



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

July 23, 2021

TO: Board of Selectmen

RE: Woburn Street Truck Exclusion

In response to the Massachusetts Department of Transportation (MassDOT) denial of a truck exclusion on the portion of Woburn Street from the intersection with Eames Street to the intersection with Lowell Street, Michael Woods, Public Works Director, and Paul Alunni, Town Engineer, have been directed to advise me as to a course of action to revisit the truck exclusion with MassDOT. With the expected reopening of the New Boston Street Bridge in Woburn and redevelopment of business property on Eames Street and the westerly portion of Woburn Street, providing a truck exclusion for the residents in that area remains important. The Board will be informed once the response has been formulated.


Jeffrey M. Hull
Town Manager



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Acting Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



July 20, 2021

Mr. Paul M. Alunni, PE
Town Engineer
121 Glen Road, Room 7
Wilmington, MA 01887

Dear Mr. Alunni,

This is in reference to the Town's recent request for approval of a 24-hour Heavy Commercial Vehicle Exclusion (HCVE) on Woburn Street in Wilmington from the intersection of Eames Street to the intersection of Route 129 (Lowell Street).

Our District 4 Traffic Engineering Section and our Boston Office Regulations Section are in agreement that a HCVE is not warranted on this section of Woburn Street at this time. The study associated with this request revealed a total truck volume of 2.5%. According to warrants listed in the *Massachusetts Amendments to the Manual on Uniform Traffic Control Devices and Standard Municipal Code*, a minimum threshold of 5-8% is the range where truck exclusions are issued.

During our field investigation, it was noted that truck restriction signs on Ox Bow Drive facing Eames Street may be contributing to the low truck volume on Woburn Street between Eames Street and Route 129. Incidentally, we do not have a permit on file for this restriction, therefore it was not approved by this office. Therefore, we recommend the Town remove the truck restriction signs on Ox Bow Drive, and restudy the roadway six months after the re-opening of the New Boston Street Bridge mentioned in the submitted study.

Sincerely,

James Danila
State Traffic Engineer

RFW/
Cc: Dist 4 Traffic



TOWN OF WILMINGTON ENGINEERING DIVISION

Memorandum

TO: Mr. Jeffrey M. Hull, Town Manager

FROM: Paul M. Alunni, PE, Town Engineer

SUBJECT: Heavy Commercial Vehicle Exclusion
Woburn Street, from Lowell Street to Eames Street

DATE: August 12, 2021

The Town was notified by the Massachusetts Department of Transportation (MassDOT) that a Heavy Commercial Vehicle Exclusion (HCVE) is not warranted for a section of Woburn Street (from Lowell Street to Eames Street). Please refer to the enclosed letter from MassDOT dated July 20, 2021.

The Department of Public Works (DPW) submitted the requisite traffic count data and engineering study to MassDOT pursuant to the Manual on Uniform Traffic Control Devices (MUTCD) requirements. Per MUTCD requirements, the Town must demonstrate [to MassDOT] that certain criteria are met for an alternate route, and that sufficient justification exists to warrant the proposed exclusion. The MUTCD warrant for HCVE include a volume of heavy commercial vehicles that usually is in the range of five (5) to eight (8) percent, as this volume reduces the utilization of the facility and is cause for a substantial reduction in capacity or safety. The HCVE traffic data collected by the Town for this section of Woburn Street revealed a total truck volume of 2.5%.

Although the current percentage of truck volume was below the warrant, the Town cited concerns related to traffic increases expected from the re-opening of the New Boston Street Bridge (in Woburn). The Town also provided MassDOT a letter of support for the HCVE from the City of Woburn. However, MassDOT recommended that the Town re-study the section of roadway approximately six (6) months after the bridge re-opening.

Since traffic counts were collected pre-Covid pandemic (c.2017), the DPW will be updating the traffic counts in Fall of 2021. Should conditions yield a percentage of truck volume meeting the MUTCD warrant (5%), the DPW will resubmit the HCVE request to MassDOT.



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Acting Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



July 20, 2021

Mr. Paul M. Alunni, PE
Town Engineer
121 Glen Road, Room 7
Wilmington, MA 01887

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Sincerely,

James Danila
State Traffic Engineer

RFW/
Cc: Dist 4 Traffic



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER


July 30, 2021

TO: Board of Selectmen

RE: Intersection of Middlesex Avenue and Clark Street

I have spoken with both Michael Woods, Public Works Director, and Police Chief Joseph Desmond about improving the safety at the intersection of Middlesex Avenue and Clark Street. The greatest challenge appears to be traffic traveling east on Clark Street and seeking to cross Middlesex Avenue or turn left on to Middlesex Avenue. The shrubs that line the private property to the right of that approach make it difficult for motorists to see traffic approaching on Middlesex Avenue from Main Street/Route 38. Many years ago, the owner of the property at 58 Middlesex Avenue was contacted about his willingness to trim back the shrubs at the corner of Clark Street and Middlesex Avenue. At that time the owner declined to do so. The shrubs at that location are on private property and not within the Town's right of way. More recently, the owner was contacted again by a representative from the Police Department and, once again, declined to trim the shrubs.

The Police Department will be placing the traffic tubes out within the next couple weeks to conduct a traffic count for each "leg" of the intersection. The information from the traffic count will be provided to a traffic engineer for review, in addition to reviewing the recent history of accidents at the intersection and checking site distances. One possible step to improve safety would be to make the intersection a four-way stop. Once the consultant has received traffic counts and accident data, a written recommendation will be provided to the Town. Any change in signage at the intersection will require the approval of the Board of Selectmen. The expectation is to have a recommendation for the Board to consider at your September 27th meeting.


Jeffrey M. Hull
Town Manager

cc: Kerry Colburn-Dion, Assistant Town Manager/Human Resources Director
Michael Woods, Public Works Director
Joseph Desmond, Police Chief

7/30/2021

NOV 2021 TOWN MANAGER
'21 JUL 28 PM 1:20

Jeffery Hull/ Town Manager Wilmington, MA

Kevin Ciara/ Board Member Wilmington, MA

To Whom it May Concern:

My name is Ed Johnson and I live @ 72 Clark Street, Wilmington, MA 01887.

I am writing to the town to see about getting some changes made to Clark Street, which most people are aware is a "cut through" street for a ton of transients. While we know how busy the street is, myself and fellow residents are now insisting something be done about the constant heavy trucks and speeding occurring on Clark Street, both night and day. I propose to have signs posted and enforced for no heavy trucks allowed, meaning 18-wheel trucks and heavy dump trucks, cranes and equipment that drive down our street and shake the houses and windows on all the homes. This street was never intended to run heavy equipment down it and it is destroying the road and causing many houses to shake and potentially crack our foundations. I speak for the entire street (see attached signatures) and I would like this brought up at your next meeting. I would like to be contacted to see if there is anything more that you need from myself and other Clark St. residents, so we may be taken seriously. At the very least, please contact me to let me know you have received this letter.

Another topic for the agenda would be the intersection of Middlesex and Clark Street. This intersection has a minimum of 5 -7 accidents a month. Check the police logs, this should also be addressed before there is a fatality. I am anxious to know what you need from me and want our voices to be heard.

Thank you in advance for your assistance in this matter.

Sincerely yours,



Ed Johnson

72 Clark Street

Wilmington, MA 01887 (978) 657-0990

Petition to [Action]

Petition Summary: Prohibit large trucks from using Clark St. as a cut-through. The trucks include 18-wheelers, large dump trucks, flatbeds carrying large construction equipment, etc. This is causing both damage to the road and the homes on the street. The houses shake when the trucks go by at all hours of the day and night.

Action Petitioned For: We the undersigned are concerned citizens who urge our leaders to act now to [Enter the action which you are petitioning for].

Date	Signature	Printed Name	Address	Comment
7/15/21	<i>Ed Johnson</i>	ED JOHNSON	92 Clark St	TRAFFIC too slow HEAVY! Large trucks!
7/15/21	<i>Robert Gallagher</i>	Robert Gallagher	1 Clark St	
7/15/21	<i>Anna Lee</i>	Anna J Lee	20 Clark St	Slower more signs
7/15-21	<i>Marco Pene</i>	28 phone	Felice Pene	
7/15/21	<i>Roberta Allard</i>	Roberta Allard	33 Clark St	there was no trucking on this street at one time
7.15.21	<i>Steve Eaton</i>	Steve Eaton	39 Clark St	

7-15-21 *Steve Eaton*

Go to www.AtYourBusiness.com for more free business forms

* \$ I want it reinstated.
Trucks are speeding on
the street at all hours.

Date	Signature	Printed Name	Address	Comment
7/25/21		Timothy Quinn	57 Clark St	
7/15/21		John C Wallace	73 Clark	
7/15/21		GRACE Mullens	74 Clark St	
7/24/21		CHRISTOPHER MCCAULEY	35 CLARK ST	617 719 3040
7-24-21		DENISE McCauley	35 Clark St	Heavy trucks
7-24-21		GEORGE 94 CLARK ST	44 CLARK ST	HEAVY TRUCKS
7-24-21		Brenna Healy	37. CLARK ST.	Heavy trucks
7/24/21		Wanda McLaren	71 Clark St. Wilmington	Heavy trucks traffic excessive speed
7/24/21		Thomas McLaren	71 Clark St	SPEED + Heavy Trucks
7/24/21		David McLaren	71 Clark St	Heavy trucks

7/24/21 Leila McLaren Leila McLaren 71 Clark St Heavy trucks # Speed

7/24/21 Matthew Callahan 95 Clark St. Speed + Heavy Trucks

7/24/21 Lauren Callahan 95 Clark St. Speed + Heavy Truck

7/24/21 LINDSEY BRICKLEYER 97 CLARK ST SPEED/HEAVY TRUCK

7/24/21 TODD BRICKLEYER 97 CLARK ST " " TRUCK



Town of Wilmington
Office of the Town Manager
121 Glen Road
Wilmington, MA 01887-3597

PHONE: (978) 658-3311
FAX: (978) 658-3334
TTY: (978) 694-1417

WWW.WILMINGTONMA.GOV

August 6, 2021

Ed Johnson
72 Clark Street
Wilmington, MA 01887

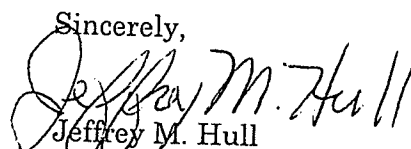
Dear Mr. Johnson,

In response to your July 30, 2021 correspondence the Town is evaluating the options to improve the safety of the intersection at Clark Street and Middlesex Avenue. Traffic tubes will be placed on the approaches to the intersection to determine the amount of traffic traveling over each "leg" of the intersection. A traffic engineer will be called upon to review the traffic information, accident data at that intersection along with the site distances. Per Massachusetts General Law (MGL), the Manual of Uniform Traffic Control Devices (MUTCD) is the State's standard for establishing and maintaining traffic control devices on streets and roads. Any recommended changes to the intersection will need to conform to the standards established in this manual. The Town is targeting October to have a recommendation to the Board of Selectmen.

I will be speaking with the Public Works Director and the Police Chief about the steps required to establish a heavy commercial vehicle exclusion. In brief, establishing a heavy commercial vehicle exclusion on a public road requires approval by the Massachusetts Department of Transportation (MassDOT). According to MassDOT, a public way is eligible for a heavy commercial vehicle exclusion if a suitable alternate route is available and approved by MassDOT. In addition, the public road must meet the criteria prescribed by the MUTCD.

Traffic counts on Clark Street would need to establish that the percentage of heavy commercial vehicles using Clark Street is between five (5) and eight (8) percent of the total traffic over a 24-hour time period, as this volume is cause for a substantial reduction in capacity or safety of a public road. The planned traffic count data collection along Clark Street will reveal if Clark Street is eligible for a heavy commercial vehicle exclusion. To the extent a heavy vehicle exclusion is possible there will be limits to the types of trucks that could be excluded.

Sincerely,


Jeffrey M. Hull
Town Manager

cc. Board of Selectmen
Michael Woods, Public Works Director
Joseph Desmond, Police Chief



TOWN OF WILMINGTON

121 GLEN ROAD
WILMINGTON, MA 01887

THE OFFICE
OF TOWN CLERK

VOICE (978) 658-2030
FAX (978) 657-7564

Date: August 10, 2021

To: Jeffrey Hull
Town Manager

From: Christine Touma-Conway
Town Clerk *CPT - C*

Subject: Update on Re-Precincting Process

On August 5, 2021, I wrote a memo with then-known details about when final 2020 census numbers were expected to be released by the United States Census Bureau, the first step towards re-drawing precinct lines to account for shifts in population since the 2010 census. The purpose of this memo was to introduce the very preliminary information we had at the time to you and to the Board of Selectmen. The belief was that this information, however preliminary and uncertain, would be presented to the Board of Selectmen at its August 16, 2021 meeting as an introduction to the concept of re-precincting.

However, since that memo was written, we have learned that the date the Census Bureau is expected to release its data to the Census Division of the Secretary of the Commonwealth's (SOC's) office has been moved up from September 30 to August 12, 2021. At the same time, we have been advised that the last date for submission of local plans remains October 30, 2021.

Release of the official numbers so much sooner than originally planned will enable the Town to have finalized numbers from the SOC by the end of August, and with those numbers give the local working group the opportunity to prepare a proposed map containing either six or seven precincts, depending on the final numbers, rather than two maps which would both be based upon estimates and conjecture.

This proposed map could then be introduced to the Board of Selectmen at its first September meeting, allowing the full complement of five selectmen to review the map, ask questions, and provide input. The map with the new census lines could then be approved by the Board at its second September meeting, and the local working group would then be able to finalize the Town's submission to the Local Election District Review Commission in early October.

As always, I am available to you, Town Counsel or the Board should there be any questions or concerns.



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

August 5, 2021

TO: Board of Selectmen

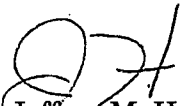
RE: Board of Health Private Well Regulations

The Board of Health conducted a public hearing on Tuesday, August 3rd at 5:30 p.m. to consider proposed changes to their regulations that address approval of private wells. The Environmental Protection Agency (EPA) contacted the Town several months ago seeking the Town's assistance to gain access to information about private well near the Sutton Brook Superfund site in Tewksbury near the Wilmington border and private wells near the Olin Superfund site on Eames Street.

EPA and the state Department of Environmental Protection (DEP) have participated in multiple discussions with representatives from the Town including Health Director Shelly Newhouse and the Town's environmental consultant GeoInsight about potential modifications to the Board of Health regulations related to drilling private wells. EPA is also seeking to have well water tested and to review test results in order to recommend to the Board of Health whether the wells should be used for irrigation, drinking or business purposes.

The Board of Health posed many questions to EPA including whether EPA could exercise its own authority to obtain the information which they are seeking to gather through the Town. There was also concern expressed about the cost of the testing required for specific contaminants of concern if those costs are to be borne by the property owner. According to EPA their agency lacks the authority to make decisions over granting permits for private wells.

The Board of Health did not make any final decisions but has continued the hearing to September 21, 2021.


Jeffrey M. Hull
Town Manager

cc. Shelly Newhouse, Health Director
Mark Reich, Esq. Town Counsel



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Kathleen A. Theoharides
Secretary

Karyn E. Polito
Lieutenant Governor

Martin Suuberg
Commissioner

July 14, 2021

Charles Underhill
Reading Municipal Light Department
230 Ash St
Reading, MA 01867

Dear Charles Underhill,

The Massachusetts Department of Environmental Protection (MassDEP) is pleased to announce that Reading Municipal Light Department (Grantee) has been awarded a grant of \$ 78,150.00 to acquire five electric vehicle charging station(s) under the Massachusetts Electric Vehicle Incentive Program (MassEVIP) Public Access Charging (PAC) Program at the following location(s):

- An amount to not exceed \$10,930.00 for two ports at 32 Lincoln St, Reading, MA; and
- An amount to not exceed \$15,930.00 for two ports at 64 Middlesex Ave, Reading, MA; and
- An amount to not exceed \$28,430.00 for two ports at 580 Main St, Reading, MA; and
- An amount to not exceed \$11,430.00 for two ports at 175 Middlesex Avenue, Wilmington, MA; and
- An amount to not exceed \$11,430.00 for two ports at 121 Glen Rd, Wilmington, MA.

Contract documents are attached. You will need to sign and return the two that require signatures within **30** business days of receipt. The Grantee is authorized to proceed with the acquisition of the EV charging station(s) with the receipt of this approval letter. The contract documents include:

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

- *Commonwealth of Massachusetts - Standard Contract Form*, **to be signed** by an authorized signatory
- *Commonwealth Terms and Conditions*, no signature required
- *Contractor Authorized Signatory Listing*, **to be signed** by one of the parties specified on the listing
- *End User Agreement*, no signature required

Please email scanned copies of documents requiring signatures to MassEVIP.MassDEP@mass.gov and mail originals (wet signature, no copies) to the following address:

MassDEP
Attn: MassEVIP
One Winter Street, 6th Floor
Boston, MA 02108

MassDEP will execute the *Commonwealth of Massachusetts - Standard Contract Form* and email you a scanned copy for your records.

You have up to 6 months from MassDEP's execution of the contract documents to make the EV charging station(s) operational. You have up to 90 days from the date the EV charging station(s) are operational to request payment by completing and submitting the *End-User Agreement Attachment A Payment Request Form* and required attachments. MassDEP will not authorize the payment until receiving a complete *Payment Request Form* and required attachments. Required attachments include:

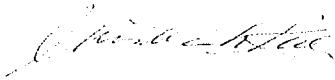
- Final invoice(s) for EV charging station(s) with line items for individual EV charging station costs.
- Final invoice(s) for EV charging station(s) installation costs.
- Photographs of installed EV charging station(s). Pictures should clearly show parking spaces, ADA accessible EV parking space(s) and EV designated signage.

The MassEVIP PAC grant can be paid to either the grantee or the equipment vendor, as specified by the grantee. Where possible, MassDEP would prefer to pay the equipment vendor.

On behalf of Commissioner Suuberg, I want to congratulate Reading Municipal Light Department for taking this important step towards making Massachusetts a regional leader in deploying electric vehicle charging equipment and helping the Commonwealth achieve its ambitious climate goals.

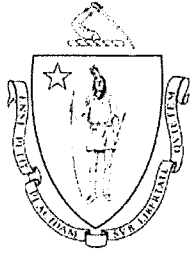
If you have any questions or comments regarding MassEVIP or the awarded grant, please contact us at MassEVIP.MassDEP@mass.gov.

Sincerely,



Christine Kirby
Assistant Commissioner
Bureau of Air and Waste

Attachments: *Commonwealth of Massachusetts - Standard Contract Form*
Commonwealth Terms and Conditions
Contractor Authorized Signatory Listing
End-User Agreement



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

August 12, 2021

Christine R. Touma-Conway, Town Clerk
Town of Wilmington
121 Glen Road
Wilmington, MA 01887

Re: Wilmington Annual Town Meeting of May 1, 2021 – Case # 10088
Warrant Articles # 46, 47, 48, 49, 54, 58, 62, and 64 (Zoning)
Warrant Article # 44 (General)

Dear Ms. Touma-Conway:

Articles 44, 46, 47, 48, 49, 54, 58, 62, and 64 - We approve Articles 44, 46, 47, 48, 49, 54, 58, 62, and 64 from the Wilmington May 1, 2021, Annual Town Meeting. Our comments on Article 46 are provided below.

Article 46 - Under Article 46 the Town voted to amend the Town's zoning by-law by: (1) adding to Section 3.5.21 a definition for "Brew Pub," and (2) adding to Table 1, "Principle Use Regulations," the use "Brew Pub" and allowing Brew Pubs in certain zoning districts and prohibiting them in other zoning districts. The new definition of "Brew Pub" provides as follows:

Brew Pub: Restaurants, licensed under the relevant state and federal statutes, to produce and sell beer and/or ale at the location and whose primary business is the sale and preparation of food to be consumed on the premises. Malt beverages including beers, ales and hard ciders produced on the premises may be sold to consumers for take-away or to other establishments but such sales shall not exceed 25 percent of the brew pub's production capacity.

We approve Article 46. However, the Town must apply Article 46 consistent with G.L. c. 138 that governs the sale of alcohol and the licensing of alcohol establishments. According to the Alcohol Beverage Control Commission (ABCC) a "Brew Pub" is what the ABCC calls a "Pub Brewery" and is defined in G.L. c. 138, § 1 and licensed under G.L. c. 138, § 19D. Specifically, "Pub Brewery" is defined in Section 1 as follows:

a plant or premise licensed under sections 12 and 19D where malt beverages are authorized to be produced and sold and where alcoholic beverages or wine or malt beverages only are authorized to be sold for consumption on the premises according to commission regulations.

According to the ABCC, a Pub Brewery licensed under G.L. c. 138, § 19D need not be in the primary business of selling and preparing food. Also, Section 19D does not limit the amount a Pub Brewery can sell to wholesalers. The Town may wish to discuss this issue in more detail with Town Counsel.

Lastly, in certain circumstances breweries may be considered protected agricultural uses pursuant to G.L. c. 40A, § 3 and the Town must apply the zoning by-law consistent with that statute. General Laws Chapter 40A, Section 3 provides in relevant part:

No zoning . . . by-law . . . shall . . . prohibit unreasonably regulate, or require a special permit for the use of land for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, nor prohibit, unreasonably regulate or require a special permit for the use, expansion, reconstruction or construction of structures thereon for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products. . . .

General Laws Chapter 128, Section 1A defines agricultures and provides in pertinent part as follows:

“Farming” or “agriculture” shall include farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur-bearing animals, and any forestry or lumbering operations, performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined, or on a farm as an incident to or in conjunction with such farming operations, including preparations for market, delivery to storage or to market or to carriers for transportation to market.

These statutes together establish that, to the extent the use of land or structures constitutes commercial agriculture, the Town may not require a special permit for, unreasonably regulate, or prohibit such activities: (1) on land zoned for agriculture; (2) on land that is greater than five acres in size; and (3) on land of 2 acres or more if the sale of products from the agricultural use generates \$1,000 per acre or more of gross sales.

The production, cultivation, growing, and harvesting of agricultural, floricultural, or horticultural commodities are included in the definition of farming or agriculture. If a brewery qualifies as commercial agriculture under G.L. c. 40A, § 3, then the Town cannot prohibit, require a special permit for, unreasonably regulate, or prohibit the use. The Town may wish to discuss this issue in more detail with Town Counsel.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Kelli E. Gunagan

By: Kelli E. Gunagan
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600

cc: Town Counsel Mark R. Reich



TOWN OF WILMINGTON

121 GLEN ROAD
WILMINGTON, MA 01887

THE OFFICE
OF TOWN CLERK

VOICE (978) 658-2030

FAX (978) 657-7564

July 23, 2021

Scott Neville
215 Chestnut Street
Wilmington, MA 01887

Dear Mr. Neville:

I am pleased to advise you that the Appointing Committee of the Finance Committee has appointed you to fill the vacant seat on the Finance Committee. Your term will expire in 2024.

Please call the Office of Town Clerk to arrange to be sworn in, which is necessary before you assume your duties on the Committee.

Sincerely,

Christine R. Touma-Conway
Town Clerk

COPY

cc: Jeffrey M. Hull, Town Manager ✓
Appointing Committee, Finance Committee

Then personally appeared the above-named Scott Neville and made oath that he would faithfully discharge all the duties of the office to which he was appointed.

Town Clerk

Date



TOWN OF WILMINGTON

121 GLEN ROAD
WILMINGTON, MA 01887

THE OFFICE
OF TOWN CLERK

VOICE (978) 658-2030

FAX (978) 657-7564

July 23, 2021

Joseph Lavino, PharmD, RPh, JD
336 Chestnut Street
Wilmington, MA 01887

Dear Mr. Lavino:

I am pleased to advise you that the Appointing Committee of the Finance Committee has appointed you to fill the vacant seat on the Finance Committee. Your term will expire in 2024.

Please call the Office of Town Clerk to arrange to be sworn in, which is necessary before you assume your duties on the Committee.

Sincerely,

Christine R. Touma-Conway
Town Clerk

COPY

cc: Jeffrey M. Hull, Town Manager ✓
Appointing Committee, Finance Committee

Then personally appeared the above-named Joseph Lavino and made oath that he would faithfully discharge all the duties of the office to which he was appointed.

Town Clerk

Date



TOWN OF WILMINGTON

121 GLEN ROAD
WILMINGTON, MA 01887

THE OFFICE
OF TOWN CLERK

VOICE (978) 658-2030

FAX (978) 657-7564

July 23, 2021

David Tamang, Ph.D.
5 Meadowbrook Road
Wilmington, MA 01887

Dear Dr. Tamang:

I am pleased to advise you that the Appointing Committee of the Finance Committee has appointed you to fill the vacant seat on the Finance Committee. Your term will expire in 2024.

Please call the Office of Town Clerk to arrange to be sworn in, which is necessary before you assume your duties on the Committee.

Sincerely,

Christine R. Touma-Conway

Christine R. Touma-Conway
Town Clerk

COPY

cc: Jeffrey M. Hull, Town Manager ✓
Appointing Committee, Finance Committee

Then personally appeared the above-named David Tamang and made oath that he would faithfully discharge all the duties of the office to which he was appointed.

Town Clerk

Date



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

July 30, 2021

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")¹ 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 May 3, 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 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.

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. WWI / NET had their first meeting with the Town of Wilmington ("Town") following the issuance of the ROD. WWI/NET addressed the Town's

¹ 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
July 30, 2021
Page 2

questions about how to best implement development without adversely affecting any ongoing cleanup efforts. WWI/NET believes the meeting was 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.

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
July 30, 2021
Page 3

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of July, 2021, 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
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Brooks & DeRensis, P.C.
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/s/ Eric M. Hocky

Eric M. Hocky



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Daniel R. Deutsch, Esq.
ddeutsch@bdboston.com

July 30, 2021

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

**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 a status report by November 8, 2019 and every 90 days thereafter. This report follows our report of May 4, 2021.

Previous reports submitted by Wilmington and by NET and WWI summarized past 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.

USEPA released its Record of Decision on April 1, 2021. We understand that counsel for NET/WWI has provided your office with, or that you otherwise have, access to information concerning the ROD and the timeline for related next steps.

Representatives of WWI (specifically, of GFI) met this week again with certain Wilmington officials to present WWI's current conceptual proposal for developing the Olin Site in light of the recently issued ROD.

Wilmington remains open to discussing with WWI any further available information relevant to a potential development project, for which WWI or GFI ultimately would need to seek permits from relevant Town boards.



Ms. Cynthia T. Brown
July 30, 2021
Page 2

Please let us know if you require any additional information.

Very truly yours,

/s/ Daniel R. Deutsch

Daniel R. Deutsch

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



Ms. Cynthia T. Brown
July 30, 2021
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 July 30, 2021, was sent via first-class mail to the following parties of record.

Eric Hocky, Esq.
Clark Hill PLC
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U.S. EPA Region 1
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Boston, MA 02109-3912

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

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Woburn Neighborhood Association, Inc.
10 North Maple Street
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Martha K. Stevenson
Wilmington Environmental Restoration
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Wilmington, MA 01887

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One Winter Street
Boston, MA 02108

/s/ Daniel R. Deutsch
Daniel R. Deutsch

From: Selectman Gregory Bendel
Sent: Thursday, August 12, 2021 9:14 PM
Subject: Senior Center Committee update

The Senior Center Committee met with Dietz & Company, project architect, and Dan Pallotta, from P3, the Owners Project Manager (OPM), on July 27th. The architect led the committee through a discussion about the space requirements and reviewed an adjacency diagram that provided a very basic layout of size and locations of rooms including a dining/function hall, commercial kitchen, game room, arts and crafts area, fitness room and office spaces. The estimated size of the facility is just under 18,000 square feet. Committee members and audience members offered feedback about the layout.

The four sites under consideration for the location of a new senior center were reviewed. Dietz & Company has inspected and investigated each site. The site of the former Whitefield School was identified as the most constrained due to the significant wetlands in the rear of the property and a stream that cuts across the property. Concern was also expressed about the hazards of an older population entering and exiting that site given the significant traffic on Middlesex Avenue. The current Buzzell/Swain site, the Town Hall site and the former St. Dorothy's Church property all appear feasible for a senior center.

The next step is to schedule a joint meeting with members of the Town/School Administration Committee to discuss the criteria that should be used for rating each site. Since both projects are competing over the same sites the idea is for the two committees to reach consensus over the best location for each building.



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

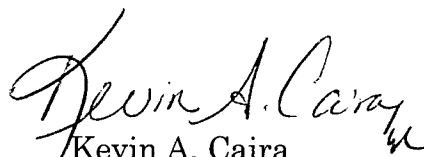
August 13, 2021

TO: Board of Selectmen

RE: Update on Town / School Administration Building

Members of the Town / School Administration Building Committee met on August 11th with representatives from Johnson Roberts Architects to receive an update on their work to date. The first presentation addressed space needs based upon in person conversations with staff and site visits of the Town Hall and Roman House. A diagram was presented which identified estimated square footage for each space and included offices, meeting areas and storage space. Space is also identified for a studio for WCTV. The architects envision a two-story building totaling almost 40,000 square feet. Questions were raised about the adequacy of the space for WCTV in light of the existing space they occupy on Waltham Street. Discussions will take place with WCTV to understand their space requirements.

The final portion of the meeting focused on a review of the four sites being considered. The Town Hall site, Swain parking lot site and property next to the Church of the Transfiguration could each handle a two-story building with the required parking. Due to the size of the building and the parking requirements, the Whitefield site would be much more challenging. The site has wetlands that further add to setback requirements and limit the usable space. Dan Pallotta, the Owners Project Manager, suggested a joint committee meeting with the Senior Center Committee to establish a common set of criteria to use in evaluating the sites. The intention is to avoid both projects competing for the same site.


Kevin A. Caira
Selectman