



## **TOWN of WILMINGTON**

### **DEPARTMENT OF PLANNING & CONSERVATION**

121 GLEN ROAD, WILMINGTON, MA 01887 [www.wilmingtonma.gov](http://www.wilmingtonma.gov) (978) 658-8238

### **Planning Board Minutes**

**July 9, 2019**

The Planning Board met on Tuesday, July 9, 2019 at 7:30 p.m. in Room 9 of the Town Hall. The following members were present: Michael Sorrentino, Chair; Randi Holland; Terence Boland; and Sean Hennigan. Valerie Gingrich, Director of Planning & Conservation, and Sierra Pelletier, Assistant Planner were also present

#### **Minutes**

The Planning Board reviewed the June 4, 2019 minutes.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the June 4, 2019 minutes as drafted.

#### **Form A**

There were no ANR plans to review

#### **Matters of Appointment**

**Public Hearing – Definitive Subdivision Amendment #19-01 - North Wilmington Estates McDonald Road & Sgt. Veloza Way Map R2 Parcels 35, 36, 38, 39, 40, 41, 42, 43, 44, 45 & 46 - Carlos Pereira, Applicant**

PRESENT IN INTEREST: Stephen Lawrenson  
Attorney Peter J. Nicosia, Nicosia & Associates, P.C.

#### **MATERIALS CONSIDERED:**

PLANS "Site Plan in Wilmington, Mass." dated June 7, 2019  
LETTER from Attorney Peter J. Nicosia dated June 12, 2019

P. Nicosia told the Board they are looking for a minor modification to an existing approval to increase the living space area of the remaining undeveloped lots by 250 sf. S. Lawrenson said they would like additional room to adjust some of the house plans. He said the master bedroom is 14ft and their competition's is 16 ft. He told the Board he would like a little more flexibility. M. Sorrentino asked if the remaining lots sizes are 20,000 sf and S. Lawrenson said there are some larger lots left. He said the lots toward the cul-de-sac are all available to build and they are large. M. Sorrentino asked the applicant to increase the side setbacks and S. Lawrenson agreed. M. Sorrentino asked if the applicant is adding another bedroom and S. Lawrenson said they are just increasing the size of the master bedroom.

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V. Gingrich said the last few Conservation Subdivisions approved, the setbacks had to increase to 20' on the side setbacks for larger houses. M. Sorrentino asked if anything was done about the front setbacks and V. Gingrich said they did not change.

Resident, P. Kelley, 120 McDonald Road, said he has been there almost three years and they asked if they could build a bigger house but the Town told him no. He said it is still a complete construction site. He told the Board the development looks the same as it did three years ago and he does not believe the problem is the bedroom size. He asked when the subdivision would be completed. He stressed there is no curbing or sidewalks. M. Sorrentino said the developer is aware of what has to be completed. He said the marketplace changes. Resident, E. Gallozzi, 26 McGrane Road, said he has been living there three years also and he wants to echo P. Kelley. He said it does not look nice. M. Sorrentino asked who plows and E. Gallozzi said the Town plows. He said he has a punch list on his house and he would like the development finished. M. Sorrentino asked how much longer it would take to complete and S. Lawrenson said another year and half. M. Sorrentino asked if the subdivision was originally approved for construction with phases and V. Gingrich said it was not. E. Gallozzi said the developer should finish the areas that have the homes that were purchased and the landscaping should be finished for them as well. M. Sorrentino asked if the side where McGrane Road is could be finished and S. Lawrenson said he has been trying for over a year to get the contractor to complete the items. He said the bank is putting on pressure because they want to see the project move as well but he does not control it. Resident, C. Clemons said she has been there two years and loves the neighborhood but would like to see her side finished with curbing and planted trees. She said her lot backs up to the property owner's lot. She knows it is not S. Lawrenson's doing but the people holding the purse strings that are not listening. S. Lawrenson said he is anxious to finish the sidewalks, curbing, and the park because it would be much more appealing and better for sales. S. Lawrenson said that a letter from the Planning Department could help. P. Nicosia said finished pavement and finished landscaping are the last items because construction vehicles and materials go in and out of the sites and if finish work is put down, it will become damaged. He said this is the first time he heard these concerns from the property owners. M. Sorrentino said the Board would like to see the subdivision finished in phases. P. Nicosia said he would advocate for the individuals who have already purchased homes and he will have a discussion with the property owner. R. Holland asked how hard it would be to curb from lot 1 to lot 6 or 7 and all McGrane Road side. S. Lawrenson said he told the curbing company that he would buy the curbing if it would make things easier. He sent them a plan and showed them where curbing should go. He said they have the installers and plan to curb every home that has been completed. M. Sorrentino asked if the soil shaker is still there and S. Lawrenson said that is Lynch. S. Lawrenson said he was using the park area as the staging area but now they will use lot 15 as the staging area. C. Clemons asked when they would pave and M. Sorrentino said probably fall of 2020. Tewksbury resident, J. Devlin, 241 Pringle Street, asked what else would be cleared in order to finish the development. M. Sorrentino asked the resident where his property is and J. Devlin said he is at the corner of Pomfret and Allen. S. Lawrenson showed the lots that will need to be cleared on the plan and said they will have to go before the Conservation Commission. J. Devlin asked if they have cleared 90% and S. Lawrenson said yes. J. Devlin said the project has had a traumatic impact on his home from the noise from the highway and train. M. Sorrentino asked for a completion schedule. S. Lawrenson said money is not an issue. The road is bonded and surety for the entire development has been posted with the Town. P. Nicosia said all points have merit and he will try to get everything moving in the right direction. M. Sorrentino asked that the pile of tires be removed and asked that it be a priority. C. Clemons asked that the developer remove the truck that has been there for years as well. S. Lawrenson said it would be removed.

V. Gingrich reviewed the draft decision with the Board and applicant. She said this amendment only affects special condition #13 of the original approval. She said that condition allowed the homes to be no bigger than 2500 sf of usable living area excluding the basements, garages, and attics. V. Gingrich said this amendment allows the homes on lots 13 to 21, 23 & 24 to contain no more than 2750 sf and any lots that exceed the 2500 sf will have increased side setbacks of 20'.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for a Definitive Subdivision Amendment for North Wilmington Estates (McDonald Road).

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the requested modification to increase the maximum usable square feet of living space (excluding basements, garages, and attics) for houses on Lots 13-21, 23, and 24 (1, 4, 5, & 6 Sgt. Veloza Way and 87, 89, 93, 95, 99, 101, & 103 McDonald Road), shown on the plan entitled: "Site Plan in Wilmington, Mass", dated June 7, 2019, prepared by Peter J. Ogren, Professional Land Surveyor and Professional Engineer, Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880; properties are shown on Assessor's Map R2 Parcels 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, & 46. Approval is subject to the following conditions:

### **PROCEDURAL HISTORY**

1. 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 June 13, 2019.
2. A public hearing on the Definitive Subdivision application was held on July 9, 2019.
3. The plans and other submission material were reviewed by the Planning Board and the departments represented in the Community Development Technical Review.
4. 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.

### **MATERIALS:**

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

	<u>Date submitted</u>	<u>Description</u>
1.	June 13, 2019	"N.W. Estates – Lot Numbers & Addresses"
2.	June 13, 2019	Definitive Subdivision Modification Request Letter, prepared by Peter J. Nicosia, Esq., Law Office of Nicosia & Associates, P.C., 259 Middlesex Road, Tyngsboro, MA 01879, dated June 12, 2019.

## **FINDINGS**

1. 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.
2. All conditions and waivers of the Conservation Subdivision Design Special Permits issued on October 5, 2006 and July 10, 2009 remain in full force and effect.
3. All conditions and waivers of the Definitive Subdivision Decision issued on August 13, 2010 remain in full force and effect except as indicated below.
4. No changes are made to the plan, "North Wilmington Estates, McDonald Road, Wilmington, Mass.," dated September 30, 2009 and last revised May 10, 2010, signed by the Wilmington Planning Board on July 8, 2014, prepared by Peter J. Ogren, Professional Land Surveyor and Professional Engineer, Hayes Engineering, Inc., 603 Salem Street, Wakefield, MA 01880.
5. The Planning Board determined that the Definitive Subdivision Decision Amendment Special Condition #13 to increase the maximum usable living area in the remaining unbuilt lots from 2,500 square feet to 2,750 square feet does not substantially vary from the Definitive Subdivision Plan presented and approved in the Conservation Subdivision Design Special Permits issued on October 5, 2006 and July 10, 2009 and Definitive Subdivision Decision issued on August 13, 2010.

## **AMENDMENT TO DECISION ISSUED AUGUST 13, 2010**

Revise Special Condition #13 of the Decision dated August 13, 2010 to read, "Per the previous approval, homes on Lots 1-12, 22, 25, and 26 are to contain no more than 2,500 s.f. of usable living area excluding basements, garages and attics. The applicant has agreed that homes on Lots 13-21, 23, and 24 are to contain no more than 2,750 s.f. of usable living area excluding basements, garages and attics. Homes on Lots 13-21, 23, and 24 that exceed 2,500 s.f. of usable living area excluding basements, garages and attics shall contain side yard setbacks of at least 20 feet.

The developer is encouraged to provide outdoor living spaces, such as porches, on the front of residential structures, facing the street. Floor plans of proposed homes along with exterior elevations to be presented for Planning Board review and approval prior to a request for a building permit. The Planning Board will review and approve the architectural elevations for each house to be built on each lot. The Planning Board encourages the new homes to be oriented for southern exposure, garages to face away from the street and the homes to be constructed with outdoor spaces. Calculations of usable living area to be included with each building permit request."

## **AMENDED DECISION**

### **STANDARD CONDITIONS:**

1. Subdivision shall be constructed in accordance with the requirements of the Subdivision Rules and Regulations (with the exception of the waivers listed below) and any other applicable regulations of the Town of Wilmington, including:
  - (a) State Wetlands Protection Act.
  - (b) Title 5 and local regulations of the Board of Health.
  - (c) Requirements of the Water and Sewer Department and Fire Department.

2. Any modification to the approved plans must receive the prior approval of the Planning Board.
3. The conditions of approval of this subdivision shall be placed on the original plans prior to endorsement by the Planning Board.
4. Following the statutory 20-day appeal period, the Planning Board will sign the original subdivision plans, which shall be recorded at the Middlesex North Registry of Deeds. Prior to the endorsement of plans, the following items must be submitted for approval by the Planning Board:
  - (a) A Covenant to secure the construction of ways and installation of municipal services, including required description of mortgages and assents of mortgages.
  - (b) Required Covenant shall reflect a condition that the work under the approved subdivision plan shall be completed within one year from the date of approval of the plan. Failure to complete the work prior to that deadline shall require a new application and Definitive Plan in accordance with the then in effect Rules and Regulations to be filed with and approved by the Board unless an extension of time is requested and granted.
  - (c) Acceptable form of grants of easements.
5. Within 5 days of the transfer of ownership of the subdivision the Planning Board shall be notified in writing of the new property owner's name and address.
6. Prior to the start of work under the approved subdivision, a pre-construction conference shall be scheduled with the designated agent specified by the Planning Board, the Town Engineer (or his designee) and any other involved Community Development departments. The developer shall submit a construction schedule at the time of the pre-construction conference.
7. At the time of the pre-construction conference, the developer will also be required to have obtained a Stormwater Permit under Section 48.1 of the Bylaws of the Inhabitants of the Town of Wilmington which shall include a soil erosion and sedimentation control plan. He may also be required to provide information on plans for stockpiling of earth materials and/or any plans for hauling of earth materials (if approved under the earth removal by-law) for review and approval by the Planning Board or its agent.
8. Developer shall be required to show evidence that all required local, state or federal permits and approvals have been obtained at the time of the pre-construction conference.
9. The developer shall assume the cost of construction monitoring. An estimate of hours required and costs of monitoring shall be provided at the time of the pre-construction conference. The developer shall, prior to the start of construction, be required to place on deposit with the Planning Board an amount sufficient to cover the anticipated cost of monitoring by the Planning Board or its agent.
10. Prior to the release of any lots within the subdivision, the following conditions shall be met:

- (a) The Wilmington Board of Health shall have approved on-site septic system plans.
  - (b) The construction of the roadways shown on the subdivision plan shall be completed through the binder course.
  - (c) Acceptable form and amount of surety shall be on deposit with the Planning Board along with a proposed schedule of releases. If partial release of surety is to be requested, the Planning Board may, at its discretion, require deposits to be broken down in amounts of anticipated requests for release.
11. A maintenance guarantee of 10% of the total value of the work within the subdivision shall be held by the Planning Board for 18 months following completion of streets and municipal services or until the streets are accepted by the Town.
12. Developer to maintain fee interest in the roadway to be transferred to the Town with submission of As-Built and Street Acceptance Plans.
13. Upon completion of work in the subdivision and prior to final release of surety, the developer shall submit As-Built Plans and Street Acceptance plans for review and approval by the Planning Board.

#### **SPECIAL CONDITIONS:**

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

7. 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 in this subdivision shall be twenty-six (26).
  - b The tract of land on which the single family structures are to be located shall not be altered or used except as granted by the Conservation Subdivision Design Special Permit issued July 10, 2009.
8. Legal documents for transfer of the open space to be submitted to the Town for review and approval. The Town of Wilmington declines to take ownership of the open space which shall be restricted by a Conservation Restriction acceptable to the Town of Wilmington and the MA Department of Conservation & Recreation prior to the release of any lots. Prior to conveyance of the open space, any surficial solid waste identified in the open space in the Environmental Site Assessment (Version 2) prepared by Clean Soils Environmental LTD, dated May 30, 2006, conducted for this project and as amended through the Wilmington Board of Health shall be removed to the extent practicable to protect human health and the environment. If necessary, a filing with the Conservation Commission may be required. It is expected, however, that the work will be completed pursuant to the Solid Waste Management Plan attached as Appendix H to the Environmental Site Assessment (Version 2) and can be accomplished without disturbing the wetlands and other resource areas in the open space. Prior to removal the general contractor must meet with the Board of Health Director to address requirements of the SWMP such as, but not limited to, stockpiling, storage of wastes, sieving and separation of wastes, recordkeeping.
9. Endorsement of Definitive Subdivision plans will occur only after Conservation Commission approval has been achieved and all plans are revised accordingly. The set of plans presented for endorsement shall comply with all requirements of approval from the Wilmington Planning Board and Conservation Commission.

10. Tree clearing to be kept to the absolute minimum. Trees shown to remain on the approved plan to be flagged. Center-line of road to be staked prior to any clearing. Final approval of the clearing plan to be obtained from the Director of Planning & Conservation or designee following flagging and staking. A fine for unauthorized tree clearing will be assessed by the Planning Board.
11. Prior to issuance of the first building permit for the subdivision, the applicant must provide sight distance analysis to the Wilmington Engineering Division for review as noted in the CSD Special Permit, #18-h, dated July 10, 2009.
12. The requirement of a formal trail system within this subdivision has been waived due to the existence of an informal trail network. However, prior to endorsement of the plans, a plan must be prepared outlining the existing trails. This should also include proposed development of a trail linking proposed McGrane Road Subdivision through the 30 foot buffer area to the informal trail network.
13. Should the Homeowners Association in the future propose a change to the existing and proposed trails, improvement to an existing trail (including but not limited to resurfacing, widening or lengthening) or establishment of additional trails, an application for a change to the subdivision plans must be submitted to the Planning Board for approval.
14. Prior to endorsing the first Occupancy Permit, signage identifying the conservation area to be installed at the perimeter of all the open space, including the Town line of Tewksbury / Wilmington and at all the trail heads. Sign design and proposed location to be submitted for approval by the Director of Planning and Conservation prior to installation. Four-inch diameter metal tags with white background and green letters to be placed on trees along the perimeter of the open space at no more than 150-foot intervals for boundary demarcation prior to issuance of building permits.
15. The applicant must provide appropriate measures to keep soils and sediments from accumulating in McDonald Road during subdivision construction. The Planning & Conservation Department requires a gravel backwash at the subdivision entrance at the existing McDonald Road.
16. Minimum lot size to be no less than 17,100 square feet.
17. At least 50% of the required setbacks for the underlying R-60 district shall be maintained in the CSD except as noted in Condition 13 below.
  - a Side and rear yard setbacks no less than 13 feet;
  - b Front yard setbacks no less than 25 feet.
18. Lot frontage shall not be less than 42.28 feet.
19. Per the previous approval, homes on Lots 1-12, 22, 25, and 26 are to contain no more than 2,500 s.f. of usable living area excluding basements, garages and attics. The applicant has agreed that homes on Lots 13-21, 23, and 24 are to contain no more than 2,750 s.f. of usable living area excluding basements, garages and attics. Homes on Lots 13-21, 23, and 24 that exceed 2,500 s.f. of usable living area excluding basements, garages and attics shall contain side yard setbacks of at least 20 feet.

The developer is encouraged to provide outdoor living spaces, such as porches, on the front of residential structures, facing the street. Floor plans of proposed homes along with exterior elevations to be presented for Planning Board review and approval prior to a request for a building permit. The Planning Board will review and approve the architectural elevations for each house to be built on each lot. The Planning Board encourages the new homes to be oriented for southern exposure, garages to face away from the street and the homes to be constructed with outdoor spaces. Calculations of usable living area to be included with each building permit request.

20. Final approval of the landscape plan to be obtained two-weeks prior to planting. Plan to include species as well as number of each species to be planted.
21. Landscaping on individual lots will use native species and drought resistant grasses. Rear yards, away from the street, to be left in a natural state to the maximum extent feasible. All areas to be grassed shall be stabilized until grass has been established. Plants selected for drainage swales and rain gardens must be able to withstand wet and dry conditions. Final landscape plan to have a distinct code for each species.
22. Prior to endorsement, a detail to be provided for a holding tank (rain barrel) for rain water overflow to be provided for each dwelling with access for use of landscape watering.
23. Method of demarcation for and location of composting areas to be specified on plan prior to endorsement.
24. The applicant / developer is responsible for the water system recommendations as outlined in SEA Consultants Inc. report detailing improvements to the domestic water demands for proposed McDonald Road Subdivision (See report dated: December 14, 2005, Ref. No. 2005371.01-A, by SEA Consultants, Inc) or as amended through agreement of the Water & Sewer Department. The Definitive Subdivision Plan is not to be endorsed until an agreement is executed between the Water & Sewer Commission and the developer, a copy of which to be submitted to the Planning Board.
25. The applicant / developer is responsible for the solid waste clean-up prior to obtaining any dwelling building permits, as outlined in Clean Soils Environmental, Ltd. "Environmental Site Assessment" dated August 25, 2004 and last revised May 30, 2006 for the "Proposed McDonald Road Development Extension, Wilmington, MA.
26. Blasting materials, if needed, must be reviewed for ground water contaminants with the Board of Health and Wilmington Fire Department.
27. Prior to the lots being released within the subdivision, the language of the Restrictive Covenants for maintenance of the drainage structures, which will be included with each property deed, must be submitted to the Planning Director for review and approval.
28. Prior to the lots being released within the subdivision, the language of the Home Owner's Association and the Conservation Restriction must be submitted to the Planning Director for review and approval.
29. Street lights to be illuminated throughout the extension of North Wilmington Estates Definitive Subdivision prior to request for first occupancy permit. Developer to pay any electricity charges until street acceptance.



30. During the summer months, construction work will not start before 7:00 a.m. and be completed by 7:00 p.m. During the winter months, construction work will not start before 7:00 a.m. and be completed by 5:30 p.m. Construction equipment will not be started before 7:00 a.m.
31. All maintenance responsibilities for any drainage structures installed for this project that are within its property lines will remain with the Owner.

#### **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 IV (A) paragraph 5b. to eliminate the landscaped island in Sgt. Veloza Way as the cul-de-sac will be constructed with permeable pavement.
2. Approves a waiver of Section V (B) paragraph 2 to allow the subdivision roadway pavement to be 26 feet wide when 32 feet is required.
3. Approves a waiver of Section V (D) paragraph 2. for sidewalks on one side of the street. Sidewalks will be required on the northern side of the McDonald Road subdivision and must tie into the McGrane Road subdivision.
4. Approves a waiver of the Cross-Section of the Roadway to allow less than 3 feet of cover over the drains.
5. Approves a waiver of Section IV (J), no fire boxes are proposed for North Wilmington Estates Subdivision.
6. Approves a waiver of Section IV (B) paragraph 3 to allow driveway cuts within sixty-five (65) feet of an intersection.
7. Approves a waiver of Section IV (B) paragraph 3 to allow minimum width of the Right-of-Way shall be fifty (50) feet for minor streets. Variable width of the R-O-W for the existing McDonald Road from the intersection with Salem Street to the end of the existing McDonald Road.

#### **Continued Public Hearing – Preliminary Subdivision #19-02 for 635 Main Street Map 40 Parcel 1 - Richard L. Williams, Williams & Sparages for Art Hayden, Applicant**

PRESENT IN INTEREST: Jon Tilton, Williams & Sparages  
Jaqueline Welch

#### **MATERIALS CONSIDERED:**

PLAN "Preliminary Plan, Jackie Drive, Wilmington, MA" dated May 1, 2019 and last revised June 19, 2019

ENGINEERING MEMOS dated June 3, 2019 and July 9, 2019

LETTERS from Jon S. Tilton dated May 1, 2019 and June 24, 2019

REVIEW LETTERS dated May 31, 2019 and June 3, 2019

J. Tilton told the Board he revised the plans for a two-lot subdivision located at 635 Main Street. He said the property abuts to the left of Salvation Army. He said the revised plans are based on Engineering and Planning Department comments. They are proposing a 150' roadway with two residential lots. They added additional abutters across the street, added a survey monument and during the definitive subdivision stage, they will add additional survey monuments. He said they added existing culvert information. M. Sorrentino asked if this Preliminary Subdivision is to protect the owner's rights for the other project that is before the Board and J. Welch said yes. J. Tilton said they added an additional water main on Main Street and information to the plan. He said with respect to the stormwater management, they comply with the setbacks. He added additional soil test information. Cul-de-sac dimensions were added to the plan. J. Tilton said they provided utilities to each lot with a drainage system and two catch basins discharging into a stormwater management system. He said sheet one has additional locus maps as requested by the Planning Department. He said they asked for two waivers. One to waive the requirement to locate 6" caliper trees and the other was the cover of 3' minimum over the drainage. He said he complied with many Engineering comments but there are some that will need to be worked out at the definitive subdivision stage.

S. Hennigan asked if both lots will be residential and V. Gingrich specified, Multi-Family. J. Tilton said at this point, they do not know. V. Gingrich told the Board this is for just the proposed roadway. She said even if the applicant gets approval for a definitive subdivision, the applicant does not have to build it.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Preliminary Subdivision #19-02 for 635 Main Street.

V. Gingrich reviewed the draft decision with the Board and applicant.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the Preliminary Subdivision Plan for 635 Main Street (Map 40 Parcel 1), plan entitled: "Preliminary Plan, Jackie Drive, Wilmington, MA," dated May 1, 2019 and last revised June 19, 2019, prepared by Richard L. Williams, P.E., Williams & Sparages, 189 North Main Street, Suite 101, Middleton, MA 01949. Approval is subject to the following conditions:

**CONDITIONS:**

1. The Definitive Subdivision Plan shall be stamped by a Professional Land Surveyor.
2. The Definitive Subdivision Plan shall include major features of land for the entirety of the site such as:
  - a. Monuments: All found existing survey monuments used in the boundary solution shall be shown on the Definitive Plan.
  - b. Trees (> 6" caliper): The plans do not depict any trees on the site as being greater than 6". Trees greater than 6" were observed to be located on the site.

- c. Wetland resource areas: The plans indicate the presence of wetlands but do not show their full extent.
  - d. Topography: The topography of the entire site should be shown.
- 3. The Definitive Subdivision Plan shall include more clarity for existing and proposed easements.
  - 4. The Definitive Subdivision Plan shall include more detailed grading and additional stormwater management system detail.
  - 5. The Definitive Subdivision Plan shall include additional detail regarding the existing culvert under Main Street.
  - 6. The Definitive Subdivision Plan shall include additional detail regarding the existing gas main in Main Street.
  - 7. The Definitive Subdivision Plan shall include the proposed impervious area on the site in both square feet and as a percentage of the site. The parcel is located in the Groundwater Protection District and subject to Section 6.6.7.7 of the Zoning Bylaw.
  - 8. The Definitive Subdivision submission shall include a list of waivers requested for the project.
  - 9. The Definitive Subdivision shall be designed in accordance with the requirements of the Subdivision Rules and Regulations and any other applicable regulations of the Town of Wilmington and Commonwealth of Massachusetts, including:
    - a. State Wetlands Protection Act.
    - b. Title 5 and local regulations of the Board of Health.
    - c. Requirements of the Water and Sewer Department.
    - d. Requirements of the Fire Department.

**Public Hearing – Site Plan Review #19-09 for 250 Ballardvale Street - Map R2 Parcel 23B  
Anne Marie Zsamba, Crown Castle for AT&T, Applicant**

PRESENT IN INTEREST: Jeff Barbadora, Crown Castle

**MATERIALS CONSIDERED:**

PLANS "AT&T Site Number: MA3122, BU #: 842899, Wilmington-Ballardvale", dated February 15, 2019 and last revised May 13, 2019, and "Tower Modification Drawings Prepared for: Crown Castle," dated February 15, 2019

STRUCTURAL MODIFICATION REPORT dated February 15, 2019

LETTERS from Anne Marie Zsamba dated May 23, 2019 and June 12, 2019

J. Barbadora told the Board AT&T is modifying their existing antennas. They are replacing 3 antennas and adding 3 new antennas and some ancillary equipment such as 6 remote radio heads, 4 power cables and 1 fiber optic cable. He said they would be structurally modifying the monopole to accommodate the change. He said there were 9 antennas and now they will have a total of 12 antennas. V. Gingrich said there would be no construction outside the existing fenced area and J. Babadora said correct.

Resident, R. Ethier, 506 Salem Street, said he lives 300' west of the antenna. He said he has a couple of concerns: how is the tower tested for safety and where are the transmissions directed? T. Boland asked if these questions are for this tower. V. Gingrich said the Board is discussing 250 Ballardvale Street and R. Ethier apologized as his questions were meant for 773 Salem Street.

M. Sorrentino asked why the structure needed to be upgraded and J. Barbadora said they are adding more weight to the tower and will stiffen up the shaft of the tower. M. Sorrentino asked what code they need to meet and J. Barbadora said they must meet code G. M. Sorrentino asked how high the pole is, and R. Holland said 118'6" and J. Barbadora said correct. M. Sorrentino asked if the height will be the same and J. Barbadora said yes.

Upon motion duly made and seconded, it was unanimously

VOTED: To close the public hearing for Site Plan Review #19-09 for 250 Ballardvale Street.

V. Gingrich talked about the decision and said she added some extra conditions, specifically Special Conditions #7 and #8. The other conditions are standard for wireless facilities. J. Barbadora asked if the Board issues a decision that will need to be recorded and V. Gingrich said a decision letter will be mailed but it does not need to be recorded.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve with conditions Site Plan Review #19-09 for 250 Ballardvale Street as shown on plans "AT&T Site Number: MA3122, BU #: 842899, Wilmington-Ballardvale", dated February 15, 2019 and last revised May 13, 2019, and "Tower Modification Drawings Prepared for: Crown Castle," dated February 15, 2019, both prepared by John W. Kelly III, P.E., B&T Engineering, Inc. Said property is located at 250 Ballardvale Street, Wilmington, MA 01887 and shown on Assessor's Map R2 Parcel 23B.

This is to certify, at a public hearing of the Wilmington Planning Board (Board) opening and closing on July 9, 2019, by a motion duly made and seconded, it was voted:

We, the Wilmington Planning Board, as requested by Crown Castle for AT&T, under the provisions of Section 6.5 of the Zoning Bylaws 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 250 Ballardvale Street to replace three antennas, add three antennas, replace six remote radio units, and add six remote radio units, add four CD power cables and one fiber line to the existing facility as shown on plan entitled "AT&T Site Number: MA3122, BU #: 842899, Wilmington-Ballardvale", dated February 15, 2019 and last revised May 13, 2019, prepared by John W. Kelly III, P.E., B&T Engineering, Inc., submitted on June 13, 2019, (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.	June 13, 2019	Authorization Letter, prepared by Zachary Plummer and signed by Michael Howland, dated November 9, 2018.
2.	June 13, 2019	"Project: AT&T Mobility – Eligible Facilities" Letter, prepared by Anne Marie Zsamba, Crown Castle for AT&T, 3 Corporate Park Drive, Suite 101, Clifton Park, NY 12065, dated May 23, 2019.
3.	June 13, 2019	"Project: AT&T Mobility – Eligible Facilities Request" Letter, prepared by Anne Marie Zsamba, Crown Castle for AT&T, 3 Corporate Park Drive, Suite 101, Clifton Park, NY 12065, dated June 12, 2019.
4.	June 13, 2019	Structural Modification Report, prepared by John W. Kelly III, B+T Engineering, Inc., dated February 15, 2019.

#### **FINDINGS:**

1. The Project site is shown on Map R2 Parcel 23B on the Site Plan.
2. The addition and replacement of equipment to the tower are dependent on the completion of the structural modifications.
3. 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.
4. 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.
5. 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 be constructed and operated in accordance with the Site Plan.
2. The Project shall obtain approval pursuant to, and be constructed and operated in accordance with, all applicable local, state and federal bylaws, statutes, ordinances, rules and regulations.
3. If 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,

provided that if there is an appeal to the Board of Appeals and/or to the courts, the two-year period shall run from the date of the final decision on the appeal.

4. The provisions of this conditional approval shall apply to and be binding upon the applicant, its employees and all successors and assigns in interest or contract.
5. The project shall conform to all existing Massachusetts Laws, Regulations and Applicable Codes regarding fire protection and building safety standards.
6. 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.

**SPECIAL CONDITIONS:**

7. No work for this project shall occur outside of the fenced area.
8. The structural modifications shall be completed prior to the addition and/or replacement of equipment to the tower.

**PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

9. The Wilmington Fire Department shall review and approve all building plans.

**POST CONSTRUCTION:**

10. Final As-Built Plans in form(s) and format(s) acceptable to the Town Engineering Director shall be submitted to the Engineering Director and Director of Planning and Conservation.

**Continued Public Hearing - Site Plan Review #18-15, Stormwater Management Permit #18-13 and Multi-Family Special Permit #18-01 for 635 Main Street – Map 40 Parcel 1 Massachusetts Equity Investors, LLC, Applicant**

PRESENT IN INTEREST: Jon Tilton, Williams & Sparages  
Jaqueline Welch

**MATERIALS CONSIDERED:**

PLAN "635 Main Street, Wilmington, MA" dated October 18, 2018, December 21, 2019 and June 25, 2019

ELEVATIONS "Wilmington Town Houses, 635 Main Street, Wilmington, MA" dated September 17, 2018

TRANSPORTATION IMPACT ASSESSMENT dated February 2019

SEWER ANALYSIS dated May 17, 2019

PHASE I INITIAL SITE INVESTIGATION dated January 21, 2016

ASTM PHASE II dated April 18, 2019

STORMWATER REPORT dated October 23, 2018 and last revised December 17, 2018

COMPARATIVE DRAINAGE ANALYSIS dated October 16, 2018

ENGINEERING MEMOS dated November 13, 2018, April 2, 2019, May 7, 2019 and July 9, 2019

REVIEW LETTERS dated November 1, 2018, May 1, 2019 and July 7, 2019

LETTERS from GEOLIGICAL FIELD SERVICES INC. dated January 21, 2016 and July 18, 2018

LETTERS from Jon Tilton dated November 27, 2018, January 2, 2019, January 25, 2019, February 25, 2019, April 24, 2019, and June 24, 2019

J. Tilton told the Board he is presenting plans revised based on comments from Engineering and Planning Departments. He said they will keep moving forward with this project but wanted

to update the Board. He said Engineering is looking for additional soil tests so they did two more tests but they have more to do. They are still proposing a 10-unit townhouse and a 39-unit multi-family with parking underneath. They added additional abutters to the plan on sheet 3. He did additional walls because the Fire Department asked for more details on the retaining wall. J. Tilton said sheet 4 shows the tree line clearing. He met with the Fire Department and showed the Board the emergency exit the Fire Department requested. M. Sorrentino said Planning would talk to the Fire Department because the Board did not think that would work as an emergency exit. M. Sorrentino said there are too many buildings and he liked Green International's traffic comments. J. Tilton said they added a sidewalk along Main Street. They removed a parking spot in the garage to create a turnaround area. He showed the Board the adjustments he made in the parking lot. He provided additional details to the detail sheet. They dropped the elevation of the building 4ft. and originally had retaining walls in the front. They raised it 2ft grade wise and dropped the front to eliminate walls. The parking comes up to a sidewalk and people have access directly into the building. Once in the building, there are steps up to the first floor. He showed the Board the snow storage area. J. Tilton said the forced main is no longer what they are proposing. He will provide information from additional soil tests at the next meeting.

M. Sorrentino told the audience there were many pages of comments from Planning and Engineering and asked if anyone in the audience was present for this project. There was no one present.

M. Sorrentino asked where the applicant's traffic engineer was and J. Welch said she told her traffic engineer not to come because there is still no clear answer with respect to the emergency exit. She wanted him to come only one time. M. Sorrentino said he liked what Green International proposed. M. Sorrentino said at the last meeting the applicant said they did not have enough room so the Board would like to see a unit removed. R. Holland asked if one of the townhouse units could be 3-bedroom. She said there are 10 2-bedroom units and suggested removing one and making one larger. R. Holland suggested taking 5ft of the end of the building and creating a larger unit on the end. M. Sorrentino asked if J. Tilton will be able to address all comments by the next meeting and J. Tilton said he hopes to. V. Gingrich said the Planning Department is expecting a response to Green's comments. She said the traffic engineer responded to the traffic comments, but there is no response to the site plan comments. J. Tilton said they would respond. R. Holland asked about trash collection. J. Tilton said they are proposing two dumpsters and it will depend on the use as to the number of pickups per week. V. Gingrich asked how the dumpsters would work in terms of access for the residents and J. Tilton said he will address that at the next meeting. R. Holland suggested two small dumpsters in the garage area. T. Boland asked if the egress is paved. J. Tilton said it will be something impervious and they will work with the Planning Department with respect to what will be used. M. Sorrentino said once Planning we receives a response to the peer review comments, there will be more discussion.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street to August 30, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #18-15, Stormwater Management Permit #18-13, and Multi-Family Special Permit #18-01 for 635 Main Street to August 6, 2019 at 8:45 p.m. in Room 9 of the Town Hall.

**Public Hearing - Site Plan Review #19-07 for 773 for Salem Street - Map R1 Parcel 23  
Ryan Burgdorfer, Smartlink LLC for AT&T, Applicant**

**MATERIALS CONSIDERED:**

PLAN "Wilmington MA, Salem Street, MAL03079" dated August 30, 2018 and last revised November 1, 2018

STRUCTURAL ANALYSIS REPORT dated May 17, 2019

ENGINEERING MEMO dated July 9, 2019

LETTERS from Greg Thompson, K2 Towers II LLC undated, and Judith Shea, Shea Concrete, dated February 5, 2019

V. Gingrich said R. Burgdorfer is not here tonight. She told the Board he let the Planning Department know this afternoon. She said at CDTR they talked about the previous submission and the Structural Report saying they needed work on the cell tower so the applicant withdrew that submission and submitted a new application and Structural Report saying the tower passes. V. Gingrich said another peer review was requested so R. Burgdorfer assumed he would not have to be present at the meeting. M. Sorrentino suggested resident, R. Ethier email his questions to the Planning Department.

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #19-07 for 773 for Salem Street to August 30, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-07 for 773 for Salem Street Preliminary Subdivision #19-01 to August 6, 2019 at 7:40 p.m. in Room 9 of the Town Hall.

**Continued Public Hearing - Site Plan Review #18-16, Stormwater Management Permit #18-14 and Multi-Family Special Permit #18-02 for 203 Lowell Street – Map 48 Parcel 73  
Massachusetts Equity Investors, LLC, Applicant**

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

**MATERIALS CONSIDERED:**

PLANS "Site Development Plan, 203 Lowell Street, Wilmington, Massachusetts" dated October 18, 2018 and last revised April 23, 2019 and "Planting Plan in Wilmington, Massachusetts" dated April 18, 2019

SITE PLAN APPLICATION NARRATIVE undated

SEWER FLOW ANALYSIS dated March 18, 2019

SNOW REMOVAL PLAN dated March 18, 2019

ARCHITECTURAL PLAN dated April 23, 2019

STORMWATER MANAGEMENT & EROSION CONTROL PLAN dated October 18, 2018



and last revised April 23, 2019

TRANSPORTATION IMPACT ASSESSMENT dated May 2019

TEST PIT LOG dated April 16, 2019

PHASE I – ENVIRONMENTAL SITE ASSESSMENT dated June 18, 2019

REVIEW LETTERS dated November 7, 2018 and May 1, 2019

ENGINEERING MEMOS dated November 13, 2018, April 2, 2019 and May 7, 2019

E-MAIL from Jamie Magaldi dated March 22, 2019

LETTER from Doug Lees dated January 3, 2018

LETTERS from Jacqueline Welch dated November 28, 2018, January 28, 2019, February 26, 2019, March 18, 2019, and May 30, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the action deadline for Site Plan Review #18-16, Stormwater Management Permit #18-14, and Multi-Family Special Permit #18-02 for 203 Lowell Street to August 31, 2019.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #18-16, Stormwater Management Permit #18-14, and Multi-Family Special Permit #18-02 for 203 Lowell Street to August 6, 2019 at 9:00 p.m. in Room 9 of the Town Hall.

**Continued Public Hearing – Preliminary Subdivision #19-01 for 203 Lowell Street  
Map 48 Parcel 73 – Doug Lees for Michael Howland, Howland Development, Applicant**

A request to continue the public hearing was received.

**MATERIALS CONSIDERED:**

PLANS "Preliminary Plan in Wilmington, Massachusetts" dated April 23, 2019

ENGINEERING MEMO dated June 3, 2019

LETTER from Doug Lees dated April 30, 2019

REVIEW LETTER dated May 31, 2019

Upon motion duly made and seconded, it was

VOTED: To extend the action deadline for Preliminary Subdivision #19-01 for 203 Lowell Street to August 31, 2019.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Preliminary Subdivision #19-01 for 203 Lowell Street to August 6, 2019 at 9:15 p.m. in Room 9 of the Town Hall.

**Continued Public Hearing – Conservation Subdivision Design Special Permit #19-01 for  
79 Nichols Street – Map 35 Parcel 29, Attorney Jill Elmstrom Mann for  
Golden Realty Trust, Applicant**

A request to continue the public hearing was received.

**MATERIALS CONSIDERED:**

PLANS "Conservation Subdivision Design, Nichols Street Condominium, Wilmington, Massachusetts" dated December 24, 2018 & "Yield Plan (CSD)" dated November 9, 2018  
STORMWATER ANALYSIS dated January 17, 2019  
DRAINAGE MODEL May 22, 2019  
MEMO from Jill Elmstrom Mann dated July 1, 2019  
REVIEW LETTER dated March 28, 2019  
ENGINEERING MEMO dated April 2, 2019  
LETTER from Jill Elmstrom Mann dated February 27, 2019  
LETTERS from Erik Swanson dated February 26, 2019 and July 9, 2019

M. Sorrentino asked if the Planning Department let the applicant know this would be the last time the Board will continue the public hearing and V. Gingrich asked if that is what the Board wanted. M. Sorrentino said yes.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Conservation Subdivision Design #19-01 for 79 Nichols Street to August 6, 2019 at 9:20 pm.

**Continued Public Hearing – Site Plan Review #19-04 & Stormwater Management Permit #19-03 for 36 & 38 Upton Drive – Map R1 Parcels 18 & 18L – PGA Realty Co., Applicant**

PRESENT IN INTEREST: Todd P. Morey, Beals Associates, Inc.  
Matthew E. Costa, Beals Associates, Inc.  
Peter Crock, PGA Realty  
Rebecca Brown, GPI

**MATERIALS CONSIDERED:**

PLAN "Upton Park, 36 & 38 Upton Drive, Wilmington, Massachusetts", dated April 1, 2019 and last revised June 13, 2019  
PHASING PLANS undated  
EXISTING CONDITIONS PLAN dated April 1, 2019 and last revised June 13, 2019  
OPERATION & MAINTENANCE CONTROL PLANS dated April 1, 2019 and May 31, 2019  
TRAFFIC IMPACT AND ACCESS STUDY dated September 14, 2018  
FLOOR PLANS and ELEVATIONS dated March 27, 2019  
TURNING ANALYSIS EMERGENCY ACCESS dated April 18, 2019 and June 13, 2019  
EMERGENCY ACCESS – MAIN, LOOP ROAD NORTH – ENTER dated April 9, 2019  
FIRE TRUCK COMPARISON  
STORMWATER MANAGEMENT REPORT dated June 13, 2019  
REVIEW LETTERS dated May 1, 2019 and July 2, 2019  
ENGINEERING MEMOS dated May 1, 2019 and July 9, 2019  
LETTERS from Matthew Costa dated April 4, 2019, April 18, 2019, and June 13, 2019

T. Morey said they have Rebecca Brown from GPI since the Board wanted traffic to be discussed. He said he received comments from both Engineering and Planning.

R. Brown, GPI, said the traffic study they did was submitted back in September. She said the study area included Upton Drive, I-93 and Rte. 125. It included the intersections of Rte. 125 with the two I-93 ramps and the intersection of Ballardvale Street and Andover Street. She said she included Upton Drive where it meets Andover Street and Jonspin Road since it is a

secondary access and egress to the area. The traffic counts collected were done in two different time periods. The intersections along Andover Street were collected in August 2018 and the traffic counts along Rte. 125 were collected in June 2018 while school was still in session. Traffic volumes in June and August are usually higher but they found going in the westbound direction there was a significant difference of 10% less for traffic volumes than June so they grew the volumes up in August to match the June counts, they found the opposite in the eastbound so they grew them up for a worse case scenario. She said they also grew the traffic volumes out to a 7-year design horizon to 2025 using a 1.1% per year growth rate, which is consistent with historic traffic counts in this area. They included some other areas as well that have been approved but not constructed yet. One was 58 Jonspin Road and the other was 401 Andover Street. She included the traffic they would be generating. R. Brown said the project itself would generate 450 daily trips, roughly 225 coming and going throughout the day. There would be 56 trips in the peak hours of morning and 58 in the afternoon, which is roughly one vehicle per minute coming and going. She said one comment they got back from the peer review consultant is to look at journey to work generation. She said they did a comparison to see what would happen if they did a journey to work model. R. Brown said Rte. 125 to the east they projected 30% trips to take Rte. 125, with the journey to work model it showed only 10%, whereas the rest of the traffic was coming to and from the west on Rte. 125 or the ramps. That reduced the traffic by about 11 vehicles in the east direction and in the west it changed from 3 to 8 vehicles. She talked about traffic increase that is in the range of 3 off Andover Street headed to the north to 17 trips going either direction, which is roughly one vehicle every 3 to 20 minutes. R. Brown said she did a traffic evaluation analysis looking at the amount of delay and the queuing patterns at each of the study area intersections. The Ballardvale Street intersection has some movements that operate at a service level of E at the a.m. and p.m. peak hours and that happens at the build/no-build conditions. She said the intersections have been working better since the fall improvements took place. R. Brown said at Andover Street there are some level of service Es and Fs. R. Brown said she contacted MassDOT to evaluate adding the intersection into the corridor. She said at the Upton Drive intersection exiting left, volume ratio capacities are below one and the queues are showing one vehicle queue coming out of Upton Drive and all others in that area are operating at level D. She said Jonspin Road was a similar condition where traffic exiting out the New England Coffee driveway was operating at a level of service F in the a.m. but the volume to capacity ratio is less than one and the queue is one vehicle where all others were operating at level D or better. R. Brown said she also did an evaluation of safety looking at MassDOT's crash records from 2012 to 2016 which is the most recent 5-year period. She said the area around the ramps was previously identified as a high crash location from 2011 to 2013 and again from 2012 to 2014. There were improvements made to the area so this area is no longer considered a high crash area based on the most recent available data. All the other intersections in the corridor had crash rates lower than the district and statewide averages. R. Brown said she looked at vehicle speeds along Upton Drive and along Andover Street. She said the travel speeds were consistent with the posted speeds. She said on Upton Drive the 85<sup>th</sup> percentile speed was in the range of 29 to 34 miles per hour depending on the location and on Andover Street they were around 38 miles per hour. The posted speed limit is 25 and 35 miles per hour. She said the need for sight lines is 207 to 236' and they have 375' at all the locations with the exception of the first driveway where there is vegetation that restricts sight lines so she proposed removing the vegetation. R. Brown said they would be adding those site distances to a plan so the areas that need vegetation removal will be clearly labeled. She said with respect to the intersection of Upton Drive and Andover Street, in the peak hours traffic backs up along Andover Street past Upton Drive. She recommended installing pavement markers and signage that will indicate where drivers need to stop as a warning there is a signal ahead. She showed damage to landscaping in the island at the

Upton Drive entrance off Ballardvale Street, so they propose reconstructing the island with mountable curb with scored concrete on the top so vehicles would not drive over it but if a truck took the turn a little wide, it would not damage the island. She said she is putting together a supplemental analysis that will show what happens with a redistribution of traffic and what the impacts are. She said she does not anticipate them to be significantly different. She said there was a recommendation to redistribute the trucks trips to have them take Jonspin Road instead of Upton Drive. She said she does not agree with that because it is tough to enforce.

L. Oltman said she generally agrees with the traffic study but she asked for clarification on trip generation if warehouse uses experience higher trip generation other than ITE. She said ITE is a valid way to generate traffic however, she understands that companies like Amazon have a high trip generation number for the same use. She suggested the truck route go to Jonspin Road because there are queues along Andover Street and the concern is that heavy trucks sit on Andover Street to take a left. L. Oltman said it sounds as though they are going to address most everything. She said there are some concerns on the Site Plan. She said she agrees with the proposed improvements at Rte. 125 and Andover Street and Upton Drive at Andover Street. V. Gingrich asked L. Oltman to go over the site comments since it would be helpful to the Board.

M. Sorrentino asked P. Crocker if he could encourage tenants to travel another way during peak hours. P. Crocker said he can encourage his tenants but he cannot enforce it. L. Oltman said the primary access should be controlled to one driveway. She said she has some concerns about the large truck circulation that was shown. She said the largest truck would take up the entire driveway when they come in Upton Drive. She said if you have a large truck coming in and a large truck exiting the same time, the driver coming in will hopefully see a truck exiting and wait. She asked them to widen the radii for large base vehicles to enter an exit.

T. Morey said they agree and increased the radius so the large truck can stay in its own lane and the same for a large truck turning in. L. Oltman said there are 10 parking spaces in the middle of the delivery area and she would propose they be removed.

M. Sorrentino said the applicant should meet with the Town Engineer. T. Morey said they would. V. Gingrich asked that the project engineer respond to the peer review. V. Gingrich said the tight corner on Upton Drive should be rounded out and T. Morey agreed.

Upon motion duly made and seconded, it was

VOTED: To extend the action deadline for Site Plan Review #19-04, Stormwater Management Permit #19-03 for 36 & 38 Upton Drive to August 30, 2019.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Site Plan Review #19-04, Stormwater Management Permit #19-03 for 36 & 38 Upton Drive to August 6, 2019 at 8:15 p.m. in Room 9 of the Town Hall.

**Continued Public Hearing - Site Plan Review #19-05 & Stormwater Management Permit #19-04 for 100 Research Drive - Map R3 Parcel 401 – Michael J. Juliano, Eaglebrook Engineering & Survey, LLC, for Joseph Martignetti, Applicant**

PRESENT IN INTEREST: Michael Juliano, Eaglebrook Engineering & Survey, LLC  
John Paul Martignetti, Martignetti Real Estate

**MATERIALS CONSIDERED:**

PLANS "Proposed Permit Plan, 100 Research Drive, Located in Wilmington, Massachusetts" dated April 26, 2019 and last revised June 24, 2019  
NOTICE OF INTENT AND STORMWATER ANALYSIS & CALCULATIONS dated March 20, 2019,  
PROJECT NARRATIVE undated  
PARKING ANALYSIS FOR EXISTING COMMERCIAL BUILDING undated  
EXISTING BUILDING PARKING COMPLIANCE TABLE undated  
ELEVATIONS dated April 12, 2019  
TRAFFIC SUMMARY undated  
TRAFFIC ASSESMENT dated July 2, 2019  
ZONING COMPLIANCE CHART undated  
HYDRAULIC ANALYSIS AND REPORT dated June 26, 2019  
FLOOR PLANS dated June 24, 2019  
REVIEW LETTERS dated May 31, 2019 and July 2, 2019  
ENGINEERING MEMOS dated June 3, 2019 and July 9, 2019  
LETTER from Michael J. Juliano dated June 24, 2019

M. Juliano said he received the memo from Engineering and review letter from the Planning Department. He said the Engineering memo was just a configuration of the water and fire service and the other comment was about the traffic report, which he just received before the holiday so there was not enough time to review it.

M. Sorrentino read the Engineering memo and Planning review letter into the record.

M. Juliano said in response to the Planning review letter, about the truck traffic, there will be a sign that reads "trucks use next entrance". The parking lot to the west will have some compact spaces and he will submit a revised lighting plan that shows the entranceway. J. P. Martignetti said they skewed everything toward Business use instead of Light Industrial. M. Juliano said it might be mixed-use meaning a portion might be contractor and a portion might be office space or Light Industrial. J. P. Martignetti and M. Juliano said they are looking for guidance from the Board for the best way to approach it. V. Gingrich said the question is if it is going to be office and J. P. Martignetti said it will more than likely be contractor use. V. Gingrich said the elevations show contractor space because it is not designed as an office building. J. P. Martignetti said he would not have a problem coming before the Board if he were to add or remove doors. The Board discussed flexibility in the use and flexibility with doors being swapped out for windows.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Site Plan Review #19-05, Stormwater Management Permit #19-04 for 100 Research Drive to extend the action deadline to August 30, 2019.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Site Plan Review #19-05, Stormwater Management Permit #19-04 for 100 Research Drive to August 6, 2019 at 7:45 p.m. in Room 9 of the Town Hall.

**Continue Public Hearing - Site Plan Review #19-06 & Stormwater Management Permit #19-05 for 613 Main Street & Parking Special Permit #19-01 - Map 29 Parcel 11A Brian McCarthy, RJ O'Connell & Associates for Bryan Blake, The Seyon Group, Applicant**

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

**MATERIALS CONSIDERED:**

PLAN "Site Plan for Redevelopment of 613 Main Street, Wilmington, MA"  
dated April 15, 2019  
STORMWATER REPORT dated April 15, 2019  
TRAFFIC IMPACT AND ACCESS STUDY dated March 29, 2018  
REVIEW LETTER dated May 1, 2019  
ENGINEERING MEMO dated May 1, 2019  
TRANSMITTAL SHEET from Brian McCarthy dated May 9, 2019

Upon motion duly made and seconded, it was

VOTED: To extend the action deadline for Site Plan Review #19-06 & Stormwater Management Permit #19-05 & Parking Special Permit #19-01 for 613 Main Street to August 30, 2019.

Upon motion duly made and seconded, it was

VOTED: To continue the public hearing for Site Plan Review #19-06 & Stormwater Management Permit #19-05 & Parking Special Permit #19-01 for 613 Main Street to August 6, 2019 at 8:30 p.m. in Room 9 of the Town Hall.

**Public Hearing - Site Plan Review #19-08 & Stormwater Management Permit #19-06 for 269 Ballardvale Street - Map R2 Parcel 27A - Brian Timm, RJ O'Connell & Associates for James Cavalieri, 16 Robin LLC, Applicant**

PRESENT IN INTEREST: Attorney Charles Houghton  
James Cavalieri  
Dave Collins  
Brian Timm, RJ O'Connell

**MATERIALS CONSIDERED:**

PLANS "269 Ballardvale Street-Wilmington, MA" dated June 5, 2019  
STORMWATER MANAGEMENT REPORT dated June 5, 2019  
FLOOR PLAN & ELEVATIONS dated April 20, 2019  
REVIEW LETTER dated July 2, 2019  
ENGINEERING MEMO dated July 9, 2019  
LETTER from Brian Timm dated June 5, 2019  
LETTER from Steven Eriksen dated May 23, 2019

Attorney C. Houghton told the Board he represents J. Cavalieri, 16 Robin LLC and said the site is Highway Industrial and its approved use was an office and dental manufacturing. He said they are proposing to change that to a contractor's yard with an office and proposing to demo a substantial portion of the building because it has more office use than they need. Attorney Houghton said that will bring the building down to about 4,000 sf and they will add a 2,400 sf garage.

B. Timm said there is an existing building that is being reduced in size. He said they are cutting off the back half of the building and taking off the side and building a high bay garage. He said they would be installing a drainage system in the parking lot that will improve the drainage and discharge into an onsite detention basin. B. Timm said there would be an oil water separator. He said the Town Engineer had about 12 comments. D. Collins said the existing building is one story. He said there would be room in the back for storage. He said they are putting in a high bay garage. The doors will be orange/red color consistent with their brand. R. Holland asked if they have a tenant and J. Cavalieri said Cavalieri Construction. M. Sorrentino asked what kind of construction and J. Cavalieri said civil. M. Sorrentino asked that the team meet with the Town Engineer. M. Sorrentino said snow storage was one of the Planning Department's concerns. V. Gingrich said there was not anything major design wise.

Upon motion duly made and seconded, it was unanimously

VOTED: To continue the public hearing for Site Plan Review #19-08 & Stormwater Management Permit #19-06 for 269 Ballardvale Street to August 6, 2019 at 8:00 p.m. in Room 9 of the Town Hall.

### **Board of Appeals**

At its meeting on Tuesday, July 9, 2019 the Planning Board voted to recommend as follows:

#### Case 14-19 for 17 Hathaway Road – Map 94 Parcel 63

Upon motion duly made and seconded, it was unanimously

VOTED: The applicant needs to demonstrate a hardship to receive a variance. Elevations and building plans should be submitted to show the height of the proposed garage. The side setback of 15 feet should be maintained. The proposed front setback is not more detrimental to the neighborhood than the existing house.

#### Case 15-19 for 8 Freeport Drive – Map 100 Parcel 631

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. The proposed groundwater recharge system is adequate for the proposed impervious area in the Groundwater Protection District.

#### Case 16-19 for 5 Faneuil Drive – Map 44 Parcel 181

Upon motion duly made and seconded, it was unanimously

VOTED: To recommend approval. The proposed house meets all zoning setbacks except for one side setback and is an improvement compared to the existing house. It does not appear to be more detrimental to the neighborhood.

## **Old Business**

### **Discussion – Subdivision Regulations**

V. Gingrich said she would like to schedule a public hearing for the Subdivision Rules & Regulations at the next meeting and M. Sorrentino suggested it be heard in September instead.

## **New Business**

### **Request to waive Site Plan Review for 850 Main Street – Map 38 Parcel 1 - Jym Bagtaz, Spec Process Engineers for Koch Membrane Systems, Applicant**

PRESENT IN INTEREST: Jym Bagtaz, Howland Development  
William R. Bergeron, Hayes Engineering Inc.

#### **MATERIALS CONSIDERED:**

PLANS "Spiral Assembly Segregation" dated May 7, 2019 and last revised May 14, 2019  
"Boundary & Topographic Survey" dated March 29, 2010 and last revised May 25, 2010 and  
"General Arrangement HCD-9000-GA-SMFCBPFCDS" dated May 7, 2019  
LETTER from Spec Process Engineers undated

J. Bagtaz said Koch would like to install a concrete pad for exterior air head unit at building B. M. Sorrentino asked if it was the Comcast building and J. Bagtaz said yes. J. Bagtaz said it is a 50' x 10' pad. R. Holland asked if the units will be screened and J. Bagtaz said they could but it was not part of the original plan. R. Holland said the Board would like the unit screened from Main Street. J. Bagtaz said they would add a fence. M. Sorrentino asked what would be put in the building and J. Bagtaz said they would be adding a clean room. M. Sorrentino asked if the applicant would agree to the installation of a fence and R. Holland clarified that the Board would like 8' panel fence and J. Bagtaz agreed.

Upon motion duly made and seconded, it was unanimously

VOTED: To approve the request to waive Site Plan Review for 850 Main Street to install a 10' x 53'6" concrete pad for new specialty air handling equipment that will be screened with an 8' fence at the southwest corner of Building B. The concrete pad is shown on the plan entitled, "Spiral Assembly Segregation" dated May 7, 2019 and last revised May 14, 2019; prepared by Peter T. Rogers, R.A., Spec Process Engineers, 17 A Street, Burlington, MA 01803.

### **Request to waive Site Plan Review for 21 Industrial Way – Map 46 Parcel 104 – Arthur W. Kanavos for DiCenso Trust, Applicant**

PRESENT IN INTEREST: Arthur Kanavos

#### **MATERIALS CONSIDERED:**

PLANS "ALTA/ACSM Land Title Survey in Wilmington, Mass." dated February 1, 2007 and  
"Interstate Route 93, Sketch Plan, Showing Proposed Play Area" dated May 20, 2019  
LETTER from William R. Bergeron dated May 20, 2019

A. Kanavos said he would like to cut the pavement and put in a gas trap.



Upon motion duly made and seconded, it was unanimously

**VOTED:** To approve the request to request to waive Site Plan Review for 21 Industrial Way to install a new trench drain and oil/gas separator at an existing drive-in door as shown on the plan entitled, "New MDC Separator, 21 Industrial Way, Wilmington, MA 01887" dated June 24, 2019; prepared by Eugene T. Sullivan, P.E., Eugene T. Sullivan, Inc., 230 Lowell Street, Wilmington, MA 01887.

**Request to waive Site Plan Review for 299 Ballardvale Street – Map R3 Parcel 26  
AeroVironment, Inc., Kimberly Kohlheppe, Applicant**

**PRESENT IN INTEREST:** Ryan Conner, Conner Design  
Kimberly Kohlheppe, AeroVironment, Inc.

**MATERIALS CONSIDERED:**

PLANS "Tenant Improvement for Aerovironment" dated June 24, 2019

FLIGHT OPERATION PLAN undated

LETTER from Ryan Conner dated June 25, 2019

R. Conner said he is the architect for AeroVironment. He said they have been around for 50 years making unmanned aircrafts. He said 299 Ballardvale Street would be the company's East Coast headquarters. R. Conner said they have a requirement for exterior flight. He said he provided a packet to identify an area outside where they will flight test. He met with the Planning & Conservation Department as well as the Police and Fire Departments. R. Conner said it is still a Business use and they are not changing anything on the outside of the building. It is a pure tenant improvement. He said the drones will be flying in the parking lot and they wanted to be forthcoming. M. Sorrentino asked how long the flight tests are and K. Kohlheppe said most endurances are between 15 to 30 minutes. M. Sorrentino asked what the hours of operation would be and K. Kohlheppe said 8 to 5 or 6ish. She said in the winter it would be fewer hours because of less daylight. R. Conner said there is a Flight Operation Plan in the package that defines how they would like to fly these drones. M. Sorrentino asked if employees needed certification to fly within the parking lot. K. Kohlheppe said every employee must be FAA certified. M. Sorrentino asked if there are cameras on the drones while being tested and K. Kohlheppe said not while they are testing. M. Sorrentino asked who the neighbors are and R. Conner said 299 Ballardvale Street is off the main road and surrounded by industrial use and business operations. He said there is no direct abutting residential parcels to this property and there is some Town owned open space directly adjacent. M. Sorrentino asked if there are comments from the Police Department and V. Gingrich said there are none. T. Boland asked how high the drones fly and K. Kohlheppe said they can go high but the testing is done at 30-40'.

Upon motion duly made and seconded, it was unanimously

**VOTED:** To approve the request to waive Site Plan Review for 299 Ballardvale Street, a new use which will include indoor/outdoor flight testing for unmanned aircraft systems (drones) as shown on the plan entitled, "Tenant Improvement for AeroViroment, 299 Ballardvale Street, Wilmington, MA 01887" dated June 24, 2019; prepared by Conner Design, 39 Norman Street, Suite 301, Salem, MA 01970.

**Request to extend completion deadline and Form H (Covenant to Secure the Construction of Ways) for Murray Hill Definitive Subdivision #14-01  
Map 4 Parcels 7 & 7A – C.S. Newhouse Builders, Inc., Applicant**

A request to extend completion deadline and Form H (Covenant to Secure the Construction of Ways) for Murray Hill Definitive Subdivision #14-01 was received.

**MATERIALS CONSIDERED:**

LETTER from Craig Newhouse dated May 20, 2019

Upon motion duly made and seconded, it was unanimously

VOTED: To extend the completion deadline and Form H (Covenant to Secure the Construction of Ways) for Murray Hill Definitive Subdivision #14-01 to February 5, 2021.

**Election of Officers – Chair and Clerk**

Upon motion duly made and seconded, it was unanimously

VOTED: To elect Michael Sorrentino as Chair and Sean Hennigan as Clerk

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

VOTED: To adjourn the meeting at 10:30 p.m.

NEXT PLANNING BOARD MEETING: August 6, 2019

Respectfully submitted,

  
Cheryl Licciardi  
Recording Clerk