

WALPOLE PLANNING BOARD MINUTES OF JANUARY 15, 2009

A regular meeting of the Town of Walpole Planning Board was held on Thursday, January 15, 2009 at 7:00 P.M. in the Main Meeting Room, Town Hall. The following members were present: John Conroy, Chairman (arrived at 7:30 P.M.); Nancy Mackenzie, Vice Chairman; Edward Forsberg, Clerk; John Murtagh, Elizabeth Nashawaty (left at 8:35 P.M.), Donald Johnson, Town Planner; Margaret Walker, Town Engineer.

Minutes: Mr. Conroy moved to approve the minutes of December 4, 2008. Motion seconded by Mr. Forsberg and voted 4-0-0.

Appointments:

7:35 P.M. Paul Cisternelli, 3 Renmar Avenue, Case No. 08-8 Site Plan Approval

7:36 P.M. Paul Cisternelli, 3 Renamr Avenue, Case No. 08-9 Special Permit

Ms. Nashawaty moved to waive the reading of the public hearing notices. Motion seconded by Ms. Mackenzie and voted 5-0-0. Mr. Conroy stated that the two hearings will be held at the same as per a request of the applicant's engineer, John Anderson, Anderson & Associates, Mylod Street, Norwood, MA.

Mr. Anderson stated that the site is located at the intersection of Renmar Avenue, West Street and Norfolk Street and was previously approved as an industrial subdivision in an LM district. Regarding the site plan portion, they are proposing to build a 6760 s.f. building which will face Renmar Avenue. There will be parking and outside storage on the south side and parking on the north side of the lot. They are proposing this in case Mr. Cisternelli chooses to rent out one side of the building. The site will be serviced by town water and also by town sewer that was installed about fifteen years ago in the grass strip. Across the street is a wetland, but they are outside the 100' buffer and therefore will not be filing with ConCom. The drainage was designed as per the town's bylaw. The retaining walls have a 6' chain link fence with screening as required by the zoning bylaw, except there is a 5' chain link fence on the wooded strip where there are no abutters. A variance was requested and granted by the Zoning Board for outside storage in the setback. The special permit originally requested was for 44% impervious cover, which was for paving in the area next to the building. In the meantime the zoning bylaw changed and now the special permit is issued in conjunction with the site plan by the Planning Board. The impervious coverage percentage is now 49%. The variance they have will expire at the end of April.

The applicant has also provided a list of the hazardous materials as required. They met with department heads a week ago and there were no comments from anyone.

Mr. Conroy read comments that were received from various departments. Ms. Walker stated she is all set with everything and there are no outstanding issues. Mr. Johnson asked if the dumpster will be screened and Mr. Anderson stated it will be screened from public view, but not screened in.

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Mr. Johnson stated that this is one of the most complete plans he has ever seen. He also feels that it was helpful to have met with the Design Review Committee.

Mr. Conroy asked for public comments.

Cameron Daley, 19 Forest Road: stated Mr. Cisternelli has been a good neighbor. He had been running his business out of a building located at the bottom of the street for quite a while. Mr. Daley questioned the HVAC equipment and wants the noise to be monitored. He would like assurance that there would be screening to contain the noise or abatement at the actual source. Mr. Conroy stated that would be an issue for the Building Inspector. Mr. Daley asked if that could be put into the order of conditions. Mr. Conroy stated that Mr. Cisternelli would have to prove the noise level to the Building Inspector when he pulls his permit as the decimal rating is mandated by the town's bylaw.

Arthur Aho, 480 West Street: his main concern is the driveway during the excavation phase. He also has the same concerns regarding the HVAC that Mr. Daley has. Mr. Anderson stated that Paul Cisternelli has stated there will be no air conditioning in the garage, although there may be a roof top unit, but it will conform to the building requirements. The tree removal would have to be on Cisternelli's property for them to do anything about it. They have made an attempt to accommodate Mr. Aho by moving the driveway 10'. At this time, Mr. Anderson is not sure where the two trees in question are located and if they are on Mr. Cisternelli's property. Mr. Aho showed him on the plan that the trees are located on the Lot 1 side. Mr. Anderson stated there is a 25' wide strip in that area that is owned by someone else. Ms. Mackenzie asked if those two trees are coming down. Mr. Anderson stated yes as long as they are on Paul Cisternelli's property.

Mr. Conroy asked if the back of the building will be used as a retaining wall and Mr. Anderson stated yes. Mr. Conroy stated there will be a 1-1 slope. He asked if there are provisions for sheeting. Mr. Anderson stated there are no borings done yet, but they have to conform to OSHA.

Mr. Forsberg stated that at the DRC meeting, there was a concern with sight lines coming onto to West Street. He asked if there is enough signage there. Mr. Rennie Rossi, Walpole, MA stated there is a sign there now, but they have to be careful because there is a cemetery right there.

Mr. Murtagh agrees with Mr. Conroy regarding the concrete wall. He thinks there might to be a drainage system also. Mr. Anderson doesn't think that is necessary as there will be no run-off from abutting properties.

There were no further questions.

Mr. Conroy moved to close the public hearing. Motion seconded by Ms. Nashawaty and voted 5-0-0.

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Ms. Nashawaty moved to grant a special permit under Section 12 of the Zoning Bylaw to allow an impervious area of greater than 15% and to allow the on-site storage of certain hazardous materials as submitted WRPOD Area 3. Motion seconded by Ms. Mackenzie and voted 5-0-0 subject to four (4) conditions.

Ms. Nashawaty moved to grant site plan approval under Section 13 of the Town of Walpole Zoning Bylaw. Motion seconded by Ms. Mackenzie and voted 5-0-0 subject to twenty-three (23) standard conditions and nine (9) special conditions.

8:35 P.M. Ms. Nashawaty left the meeting.

8:40 P.M. J. Gulla, 173 Mylod Street, Case No. 08-7 - Continued Hearing: The applicant was represented by John Glossa, Glossa Engineering, 46 East Street, E. Walpole, MA. He stated that he has changed the plan to show the standard MWRA gas/oil trap by putting a plug on the outlet. He also added a float switch that will activate when the trap is 3/5 full, as required by Title V. Mr. Glossa discussed the changes as requested on the revised plan and also stated he had spoken with Warren Goodwin, Safety Officer, regarding signage. Mr. Conroy asked if he has a sign location yet and Mr. Glossa stated he will coordinate that with Mr. Goodwin. He also broke everything down into a summer operational plan and a winter operational plan. Mr. Glossa stated that warm up of the trucks will be fifteen minutes and they will be stored inside on cold nights. He has added all his notes to the plan.

Ms. Walker and Mr. Johnson are all set with what has been presented. Mr. Forsberg asked if all the equipment will be behind the fenced area and Mr. Glossa stated yes. Mr. Forsberg asked if the four spaces out front will be for the workers and tenants and Mr. Glossa stated yes. Mr. Forsberg asked Mr. Glossa to contact the MWRA and he agreed. Ms. Mackenzie stated this detail is exactly what we want. She asked Mr. Glossa to add some shrubs by the dumpster which is located out front and he agreed. Mr. Murtagh asked if they are confident the trucks can come in and turn around and then drive out again and Mr. Glossa stated yes. Mr. Murtagh thanked him for sitting down with the abutters. He also questioned the trees requested by the abutter. Mr. Glossa stated they are shown on the plan and that he also has met with the neighbors about this. Mr. Murtagh feels this plan as presented will increase the abutters' property value as long as things are done right. Mr. Enda, Mylod Street, stated that Mr. Gulla is trying to be a good neighbor.

There were no further comments or questions. Mr. Conroy moved to close the hearing. Motion seconded by Mr. Forsberg and voted 4-0-0.

Mr. Conroy moved to grant site plan approval under Section 13 of the Town of Walpole Zoning Bylaws. Motion seconded by Mr. Murtagh and voted 4-0-0 subject to twenty-three (23) standard conditions and thirteen (13) special conditions.

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Other Business:

Time Cards: Ms. Nashawaty moved to approve the secretary's time cards. Motion seconded by Mr. Forsberg and voted 4-0-0.

Mr. Forsberg moved to approve the planner's time cards. Motion seconded by Ms. Nashawaty and voted 4-0-0.

Horsley Witten: Mr. Forsberg moved to approve Invoice #26151 in the amount of \$2,833.80 and Invoice No. 26294 in the amount of \$303.49. Motion seconded by Mr. Murtagh. Ms. Mackenzie noted that the vendor provided the back up information as requested. Motion voted 4-0-0.

Hale Trailer Brake & Wheel, Case No. 05-2: The applicant was represented by Atty. Philip Macchi, 1256 Washington Street, Norwood, MA. He stated that they would like to move five parking spaces that are against the building to some where else on the lot and asked that board consider this change be a minor modification.

Ms. Nashawaty moved the change in the parking space location be considered a minor modification. Motion seconded by Mr. Forsberg and voted 4-0-0. Ms. Mackenzie placed this on the February 5, 2009 agenda.

Southridge Business Park: The applicant was represented by Atty. Philip Macchi, 1256 Washington Street, Norwood, MA. Mr. Macchi submitted a letter to the board from Atty. Thomas Nannicelli, Washington Street, Norwood, representing S. M. Lorusso. Mr. Macchi stated that the deed from Nstar has already been given to the town. The applicants are still negotiating what will happen to the gravel that is to be removed. Both Atty. Nannicelli and Atty. Macchi had met with Don Johnson on Tuesday. S. M. Lorusso is looking to build the entire road; however, at this point, they are looking for a minor modification to phase the subdivision, which would allow them to do the first 565' of the road. The improvements on South Street would be Phase 1; the completion of the road would be Phase 2. Mr. Macchi asked if the board wanted to endorse the original subdivision and then a separate sheet showing the phasing or did they want to include the phasing into the set of plans to be endorsed. Ms. Nashawaty stated she would like one plan, which would include the minor modification.

Mr. Macchi stated the street will be 1440' long. Mr. Forsberg asked about a cul-de-sac and Mr. Macchi stated a temporary cul-de-sac would be put in. Ms. Nashawaty stated it will need to be able to accommodate emergency vehicles including fire trucks.

Mr. Macchi also requested an extension of time to March 31, 2009 for plan endorsement. Ms. Nashawaty moved to grant an extension of time up to and including March 31, 2009 as per request of the applicants' attorneys, Philip Macchi and Thomas Nannicelli. Motion seconded by Ms. Mackenzie and voted 4-0-0.

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FY07 Survey and Planning Grant: Mr. Johnson stated he has submitted the information requested and is now awaiting payment from the State.

MPIC: Ms. Mackenzie stated that the MPIC will be co-sponsoring a meeting with the Chamber of Commerce on March 12th. She also stated that there will need to be a 5-year update presentation.

Housing Partnership: Ms. Mackenzie moved to appoint Ms. Nashawaty to the Walpole Housing Partnership. Motion seconded by Mr. Conroy and voted 5-0-0.

North Street Farm (Falcone Way): Mr. Conroy moved to release the bond in its entirety as per recommendation of Margaret Walker, Town Engineer. Motion seconded by Ms. Mackenzie and voted 4-0-0.

ANR – Priore, 24 Crosswoods Path: The applicant was represented by Rick Merrikin, Merrikin Engineering. He stated that the board had previously approved a preliminary subdivision and they are working on that subdivision. Mr. Priore would like to sell a single house, which is the reason for the ANR request. Mr. Priore owns the entire parcel now. Mr. Conroy questioned the septic system, as it will be on another lot if the ANR is endorsed. Mr. Merrikin stated it is grandfathered now. Mr. Conroy stated he feels the grandfathering would be eliminated once the ANR is signed. He asked Mr. Johnson to get an opinion from town counsel. Mr. Merrikin stated he will also check with DEP and the Board of Health.

Mr. Merrikin asked that this application be withdrawn without prejudice. Motion seconded by Mr. Conroy and voted 4-0-0.

Commerford's Corner Subdivision: Mr. Conroy moved to accept the Form F Covenant as presented. Mr. Johnson and Ms. Walker have reviewed the covenant and have found it to be in order. Motion seconded by Ms. Mackenzie and voted 4-0-0.

Mr. Conroy moved to endorse the plans as reviewed by Ms. Walker and Mr. Johnson. Motion seconded by Mr. Murtagh and voted 4-0-0.

Evaluations: Ms. Nashawaty moved to accept the secretary's evaluation as presented. Motion seconded by Mr. Forsberg and voted 4-0-0.

Regarding the town planner's evaluation, Ms. Mackenzie stated she would give it to Mr. Johnson Tuesday night.

Wisteria Way II, Lavender Lane, Case No. 99-18: Mr. Conroy moved to grant an extension of time up to and including January 4, 2011 as per request of the applicant. Motion seconded by Mr. Forsberg and voted 4-0-0.

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Special Permit Rules and Regulations: Mr. Johnson asked that the number of copies of the plans submitted be changed from eleven (11) copies back to nine (9) copies.

Buffer Zone Town Meeting Article: Mr. Johnson stated he has removed a comma and changed a phrase for this article. He also checked with Jack Mee and John Glossa regarding the wording on the Buffer Zone town meeting article.

Mr. Conroy moved to put this article on the Spring 2009 town meeting warrant. Motion seconded by Ms. Mackenzie and voted 4-0-0.

Mr. Conroy asked Mr. Johnson to have both the old and new articles ready for town meeting. He also asked Mr. Johnson to have the article reviewed by town counsel before the public hearing is held.

Outstanding Subdivisions: Mr. Conroy asked Mr. Johnson to check on the bonds being held on the various outstanding subdivisions and to present the board with an update.

Farmview Estates: Ms. Walker stated that the DEP issue has been resolved and at this point she is waiting for the easements. Mr. Lorusso can move ahead with street acceptance when they are received.

High Oaks IV: Ms. Walker asked for direction on doing the requested bond reduction. It was agreed that she should do it and then the board would talk about it before actually voting it.

Peach Grove Farm: Ms. Walker stated this subdivision is almost ready for the final bond release.

Budget Deficit: Mr. Johnson informed the board that the town administrator has requested that at this time there be no budget spending unless it is absolutely necessary. Further, that any purchase over \$100 would need prior approval from administration.

It was moved, seconded and voted to adjourn. The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Edward Forsberg, Clerk

Accepted 2/5/09