannot go from Eames Street to Woburn Street and asked that the Board not allow tractor trailers as one of the conditions of approval. He said there is no clarity as to what a satellite facility is. He told the Board there is no crusher at the site today but there could be one there tomorrow. Attorney A. Lipkind said with respect to site distance, Mr. Lyons said actual speed should be used. The peer review said theoretical speed should be used. Attorney A. Lipkind recommended the approval be denied but if the Board does approve the project, it should take all of this into consideration.

Upon motion duly made and seconded, it was unanimously

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 August 30, 2015.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #14-04 and Stormwater Management Permit #14-06 - Map 38 Parcels 3A & 3B

**Public Hearing – Site Plan Review #15-07 for 110 Eames Street - Map 47 Parcel 17
Eames Street Realty Trust, Applicant**

A letter requesting to continue the public hearing and extend the action deadline for Site Plan Review for 110 Eames Street was received.

MATERIALS CONSIDERED:

PLAN "110 Eames Street, Wilmington, MA" dated May 7, 2015
LETTER from Attorney Robert G. Peterson, dated May 7, 2015
LETTER from Eugene T. Sullivan, dated December 6, 2014
LETTER from Planning Department dated May 27, 2015

E-MAIL from Eugene T. Sullivan, dated June 29, 2015

PRESENT IN INTEREST – Robert G. Peterson, Esq.
Eugene T. Sullivan, Eugene T. Sullivan, Inc.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the deadline for action for Site Plan Review #15-07 for 110 Eames Street, Map 47 Parcel 17 to August 30, 2015.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #15-07 for 110 Eames Street, Map 47 Parcel 17 to August 4, 2015 at 8:45 p.m.

Public Hearing – Site Plan Review #15-09 and Stormwater Management Permit #15-04 for 269 Ballardvale Street - Map R2 Parcel 27A - William & Anne Saurman, Applicant

MATERIALS CONSIDERED:

PLAN "269 Ballardvale Street, Site Plan Improvements, Wilmington, Massachusetts" dated June 11, 2015

BUILDING ELEVATIONS June 2014 and last revised June 2015

STORMWATER MANAGEMENT REPORT dated June 11, 2015

PRESENT IN INTEREST – Benjamin Osgood, TTI Environmental, Inc.

B. Osgood told the Board that C. Ianuzzi, is the engineer that prepared the plans. He said the site is just past Target. The power lines come through, past the road. The site has 100' of frontage. B. Osgood said there is a well landscaped lawn. He told the Board the owners make orthodontic implants. He said they use a 3D printer to build the dental implants. B. Osgood showed the site plan with a 5,000 sq.ft addition. He said the applicant meets the offset requirements. They are keeping the same number of parking spaces and they are not increasing the impervious area. He told the Board a Stormwater Permit is needed. He pointed out a new deep-sump catch basin that flows into a pond with the overflow into another pond. B. Osgood told the Board he will be meeting with the Town Engineer to improve another existing catch basin. He said at one point this site was a contractor's garage.

He said W. McGowan asked that some wetlands be located so he has been e-mailing her. She said the applicant does not need to file with the Conservation Commission.

B. Osgood showed the applicant's floor plan. It is an open area with work areas and benches. He said he will meet with the Town Engineer to work out all drain issues. B. Osgood said he reviewed DPW's memo and will make revisions accordingly. R. Holland asked about the building design. B. Osgood showed the Board the elevations and said the applicant is using a wood frame and the building will have a sprinkler system. B. Osgood told the Board the paving will go right to the door. There are areas that will be repaved for improvement.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #15-09 and Stormwater Management Permit #15-04 for 269 Ballardvale Street - Map R2 Parcel 27A to August 4, 2015 at 8:15 p.m.

Board of Appeals

At its meeting on Tuesday, July 7, 2015 the Planning Board voted to recommend as follows:

Cases 12-2015 / 22 Beech Street Map 6 Parcel 66

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval.

Case 13 -2015 / Nassau Avenue / Eagle Road Map 31 Parcel 59

Upon motion duly made and seconded, it was

VOTED: The Planning Board has closed the public hearing and will issue the Site Plan decision of approval at the August 4, 2015 meeting.

Old Business

There was no old business to discuss

New Business

**Request to waive Site Plan Review for 250 Ballardvale Street - Map R2 Parcel 23B
Attorney Christopher Swiniarski for Bell Atlantic Mobile of Massachusetts dba Verizon
Wireless, Applicant**

MATERIALS CONSIDERED:

PLAN "West_Andover_3_MA" dated March 23, 2015 and last revised March 24, 2015

CORRESPONDENCE for Christopher Swiniarski dated June 8, 2015

PRESENT IN INTEREST – Christopher Swiniarski

There was a brief discussion regarding the site and it was discussed at the same time as the other request to waive site plan at the same site.

Upon motion duly made and seconded, it was unanimously

VOTED: To waive Site Plan Review for 250 Ballardvale Street and filing fees for Verizon located at 250 Ballardvale Street. The proposal is to replace six (6) of the existing antennas of the existing array currently located on the existing 125' monopole as

well as replacing miscellaneous small radio equipment and adding some additional cabling inside the existing monopole.

**Request to waive Site Plan Review for 250 Ballardvale Street - Map R2 Parcel 23B
William E. Stone for T-Mobile, Applicant**

MATERIALS CONSIDERED:

PLAN "Site Name: BO017/250 Ballardvale" dated May 6, 2015 and last revised May 26, 2015
CORRESPONDENCE for William E. Stone dated June 25, 2015

PRESENT IN INTEREST – William E. Stone

W. Stone told the Board the applicant will be replacing racks; not expanding. They will also be adding three antennas to the existing platform. V. Gingrich told the Board both waivers for 250 Ballardvale Street are not adding any equipment to the site that would trigger the special permit process.

Upon motion duly made and seconded, it was unanimously

VOTED: To waive Site Plan Review for 250 Ballardvale Street and filing fees for Verizon located at 250 Ballardvale Street. The proposal is to add three (3) additional antennas and three (3) remote radio units to the existing platform and upgrade radio equipment inside one of the existing radio cabinets on the ground.

**Request to waive Site Plan Review for 40-50 Fordham Road - Map 91 Parcels 131 & 131A
and Map 99 Parcel 1 - Richard O'Connell, Applicant**

MATERIALS CONSIDERED:

PLAN "Site Plan for 40-50 Fordham Road, Wilmington, MA" dated May 20, 2015 and last revised June 15, 2015
STORMWATER MANAGEMENT REPORT dated June 15, 2015
CORRESPONDENCE for Richard O'Connell dated June 15, 2015

PRESENT IN INTEREST – Richard O'Connell
Ron Dardeno, Property Mnager

R. O'Connell told the Board the applicant is requesting to refit a 72,000 sf. building. He said the Building Inspector considers it a change in use and requested he check with the Planning Board. The tenant is K-1 Speed. It is an indoor speed-racing track. There will be no exterior work except for restriping the parking area. R. O'Connell said there would be a Phase 2 done in the future to improve the parking area. He told the Board the cars are all electric and it is an allowed use. The applicant meets the parking requirements. He said the applicant received a negative determination from the Conservation Commission. R. O'Connell said the warehouse was the original Barbo Furniture in the 1960's.

Upon motion duly made and seconded, it was unanimously

VOTED: To waive Site Plan Review for 40-50 Fordham Road - waive Site Plan Review and filing fees for a change in use from retail to amusement. It will be rented to K-1 Speed, which operates electric karts.

Decision for Sign Special Permit #15-01 for 269 Main Street - Map 43 Parcel 4C - Scott Suleski, Applicant

MATERIALS CONSIDERED:

SAVERS sign designs and dimensions

There was a brief discussion of the decision and the Planning Board suggested deleting the first condition.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Sign Special Permit #15-01, plan entitled, "Savers, Store #1000, 235 Main St., Wilmington, MA" dated June 3, 2014; prepared by I/E Signs, 6528 Supply Way, Boise, ID 83716, submitted on May 8, 2015; Said property is located at 269 Main Street and shown on Assessor's Map 43 Parcel 4C. Approval is subject to the following:

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening on June 2, 2015 and closing on June 2, 2015, by a motion duly made and seconded, it was voted:

"We, the Wilmington Planning Board, as requested by Divine Signs Inc. for Savers, under the provisions of Section 6.3.2 of the Zoning By-Laws of the Town of Wilmington to consider a sign proposal at 269 Main Street (Assessors Map 43 Parcel 4C), as shown on the plan entitled: "Savers, Store #0000, 235 Main St., Wilmington, MA" created by I/E Sign Company, 6528 Supply Way, Boise, ID 83716, dated June 3, 2014, (the "Sign Proposal") (the "Project"), do hereby vote to APPROVE the Sign Proposal as shown on Plan of Land, subject to the Findings and Conditions below.

MATERIALS:

The following materials in addition to the Sign Specifications were submitted into the public record:

<u>Date submitted</u>	<u>Description</u>
1. May 8, 2015	Photo Illustrations of Proposed Wall Signs.

FINDINGS:

1. The signage to be erected is on a parcel on Map 43 Parcel 4C on the Town of Wilmington's Assessor's Map.
2. The Planning Board determined that the location of the building with reference to the street is such that the extra large wall signs should be permitted in the public interest.

3. The sign proposal as set forth in the Special Permit and ancillary materials submitted by the Applicant complies with the provisions, requirements, standards and guidelines of Section 6.3 of the Wilmington Zoning By-Laws 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:

General:

1. 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.
2. If the signs have 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.
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. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all tenants. The permit expires upon transfer of the property.
5. Bylaw Exceptions: (Section 6.3.6.1 – "Granted" two (2) wall signs that total 137 square feet exceeding the permitted 120 square feet as shown on the building; on the submitted illustrated plans. Additionally, the promotional and hiring window signs will be removed 7 days after opening.
6. Final As-Built (Signage) Plans in form(s) and format(s) acceptable to the Town Building Department and shall be submitted to the Inspector of Buildings and the Director of Planning and Conservation.
7. 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.

Request to release surety for Heritage Pines Definitive Subdivision #06-02, Carl A. Crupi, Trustee for Heritage Pines Realty Trust, Applicant

MATERIALS CONSIDERED:

LETTER from Carl Crupi dated June 8, 2015

A request to release surety for Heritage Pines Definitive Subdivision #06-02 was received.

Upon motion duly made and seconded it was unanimously

VOTED: To release the Heritage Pines Definitive Subdivision remaining surety in the amount of Twenty-two thousand, three hundred fifty-nine dollars and zero cents (\$22,359.00)

plus interest for the above referenced subdivision from STA 0+00 (Shawsheen Avenue) to STA 9+05 (cul-de-sac end of street). All work has been completed and the the street was accepted by the Town as a public way.

Request to release surety for 81G Application #11-02 for Littlewood Road (Emma Way) Map 9 Parcel 4B - C.S. Newhouse Builders, Inc., Applicant

MATERIALS CONSIDERED:

LETTER from C.S. Newhouse Builders, Inc. dated May 6, 2015

COMMENTS – DPW memo dated June 30, 2015

A request to release surety for 81G Application #11-02 for Littlewood Road (Emma Way) was received.

M. Sorrentino read comments into the record.

Upon motion duly made and seconded it was unanimously

VOTED: To release the remaining surety plus interest for Emma Way (formerly Littlewood Road) from STA 0+0 (Winston Avenue intersection) to STA 3+75 (cul-de-sac end of street) in the amount of nine thousand six hundred seventy-five dollars and zero cents (\$9,675.00). All work has been completed and the eighteen (18) month warranty period has elapsed. Surety was in the form of a business check.

Request to release surety for Mary Street 81G #13-02 - C.S. Newhouse Builders, Inc., Applicant

MATERIALS CONSIDERED:

LETTER from C.S. Newhouse Builders, Inc. dated June 25, 2015

COMMENTS - DPW memo dated June 30, 2015

A request to release surety for Mary Street 81G Application #13-02 was received.

M. Sorrentino read comments into the record.

Upon motion duly made and seconded, it was unanimously

VOTED: To release surety in the amount of thirteen thousand, three hundred thirty-seven dollars and zero cents (\$13,337.00) for Mary Street from STA 0+00 (Burlington Avenue intersection) to STA 3+25 (cul-de-sac end of street) for the above referenced project. Surety was in the form of an official bank check.

Request to endorse plans for 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 June 25, 2015

LETTER from Allen & Major Associates, Inc. dated June 25, 2015

Upon motion duly made and seconded it was unanimously

VOTED: To endorse plans for Site Plan Review Application #15-04 for 45 Industrial Way as shown on plan entitled: "Site Development Plans for Renovated Distribution Center, 45 Industrial Way, Wilmington, MA"; dated February 5, 2015 and last revised June 25, 2015, prepared by Professional Engineer: Timothy J. Williams, Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA 01801. Said property is located at 45 Industrial Way, Wilmington, MA 01887 and shown on Assessor's Map 46 Parcel 110.

Request to endorse plans for Site Plan Review #14-02 for 220 Middlesex Avenue, Map 65 Parcel 2 - McLane for Bell Atlantic Mobile of Massachusetts Corp., d/b/a Verizon Wireless, Applicant

MATERIALS CONSIDERED:

PLANS "Wilmington 8 MA, 220 Middlesex Ave., Wilmington, MA 01887"; dated October 6, 2014 and last revised June 25, 2015, and plan entitled: "10'x12' Stick Built Shelter, Design Layout" dated May 5, 2015 and last revised June 24, 2015

PRESENT IN INTEREST – Attorney Christopher Swiniarski, McLane
Brendan Gill, Structure Consulting Group

Attorney C. Swiniarski told the Board there is nothing external and they are not paving the easement shown. V. Gingrich told the Board the applicant has satisfied all the conditions of approval.

Upon motion duly made and seconded, it was unanimously

VOTED: To endorse Site Plan Review Application #14-02 for 220 Middlesex Avenue as shown on plan entitled: "Wilmington 8 MA, 220 Middlesex Ave., Wilmington, MA 01887"; dated October 6, 2014 and last revised June 25, 2015, and plan entitled: "10'x12' Stick Built Shelter, Design Layout" dated May 5, 2015 and last revised June 24, 2015 prepared by Professional Engineer; Daniel P. Hamm, Hudson Design Group, 1600 Osgood Street, Building 20 North, Suite 3090, North Andover, MA 01845; submitted on May 8, 2014.

Planning Director's Comments

V. Gingrich told the Board that the Garden of Eden Conservation Subdivision was submitted and will be heard at the August meeting. She said it will connect to Kylie Estates.

M. Sorrentino asked what happened to Whispering Pines. V. Gingrich said the applicant is working on construction drawing and will start that this summer.

She told the Board that Jamie Brothers will meet with her to discuss the Nelson Way Conservation Subdivision.

V. Gingrich told the Board the Town is finalizing the Open Space Plan and mapping out trails.

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

VOTED: To adjourn the meeting at 10:56 p.m.

NEXT MEETING is August 4, 2015

Respectfully submitted,

Cheryl Licciardi
Recording Clerk