



# Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

February 11, 2022

TO: Board of Selectmen

RE: 2022 Annual Town Meeting – Warrant Articles by Petition

Please be advised that the following petitioned Warrant articles, of which copies are enclosed, were submitted by citizens for inclusion on the 2022 Annual Town Meeting Warrant.

<u>ARTICLE</u>	<u>PETITIONER</u>
Ban Use of Polystyrene at Food Establishments and Town Facilities	Laura Tran
Town-Owned Land Purchase Map 77, Parcels 26 – Pershing Street	Ryan Donnell

  
Jeffrey M. Hull  
Town Manager

JMH/bjd

Enclosure

cc: Mark Reich, Town Counsel

**ANNUAL TOWN MEETING - PETITIONED ARTICLE**

Article: To see if the Town will vote

DATE and TIME this paper received by Registrars

RECEIVED  
TOWN CLERK

2022 FEB -1 PH 3:01

TOWN OF WILMINGTON, MA

The text of the article is on the reverse of this page.

SIGNER'S STATEMENT We are qualified voters of the Commonwealth of Massachusetts and of the Town of Wilmington

**INSTRUCTIONS TO SIGNERS:**

Your signature should be written as substantially as registered. If you are prevented, by physical disability, from writing you may authorize some person to write your name and residence in your presence.

	I.	II	III
	Signatures to be made in person with name substantially as registered (except in case of physical disability as stated above)	Printed Name	Street Address
1	<i>Joanne Veliz</i>	Joanne Veliz	23 Boutwell St.
2	<i>Maura Gillis</i>	Maura Gillis	23 Green Meadow Dr.
3	<i>Michael Maloney</i>	Michael Maloney	33 Albany St.
4	<i>Michelle Hoyer</i>	Michelle Hoyer	7 Hanson Rd
5	<i>Amanda Tran</i>	Amanda Tran	6 Flynn Way
6	<i>Kateline Vo</i>	Kateline Vo	6 Flynn Way
7	<i>Niam Tran</i>	Niam Tran	6 Flynn Way
8	<i>Haeleigh Wilson</i>	Haeleigh Wilson	5 Dadant Drive
9	<i>Carol Mutchler</i>	Carol Mutchler	49 Lawrence St.
10	<i>Jei Cao</i>	Jei Cao	8 Lexington St.
11	<i>Phil Che</i>	Phil Che	402B Audover St.
12	<i>Lao Che</i>	Lao Che	402B Audover St.
13	<i>Laura Tran</i>	Laura Tran	6 Flynn Way
14	<i>Meghan Jones</i>	Meghan Jones	126 Grove Ave
15			
16			
17			
18			
19			
20			

**Instructions to Registrars**

You must time-stamp or write in date and time these papers are received.

Check this  against the name of qualified voter to be certified. For names not certified, use the codes opposite.

- N = no such registered voter at that address.
- S = unable to identify signature or address as that of voter because form of signature or address is illegible.
- W = wrong district or community.
- T = already signed this petition.

**CERTIFICATION OF SIGNATURES**

We certify that (14) Fourteen signatures checked this  are names of voters of the Town of Wilmington and are qualified to sign this petition.

(at least three Registrars names must be signed or stamped below)

*Priscilla R. Clark*  
*Mary H. O'Connell*  
*Robert D. Hardy*

Registrars of Voters of the Town of Wilmington



Article: To see if the Town will vote

## Article: Ban of Polystyrene in Food Establishments and Town Facilities”

To see if the town of Wilmington will vote to ban the use of polystyrene at food establishments and town facilities. This excludes food and goods purchased outside of Wilmington and packaging intended for meat. Food establishments and town facilities will be encouraged to use biodegradable, compostable, or reusable packaging.

### Section 1. Purpose and Intent:

The purpose of this bylaw is to limit the use of polystyrene and its impact on the environment of Wilmington and the health of its citizens by using alternatives that are recyclable, reusable, or compostable.

### Section 2. Definitions:

“Polystyrene” - The term means and includes blown polystyrene and expanded and extruded foams (sometimes called “Styrofoam,” a Dow Chemical Co. trademarked form of EPS insulation) also referred to as expanded polystyrene (EPS), which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene); and in this chapter is referenced as “Foam Polystyrene.” Foam Polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

The term also means and includes clear or solid polystyrene which is also known as “oriented,” and referenced in this chapter as “Rigid Polystyrene.” “Rigid Polystyrene” is generally used to make clear clamshell containers, and clear or colored straws, lids, and utensils

“Food Establishments” - Any establishment whose purpose is to prepare and vend food and drink items

“Town Facilities” - Any building, structure, land, or park operated by the town of Wilmington, its agents and departments.

“Biodegradable” - Materials that will completely degrade and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

“Compostable” - Materials that will completely degrade into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner.

“Reusable” - Materials that will be used more than once in its same form by a business establishment. Reusable food service ware includes: tableware, flatware, food or beverage containers, packages or trays, such as but not limited to, soft drink bottles and milk containers that are designed to be returned to the distributor and customer that is provided take-out containers. Reusable also includes durable containers, packages, or trays used on-premises or returnable containers brought back to the food establishment.

“Recyclable” - Material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. “Recycling” does not include burning, incinerating, converting, or otherwise thoroughly destroying solid waste.

### Section 3. Enforcement

#### Enforcement:

The Town of Wilmington Board of Health and its Director/Agent or their designee shall have the authority to administer and enforce this bylaw.

The following penalties shall apply:

First offense: Written warning, each day of violation after written notice, is a separate violation.

Second offense: \$100.00

Third Offense: \$300.00 and appearance in front of the Board of Health, any subsequent offenses: \$300.00

ANNUAL TOWN MEETING- PETITIONED ARTICLE

Article: To see if the town will vote to

Date and time received by  
Board of Registrars  
**RECEIVED  
TOWN CLERK**

To see if the Town will vote to authorize the selectmen to enter an agreement, the terms of which shall be determined by the selectmen, to sell, convey or otherwise dispose of all or part of the following described parcel: following a determination made by the Town Manager that the land is not needed for any municipal purpose, and in accordance with Chapter 3, Section 16 of the By-Laws of the Inhabitants of the Town of Wilmington Revised and other applicable law; the parcel being located on Pershing Street and described in the Town of Wilmington Assessor's records as Map 77, Parcel # 77-26; or take any other action related thereto.

Contact name, address and phone number: Ryan Donnell, 24 Lincoln St Wilmington  
978-604-9413

Instructions to Signers  
For your signatures to be valid you must be a registered voter in the town of Wilmington and your signature should be written as substantially registered. If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence

Office Use Only	Signature	Printed Name	Street Address
1		David P. Donnell	24 Lincoln St
2		Doreen Donnell	24 Lincoln St.
3		Kelly Anagnostou	18 Lincoln St
4		NITAI SANAPRIVA	5 Lincoln St
5		Debra Hewitt	6 Lincoln St.
6		Melissa Mather	6 Lincoln St.
7		Melonie Kilburn	5 Lincoln St.
8		Christopher Kilburn	5 Lincoln St
9		Jeff Wilkerson	4 Lincoln
10		Jen Brytistic	132 <del>Lincoln St</del> Federal
11		Aaron Brytistic	132 Federal St
12		Brett Narsci	22 Lincoln St
13		Eric Thenson	2 Cheyenne Dr
14		Michael Savage	41 North Street
15		Bill Browne	175 Marion St
16		Amy Brown	127 Marion St
17		Nancy Berra	1118 Middle St
18		Brian Newza	3 Wakefield Ave
19		ERIK NAWES	22 LINCOLN STREET
20		DAVID ANDERSON	18 Lincoln St

Attention Voters: Before signing please read the article pertaining to the petitioning of an article for the Annual Town Meeting





- Buildings 2015
- Public Places
- School
- Church
- Hospital
- Police Station
- Fire Station
- Town Hall
- Public Library
- Ice Rink
- Parcel Dimension
- Parcels
- Town Base Map: Trar
- Edge Of Pavem
- Unpaved Roady
- Sidewalk
- Driveway
- Bridge
- Parking Lot
- Walking Path
- Railroad Tracks
- Cemetery Roads
- Trails
- Town Line
- MA Highways
- Interstate
- US Highway
- Numbered Rout
- Street Centerlines
- Open Water
- Streams
- Abutting Towns



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.







# Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

February 11, 2022

TO: Board of Selectmen

RE: Town Hall Building Deficiencies

In the continuing effort to make known the deficiencies of the Town Hall, Shelly Newhouse, Health Director, has reported the following:

- The Nurse's office should be equipped with back up generator power as we have a refrigerator that holds vaccines and medicine.
- The administrative office of the Board of Health (Room 5) offers no confidentiality when speaking with patrons either in person or on the phone.
- Storage is a huge issue, i.e. filing cabinets, supplies.
- Sometimes there is not heat in the Winter. In the Summer months the A/C unit is above my head and I cannot hear anyone in the office or on the phone.
- The lack of proper meeting space to hold meetings.

While some of the deficiencies that are identified by department heads will be repetitive, the fact that multiple employees have described the same issues points to their significance.

  
Jeffrey M. Hull  
Town Manager

cc: George Hooper, Public Buildings Superintendent





# Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

January 28, 2022

TO: Board of Selectmen

RE: Proposals before Board of Selectmen

At the January 24, 2022 Board of Selectmen meeting there was discussion about the fact that proponents of a proposed affordable housing development at 102 and 104 West Street had not been invited to discuss their project with the full Board. As you recall, the issue of inviting developers to a Selectmen's meeting was discussed previously in the late summer/early fall of 2021. It is understandable that Board members want to remain informed about projects that are taking place in Town. In the past, one concern that came out of the intended informational meeting with the proponents of the detox center at 362 Middlesex Avenue was that the Selectmen at the time were perceived by some residents to endorse the project because the proponent was invited to come before them. This perception appeared to persist notwithstanding efforts to convey that the Board was not taking a position on the development.

The proponents of the Princeton Property affordable housing project on Jefferson Road were invited to a Selectmen's meeting to describe their proposal because as a so called "friendly 40B" the Selectmen needed to endorse the project before it could move forward to the appropriate permitting boards. Initially, the developer of the proposed affordable housing development at 102 and 104 West Street was pursuing it as a "friendly 40B." As was the case with the Princeton Property proposal, the Chairman of the Board was invited to participate in the early discussions about that project. More recently the developer has decided to pursue the conventional 40B development route which does not require endorsement by the Board of Selectmen.

In considering whether to invite developers to present their project to the Board if the Board does not have any authority to approve the project or requirement to endorse the project, the Board should consider whether such attendance of the developer will create false expectations from residents that the Board will be taking a position on the project, that the Board has some authority or influence over whether the project is approved or that the comments of residents made at a Selectmen's meeting will be part of the official record when the project is being considered. Developers will need to consider whether to incur the cost of having




their engineers or other project team members present to detail the project or answer questions. While attendance at a Selectmen's meeting will serve to inform the public, the process that currently takes place is very transparent as the developer must attend meetings with permitting authorities whether they be the Planning Board, Conservation Commission, Board of Health or Board of Appeals. Each of these meetings is posted in advance and is open to the public.

If the Board wishes to invite project proponents to your meetings it would be helpful for the Board to establish a policy or criteria for when you would like a developer to be invited to appear before the Board. Considerations could include:

1. Whether the invitation applies to commercial/industrial projects or only residential projects;
2. Whether the invitation applies to new construction or renovation or both;
3. Whether the invitation applies to commercial/industrial development of a certain square footage or estimated value or residential development over a specific number of units or value;
4. Whether the invitation is issued during the concept stage/initial discussions with staff prior to applying for permits from applicable boards and committees or after the permitting process is underway.

Providing guidelines will enable me to know when the Board is expecting me to issue an invitation to the developer.

  
Jeffrey M. Hull  
Town Manager





# Town of Wilmington

## Fire Department



*William F. Cavanaugh, III*  
Chief of Department

Emergency 911

February 9, 2022


Mr. Jeffrey M. Hull, Town Manager  
Re: Fire equipment grant

Mr. Hull,

It is my pleasure to inform you that due to the diligence and efforts to research and apply, Lieutenant Tom Ceres was able to secure a grant in the amount of \$15,923.81. This grant is from the Firefighter Safety Equipment Grant program offered through the Department of Fire Services.

We will be using the grant to purchase ballistic protective equipment for the on duty groups. This grant will ensure that we have enough ballistic equipment to protect our personnel should we be called to an active shooter event. We expect to receive this equipment by May of this year.

Respectfully,

  
William F. Cavanaugh, III  
Chief  
Wilmington Fire Department





# Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

February 11, 2022

TO: Board of Selectmen

RE: Update on Senior Center Building Committee

Members of the Senior Center Building Committee held a Zoom session with Lee Morrisette, AIA, LEED, AP from Dietz & Company and Dan Pallotta, the Owners' Project Manager on February 9<sup>th</sup>. Discussion centered on continuing review of the interior spaces and the location of the building on the property next to St. Dorothy's Church. Mr. Morrisette modified the location of rooms based upon comments from the previous meeting. The mechanical room which previously was located on the side of the building closest to Main Street was moved to the opposite side of the building next to the kitchen area so that deliveries and servicing of the building could be consolidated in one area. Two additional options were presented to address making the front entry to the building both prominent and a truly functioning front entrance to the building.

Discussion took place to consider reorienting the building which currently is proposed to have parking at the rear of the building. A suggestion was offered to move the building further back on the site so that parking would exist in the front of the building. It was suggested that parking in the front of the building might reduce potential problems with the ability of vehicles to more readily exit Route 38 with more queuing space for drop-off. Additionally, the thought is that parking in the front of the building would create a connection between the terrace and recreation areas behind the building and the remaining undeveloped portion of the property possibly for walking paths. The architect was directed to evaluate this suggested layout for the next meeting.

Committee Chairman George Hooper noted that an informational flyer about the senior center and a town/school administration building was recently issued with the water bills. Dan Pallotta indicated that another newsletter would be issued in the next few weeks and suggested that dates be considered to have forums to encourage public comment about the work completed to date.

Gregory B. Bendel  
Selectman





# Wilmington, Massachusetts

TO: Jeff Hull

FROM: George Hooper Superintendent of Public Buildings

DATE: February 11, 2022

RE: Wildwood School fuel tank update

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As of today February 11<sup>th</sup>, 2022, The Public Buildings Department has been working closely with Omni Environmental group. They are the Licensed Site Professional (LSP) for the project that works directly with MIIA our insurance carrier. Tuesday, February 8<sup>th</sup>, they started drilling on site for test borings and monitoring wells around the existing underground storage tank. Once completed there will be approximately 15 locations. This work is expected to be complete at the end of today. These borings are screened for the presence of #2 fuel oil and the depth that it is located.

Some of these readings have indicated that soils near the tank have been impacted. These test results will determine what will need to be removed once the tank is extracted from the ground. Omni Environmental records their findings and keeps the DEP up to date on their progress. I have attached a copy of the site plan that shows their work at the site to date.

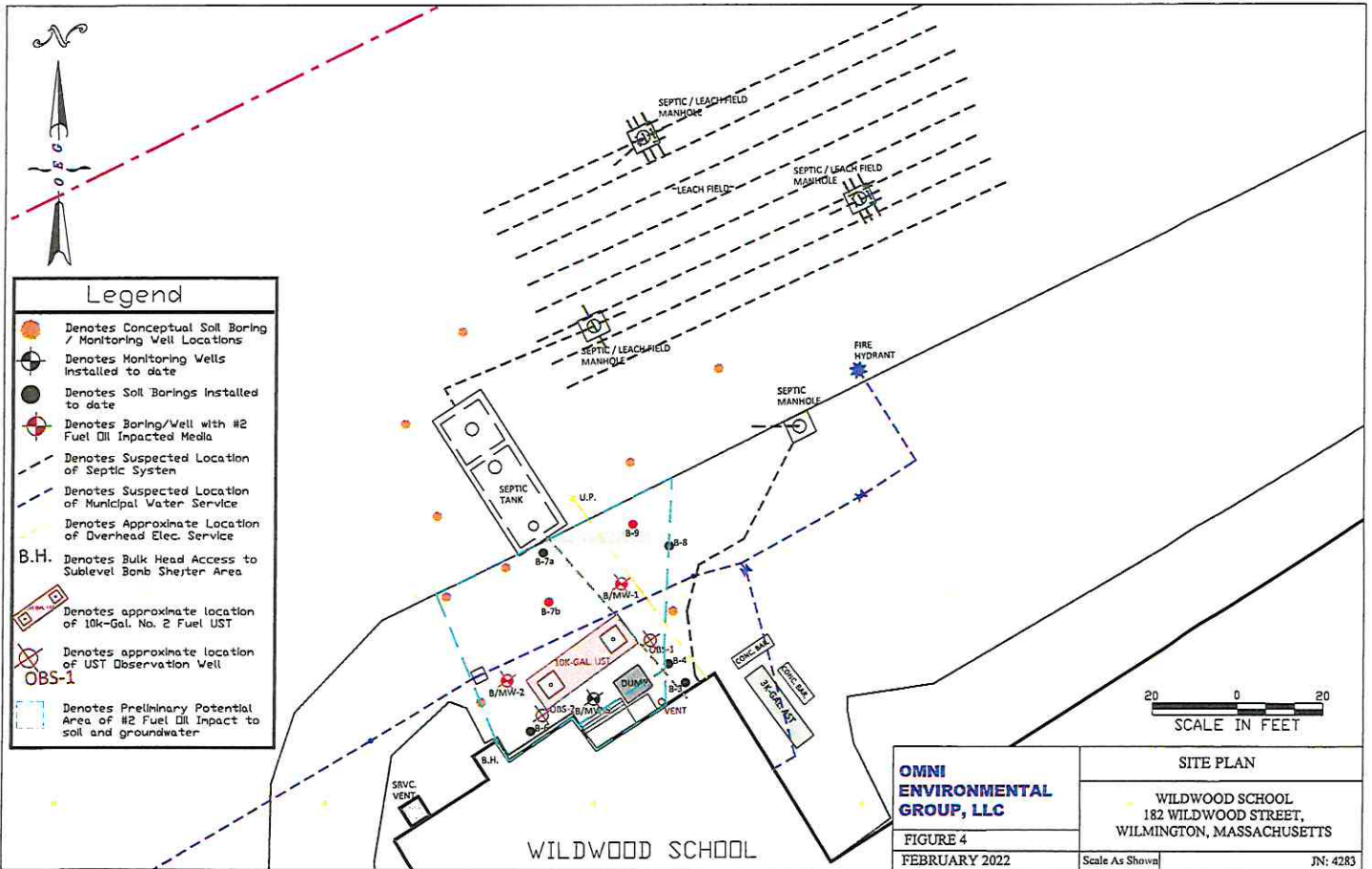
The existing underground storage tank is no longer in use, any remaining fuel has been removed preventing any additional release. A temporary above ground storage tank is in place on site supplying fuel to the building with no interruption to service to the building. The existing tank removal and excavation of the site is planned for the week of school vacation.

The Public Buildings Department will continue to work with the LSP to provide any information and support to this project as well as keeping the School Department up to date on its progress.

Sincerely,

Superintendent  
Public Buildings









**TOWN OF WILMINGTON**  
**DEPARTMENT OF PUBLIC WORKS**

Highway      Water & Sewer      Engineering  
Tree          Parks & Grounds      Cemetery

**Interoffice Memorandum**

**TO:** Jeffrey M. Hull, Town Manager  
**FROM:** Michael J. Woods, Director of Public Works  
**SUBJECT:** PFAS6 Update  
**DATE:** February 11, 2022

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The Town's water system continues to function properly and all required testing by the Regulators are being performed by staff. We sample for PFAS compounds per directive every month, and the last sample with results was taken on January 5, 2022, and results from the laboratory are as follows:

- Sargent Water Treatment Plant (WTP): **None Detected**
- Butters Row Water Treatment Plant: **4.6 parts per trillion (ppt)**

Since the carbon replacement at the WTP, the test results have remained constant. Samples that exceed 20 ppt are subject to public notification by the DEP. We sampled again on February 3, 2022 and expect results in approximately 3 weeks.

As with any issue concerning our drinking water, residents should not hesitate to contact the DPW at 978-658-4711 and speak with Joseph Lobao directly about questions they may have.





## TOWN OF WILMINGTON

### Engineering Division Memorandum

**TO:** Jeffrey M. Hull, Town Manager

**CC:**

**FROM:** Paul M. Alunni, PE, Town Engineer

**SUBJECT:** MassWorks Funding Supplementation

**DATE:** February 10, 2022

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In November 2020, the Town of Wilmington was awarded a State grant (MassWorks Grant) for \$2,891,000 for financing public infrastructure improvements associated with the Princeton Wilmington Smart Growth Housing Project (Princeton Project). The MassWorks Grant was specifically intended to finance three (3) critical public infrastructure projects for the Town. These projects include: 1) Sewer Extension Project, 2) Culvert Replacement Project, and 3) Roadway Corridor Improvements. All three (3) infrastructure projects provide a significant benefit to the community and are crucial to facilitate the Princeton Project.

As noted above, the total funding awarded to the Town was \$2,891,000. Using contractor bids received for the sewer and culvert projects, and current cost estimates for roadway improvements, the Town is underfunded by approximately \$2,200,000. The reason for this shortfall is attributed to drastic inflation experienced over the past year combined with increasing demand for public infrastructure improvements. Also contributing to the shortfall is that certain infrastructure improvements were added during permitting and design of the infrastructure projects, after the grant was issued. The Town has prepared a contract amendment to the Executive Office of Housing and Economic Development (EOHED) requesting additional MassWorks Grant funding to support these public infrastructure projects. Taking into consideration the large deficit and scope of work, the Department of Public Works (DPW) recommends reallocating a portion of the recently awarded American Rescue Plan Act (ARPA) funds to reduce a portion the deficit.

ARPA fund allocation includes improvements to certain water main infrastructure (\$5,500,000) and stormwater quality initiatives (\$1,000,000) throughout Town. The DPW recommends the Town reallocate approximately \$450,000 from the ARPA stormwater quality initiative to reduce the MassWorks fund deficit. This figure was determined by tallying infrastructure improvements related to water and stormwater improvements that were not considered in the initial MassWorks Grant application process. This reallocation may be adjusted based upon funding received through the aforementioned contract amendment and/or contributions made by the Princeton Project.

In closing, the DPW finds this to be an appropriate use of a portion of ARPA funding and may also reinforce to the EOHCD the Town's commitment to these very important public infrastructure projects. The Department of Public Works appreciates the Board's consideration on this matter.





Eric M. Hocky  
T (215) 640-8523  
F (215) 640-8501  
Email: ehocky@clarkhill.com

Clark Hill  
Two Commerce Square  
2001 Market Street, Suite 2620  
Philadelphia, PA 19103  
T (215) 640-8500  
F (215) 640-8501

January 28, 2022

BY E-FILING

Cynthia T. Brown  
Chief, Section of Administration, Office  
of Proceedings  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20024

Re: **New England Transrail, LLC d/b/a Wilmington & Woburn  
Terminal Railway-Construction, Acquisition and Operation  
Exemption-in Wilmington and Woburn, Massachusetts**  
Docket No. FD 34797 (Sub No. 1)  
*Further Status Report*

Dear Ms. Brown:

By this letter, Petitioner New England Transrail ("NET") and Wilmington Woburn Intermodal, LLC ("WWI")<sup>1</sup> provide their joint further status report pursuant to the April 5, 2019 Board decision, as amended by the October 24, 2019 Board decision, which requires the parties to submit a status report by November 8, 2019, and every 90 days thereafter. NET and WWI filed their most recent joint report on November 8, 2021 (due on November 1, 2021) as required.

As noted in previous reports, in October 2018, representatives of WWI presented to the Wilmington Board of Selectmen, WWI's concept for a potential project alternative to the project which is the subject of NET's petition before the Board. The parties apprised Danielle Gosselin in the Board's Office of Environmental Assessment ("OEA") of those preliminary discussions. The conceptual alternative would involve an expanded version of its proposed warehouse for the bulk transfer and storage of retail and other commodities.

In its May 3 status report, NET and WWI reported that USEPA released its Record of Decision ("ROD") on April 1, 2021, and provided links to a general

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<sup>1</sup> In November, 2018, NET petitioned to substitute WWI as the Petitioner. WWI is a joint venture between NET and commercial developer GFI Partners. That petition is still pending with the Board. Nevertheless, WWI is joining in this status report.



Cynthia T. Brown  
January 28, 2022  
Page 2

description of the ROD, and the timeline for next steps, and to the ROD. WWI/NET also provided a copy of the ROD to OEA.

Olin is currently in negotiations with EPA for a Consent Agreement in response to the ROD issued by EPA on March 30, 2021. The final Consent Agreement will be sent to DOJ for acceptance. Remedial design activities will commence after the Consent Agreement is lodged in Federal Court. Discussions with the Town in conjunction with the redevelopment of the site will continue after the Consent Agreement is filed.

WWI (and, by extension, NET as an investor in it) continue to refine their current plans for the property in the context of the ROD. As previously noted, WWI / NET had their first meeting with the Town of Wilmington ("Town") following the issuance of the ROD. WWI/NET has since addressed the Town's follow-up questions and observations about how to best implement development without adversely affecting any ongoing cleanup efforts. Some of the issues discussed have included warehouse design, wetlands protection, and fire protection. WWI/NET believes the discussions have been collaborative and productive, and WWI/NET remain committed to further discussions and to providing additional information which supports their proposal's non-impact as well as information that further describes those areas of the proposed development that will contribute to the EPA's cleanup solutions and remediation goals as will be set forth in the Consent Agreement.

WWI and NET will continue to provide status reports to the Board while the proceeding remains in abeyance.

Please let us know if the Board has any questions concerning this report.

Sincerely,

CLARK HILL PLC

*/s/ Eric M. Hocky*

Eric M. Hocky

Attorneys for New England Transrail and  
Wilmington Woburn Intermodal, LLC

EMH/e

cc: Danielle Gosselin, OEA (by email)  
Adam Assenza, OEA (by email)  
Daniel Deutsch, Esq. (by email)  
Attached Service List for Sub-Docket No. 1



Cynthia T. Brown  
January 28, 2022  
Page 3

**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of January, 2022, a copy of the foregoing "Further Status Report" was sent by email to the following Party of Record in Sub-Docket No. 1:

Daniel R. Deutsch  
Principal and Managing Attorney  
Brooks & DeRensis, P.C.  
200 Franklin Street, Suite 700  
Boston, MA 02110  
[ddeutsch@bdboston.com](mailto:ddeutsch@bdboston.com)

*/s/ Eric M. Hocky*

---

Eric M. Hocky

**Daniel R. Deutsch, Esq.**  
[ddeutsch@bdboston.com](mailto:ddeutsch@bdboston.com)

February 7, 2022

**VIA ELECTRONIC FILING**

Ms. Cynthia T. Brown  
Chief, Section of Administration,  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20024

**RE: New England Transrail, LLC, D/B/A Wilmington & Woburn Terminal  
Railway-Construction, Acquisition, and Operation Exemption-in  
Wilmington and Woburn, Massachusetts  
FD 34797 Sub-Docket 1  
*Further Status Report of Town of Wilmington***

Dear Ms. Brown:

On behalf of the Town of Wilmington (“Wilmington”), we submit this further status report pursuant to the Board’s Decision dated April 5, 2019 and amended October 24, 2019, requiring the parties to submit status reports by November 8, 2019 and every 90 days thereafter. This report follows our report of November 10, 2021.

The parties’ previous reports summarized initial discussions between Wilmington and WWI/GFI concerning a conceptual alternative to the project that is the subject of the above-noted proceeding which has been suspended. The pace and timing of WWI’s engineering and planning of a potential alternative redevelopment project have depended upon the development and approval of remedial options for clean-up of the Olin Site by USEPA and Olin Corporation and the decision-making of WWI and NET.

As the parties later reported, USEPA released its Record of Decision on April 1, 2021. Counsel for NET/WWI provided your office with access to information concerning the ROD and the timeline for related next steps. EPA issued interim or final remedial plans for various operating units of the Superfund Site and related activities; some studies and reports have been in process since last spring and remain on-going. EPA is negotiating a Consent Agreement, after which remedial design activities may be undertaken.

As also reported, representatives of WWI/GFI met with certain Wilmington officials in July 2021 to address aspects of WWI’s conceptual proposal for developing the Olin Site in light of the ROD. In mid-September, WWI/GFI representatives met with other Town officials to discuss a conceptual project design. Those officials provided feedback concerning various



Ms. Cynthia T. Brown  
February 7, 2022  
Page 2

matters including wetlands, fire access, site circulation, and implications of construction on future clean-up activities. The proponents continue to develop design responses to some of those concerns including traffic and stormwater management. At a further meeting in January 2022, WWI indicated an intention to incorporate site remediation engineering into a project design so as to obviate or minimize interference with on-going site cleanup processes. However, details for implementing such engineering also have not yet been provided.

Wilmington remains open to reviewing updated design plans and any other available information concerning a possible development project, for which WWI/GFI ultimately would need to seek permits from relevant Town boards.

We will continue to provide you with status reports while this proceeding remains in abeyance. Please let us know if you require any additional information.

Very truly yours,

*/s/ Daniel R. Deutsch*

Daniel R. Deutsch

cc: Danielle Gosselin, OEA (by email)  
Adam Assenza, OEA (by email)  
Eric M. Hocky, Esq. (by email)  
Jeffrey M. Hull, Town Manager, Town of Wilmington (by email)  
Attached Service List

Ms. Cynthia T. Brown  
February 7, 2022  
Page 3

**CERTIFICATE OF SERVICE**

I, Daniel R. Deutsch, hereby certify that a copy of the foregoing Status Report on behalf of the Town of Wilmington dated February 8, 2022, was sent via first-class mail to the following parties of record.

Eric Hocky, Esq.  
Clark Hill PLC  
Two Commerce Square  
2001 Market Street, Suite 2620  
Philadelphia, PA 19103

William Walsh-Rogalski  
(Mail Code ORA 17-1)  
Office of Environmental Review  
U.S. EPA Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

Steven C. Armbrust  
CSX Transportation, Inc.  
500 Water Street, J150  
Jacksonville, FL 32202

Kathleen M. Barry  
Wilmington-Woburn Collaborative  
14 Powder House Circle  
Wilmington, MA 02210

Linda Raymond  
Woburn Neighborhood Association, Inc.  
10 North Maple Street  
Woburn, MA 01801

James M. Cashwell  
David M. Share  
Olin Corporation  
3855 North Ocoee Street, Suite 200  
Cleveland, TN 37312

Martha K. Stevenson  
Wilmington Environmental Restoration  
Committee  
7 Chandler Road  
Wilmington, MA 01887

Laura Swain  
Commonwealth of Massachusetts Department  
of Environmental Protection  
One Winter Street  
Boston, MA 02108

/s/ Daniel R. Deutsch  
Daniel R. Deutsch



**From:** Connors, Niall S

**Sent:** Wednesday, February 9, 2022 5:06 PM

**Subject:** [EXTERNAL] Fios TV LFA Notice – Content Change – Grit TV

Dear Municipal Official:

This is to notify you of a change to Fios® TV programming.

Effective immediately, WUNI Grit TV (channel 486) has changed to WUNI Court TV, featuring live gavel-to-gavel coverage, in-depth legal reporting and expert analysis of important and compelling trials. This is a provider-driven change.

Verizon began notifying subscribers through the Fios TV Message Center on or around February 9, 2022. A sample customer notice is attached.

Access to the Fios TV channel lineup is available 24/7 online at [verizon.com/fiostvchannels](https://www.verizon.com/fiostvchannels).

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Sincerely,

**verizon**<sup>✓</sup>  
**Niall Connors**

Franchise Service Manager  
Fios Video Franchising  
Verizon Consumer Group

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