

WALPOLE PLANNING BOARD MINUTES OF APRIL 16, 2009

A regular meeting of the Town of Walpole Planning Board was held on Thursday, April 16, 2009 at 7:00 P.M. in the Main Meeting Room Town Hall. The following members were present: John Conroy, Chairman; Nancy Mackenzie, Vice Chairman (7:10 p.m.); Edward Forsberg, Clerk (7:10 p.m.); Elizabeth Nashawaty (7:30 P.M.), John Murtagh, Donald Johnson, Planner; Margaret Walker, Town Engineer.

Minutes: Mr. Conroy moved to accept the minutes of March 19, 2009 with clerical corrections. Motion seconded by Ms. Mackenzie and voted 4-0-0.

Appointments:

7:37 P.M. Village Realty Trust, 643-703 Main Street, Case No. 09-2: Mr. Conroy read the public hearing notice. The applicants, Bill and Chris Glaropoulos, were represented by Rick Merrikin, Merrikin Engineering, Millis, MA. He stated this application is regarding the expansion of the Market Place Mall. They are proposing to add a new two-story 1200 s.f. to the shopping center. They are proposing to put this building with a 40' setback from the Simoni's property. It will sit 10' off the existing pavement. They provided a driveway on the side for service vehicles. It allows the renters to have some access. They wouldn't pave all the way around because there is a buffer zone between the single-family house and the new building. In the present condition, Mr. Fisher has used the land even though he doesn't own it. They have provided catch basins in the corner. There is also an infiltration area. The Fire Department can drive around the building if they want to. The building will be connected to town sewer and water. A little corner of the building extends over the existing pipe. They will probably take a corner off the building and provide some additional easement area for sewer and water to be able to maintain their pipe. They are meeting with Sewer and Water on April 27th.

The only other issue is there is a flood plain involved. They met with both Conservation and the Zoning Board already. There is a blue area on the plan, which is where the compensatory storage area is. Also, Conservation has had a site walk. They seem okay with the concept. The only issue that they raised was they used a 25' buffer around the wetlands. In the particular case, they are willing to let us go a little closer to the wetland and they will make the storage area smaller. That would allow the general disturbance to be less. That is standard practice in the flood plain.

They were not required to add any parking spaces. There will be 308 spaces on the property. They think the requirement is 279 spaces. Mr. Johnson said that some of the spaces in the back of the building aren't lined. They are willing to reline if that is what the board wants. Some of the area has been used for seasonal sales, but it is generally a commercial space. It will also be adding to the tax base of the town.

They don't have tenants yet. They are planning to get approval and then market it. They are planning first floor retail and second floor offices, but may end up all offices.

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Mr. Conroy read comments from the Board of Health, Fire Department, Police Department, Zoning Board, Conservation Commission, Sewer and Water, Engineering and Town Planner.

Ms. Walker stated her concern was the design of the whole building around the location of the sewer line. Charlie Quigley, Assistant Town Engineer, did a complete review of the drainage. Mr. Merrikin stated he already met with him and he asked for some copies.

Mr. Johnson discussed his report dated April 16, 2009 consisting of 15 comments. Mr. Merrikin responded to comment #5, which addressed parking arrangements. Mr. Merrikin stated there is no formal parking agreement. Mr. Johnson asked him to do one and Mr. Merrikin stated he will talk to Mr. Simioni.

Mr. Merrikin stated he has no control over comment #6, which addresses closing off the northerly curb cut on the property due to traffic and safety concerns.

Regarding #7, Mr. Merrikin stated that the BVW and Edge of Water were replotted a short time ago.

In Comment #15, Mr. Johnson questioned adding open space or greenery to the parking lot if they are making changes. Mr. Merrikin stated they are not choosing to make changes to the parking lot for that reason. Mr. Conroy stated that the addition of an island would be to cut down speed and traffic problems. Ms. Mackenzie suggested placing large planting baskets in front of the stores at the edge of the walkway. Mr. Merrikin asked if she means next to the posts and she stated yes. Chris Glaropoulos agreed to do that.

Ms. Nashawaty asked if they are planning on connecting Dunkin' Donuts to New England Crafters and Mr. Merrikin stated no and it will remain as is. Ms. Nashawaty questioned the proposed addition to New England Crafters and Mr. Merrikin stated it will be for the expansion of the Crafters store. Ms. Nashawaty asked about the proposed building. Mr. Merrikin stated they will either take off a corner or do an angle on the building. Ms. Nashawaty questioned the 100' buffer line that goes through the building. Mr. Merrikin stated the issue with flood plain is that either the FEMA line or the actual water line would be used. Ms. Nashawaty stated either way it affects the proposed building. Mr. Merrikin stated that is why they are compromising. Ms. Nashawaty asked if there will still be a drive around the proposed building after meeting with Sewer and Water and ConCom. Mr. Merrikin stated yes. Ms. Nashawaty asked if there is snow in the proposed snow storage area, what then? Mr. Merrikin stated that the fire chief is fine with way it is being proposed and stated he doesn't need to drive around there.

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Mr. Forsberg asked if the sprinkler system hook up is in the front of the building so they don't have to go around and Mr. Merrikin stated yes. Ms. Nashawaty asked if there will be relocation of the sewer easement and Mr. Merrikin stated probably will as the old sewer line has been abandoned. They will ask the Sewer and Water Commission to abandon the old sewer and water easement also where the building is, as it will be provided elsewhere on site. Mr. Murtagh asked how the applicant expects us to make a determination when they don't know what they are going to do with the corner of the building. Mr. Merrikin stated they are not asking to have the hearing closed until they do know.

Ms. Mackenzie asked them to come up with a landscape plan with seasonal plantings with also more color added to the front of the property by the sign. Mr. Merrikin stated they would consider pear trees. Mr. Conroy suggested 2-3' high berms with planting mounds. Ms. Mackenzie asked why the proposed add on the New England Crafters and Chris Glaropoulos stated they want it.

Mr. Forsberg asked regarding the topo in the back, is that level and asked if they need a guardrail. Mr. Merrikin stated they are not taking out much, it will be just like 2'. It will re-grow and there will be no detention basin. Mr. Forsberg asked if they put parking in the back, will it be for employee parking. Mr. Merrikin stated it might be. Mr. Forsberg asked if only one handicap parking space out front is required and Mr. Merrikin stated that none are required in the mall. Mr. Forsberg asked him to ask the Building Inspector to see if one is enough. He asked him to make sure the lighting poles are shielded and/or recessed

Ms. Mackenzie asked if Mr. Fisher has seen the plan that is before the board. Mr. Merrikin stated he is not sure, but he knows about it. Mr. Conroy has already told them there should be pots in front of the poles and we will leave the entrance the way it is. He would like to see a removable plastic speed bump or a regular concrete one, which will stop cars from going across from the northerly exit toward Dunkin Donuts. Mr. Glaropoulos agreed. Regarding the buffer zones, Mr. Conroy asked Mr. Merrikin if the change in the zoning bylaw from "residential uses" to "residential districts" will help. Mr. Merrikin stated they have options: they could trim out the building and then come back after town meeting. Mr. Conroy stated that New England Crafters would be addressed through Limited Site Plan Approval. Mr. Merrikin stated they are going before the Zoning Board on May 18th.

There were no comments from the public.

Mr. Merrikin granted an extension of time for the board to take action. Ms. Nashawaty moved to accept an extension of time upon which to take action up to and including June 30, 2009. Motion seconded by Ms. Mackenzie and voted 5-0-0.

Mr. Conroy continued this hearing to June 4, 2009 at 7:30 p.m.

Other Business:

Lakeview Drive Extension: Ms. Walker stated there is an issue with the repair of the driveway and water drainage from Lakeview Drive Extension to Fisher Street. There may be a meeting in the next few days between the two parties involved, but they have not as yet come to terms. She did put a nominal amount in the bond for driveway repairs. She doesn't want the town to be beholden for a new driveway; therefore, this issue needs to be resolved. Ms. Walker has already asked Sewer and Water to determine if they are going to take over the easement or not.

Michael Viano, 2 Norton Avenue: stated he and Paul Cisternelli had previously agreed what should be repaired and what it would cost, then the homeowner got involved. He hasn't said what he wants yet. The drainage was installed in November 2007 and they will repair the trenches in the driveway. Paul Cisternelli is ready to do the job now because the asphalt plants are open. He will be meeting on site with Paul Cisternelli tomorrow. Mr. Viano stated he would like some type of agreement with the scope of work. Mr. Conroy asked him when he thinks this will be done. Mr. Viano stated that Paul Cisternelli can do the work next week or the week after if everything is agreeable to everyone.

Mr. Forsberg asked if he wants a letter from the owner and Ms. Walker stated yes.

Mr. Conroy placed this on our May 21st agenda. Mr. Viano stated after this matter is resolved, he will be back for a bond release.

Brush Hill Estates: Ms. Walker stated she has not been in contact with any one since the last Brush Hill meeting. She did put in a work order to Nstar. Mr. Forsberg asked if the location of the light poles is on the plan and Ms. Walker stated there is a drawing showing where they will be. He asked that Brush Hill be placed on the board's May 7th agenda. Mr. Forsberg asked if the streetlights are shown on Sully's plan and Ms. Walker wasn't sure. Mr. Conroy suggested Ms. Walker locate Kevin Sullivan's poles for Hancock Court Extension and give it to them now.

Bob Murphy, 12 Berkeley Drive: thinks that things are not being done up here due to the economic downturn.

Mr. Conroy asked that we send a letter to John Hasenjaeger, P.J. Hayes and the bonding company requesting that all three be at our May 7th at 8:00 p.m. to discuss the next step in this subdivision. Everyone wanted to know where Mr. Hasenjaeger was on April 16th. Mr. Hasenjaeger will be told the board will be moving more swiftly on this subdivision.

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Michael Grandinetti, Hancock Court: feels there are many issues still outstanding, such as, sidewalks, light poles, getting rid of the shed, widening the entrance way. He had asked for copies of minutes, but never received them. He was told he can get them at the Planning Board office. It was agreed to copy both him and Bob Murphy on Mr. Hasenjaeger's letter.

High Oaks IV: Ms. Walker is still waiting to hear from Jack Walsh.

Peach Grove Farm: Ms. Walker is still waiting to hear from the Giosio's.

Time Cards: Ms. Mackenzie moved to accept the secretary's time cards as presented. Motion seconded by Mr. Murtagh and voted 4-0-0.

Mr. Conroy moved to accept the planner's time cards as presented. Motion seconded by Ms. Mackenzie and voted 4-0-0.

MPIC: The board is in receipt of a letter from the Selectmen dated April 9, 2009 requesting that the Planning Board appoint a person to this committee. It is presently Rob Hirshom, but that appointment will be running out in June. It was agreed to write a letter to Rob on May 20th to see if he would like to be reappointed.

Horsley Witten: Ms. Mackenzie is in receipt of an estimate dated April 6, 2009 for the removal of the NAICS codes. She has reviewed the proposal and told them it was too high. She will check with Pat Krusko regarding the website and asked that this be put on the May 7th agenda.

111 Peach Street: The board is in receipt of a letter dated March 26, 2009 from Robert LeBlanc, Tree Warden, informing the board of a tree that needs to be taken down immediately at 111 Peach Street. Mr. Conroy asked that the tree warden be contacted to see if the tree will be replaced.

Grandview III Subdivision: Ms. Nashawaty moved to accept an extension of time up to and including May 30, 2009 as granted by the applicant's engineer, John Glossa. Motion seconded by Mr. Conroy and voted 5-0-0. Mr. Conroy placed this on the May 7th agenda.

MetroPCS, Case No. 08-3: Ms. Nashawaty moved to endorse the site plan for Case No. 08-3. Motion seconded by Mr. Murtagh and voted 4-0-0 (Nashawaty, Forsberg, Mackenzie, Murtagh). It was noted that there were some items missing from the plan as presented: approval date, signature block, etc. It was agreed to notify the applicant and when fixed, the voting board members will stop by the office to sign the plan.

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Economic Development Committee: Ms. Mackenzie asked that they come to our next meeting on May 7th to discuss the various overlay districts in town including Grossmans' Bird Machine Company, and junkyards. She also asked Mr. Johnson to find out what changed the housing requirement numbers.

Policies and Procedures: Mr. Conroy made a motion to add GeoTMS to this manual. Motion seconded by Ms. Mackenzie and voted 5-0-0.

Commerford's Corner: Ms. Walker stated there was never an agreement for the town to pay to move the poles at this subdivision. It is a safety issue and site issue, but if it weren't for this subdivision, this would not have come up. Mr. Conroy asked how there can be a house already in the subdivision without it being bonded. If he did have an ANR for this house, he doesn't have a subdivision. Ms. Nashawaty agreed that he either has a subdivision or two houses allowed per an ANR. Ms. Walker stated he has one house that is legal. Mr. Conroy stated we can rescind the subdivision unless he bonds it immediately. He asked that Mr. Commerford be sent a letter stating that it has come to our attention that you have built a single-family house on a previously recorded subdivision. Given the fact that you have built this house on an ANR lot, the Planning Board will be advertising to rescind the subdivision.

Outstanding Subdivisions: Mr. Johnson stated he has three more bonds to reviews.

Private Roads: Mr. Conroy asked that this be added to our May 7th agenda.

MPIC: Ms. Mackenzie asked for an updated table.

Rules and Regulations: the board wants to know what has changed in our Rules and Regulations.

19 Bach Court Ext. #2: The board was invited by the Dodakian's to do a site walk. Ms. Mackenzie asked that a check sheet be emailed to the board, that the invitation be re-emailed to the board and that the site visit dates be given to the board again.

Budget Discussion: Mr. Conroy stated that a letter has been submitted regarding the Planning Board budget.

It was moved, seconded and voted to adjourn. The meeting adjourned at 10:00 P.M.

Respectfully submitted,

Edward Forsberg, Clerk

Minutes accepted on 5/7/09