

## WALPOLE PLANNING BOARD MINUTES OF MAY 7, 2009

A regular meeting of the Town of Walpole Planning Board was held on Thursday, May 7, 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; John Murtagh, Elizabeth Nashawaty, Donald Johnson, Town Planner and Margaret Walker, Town Engineer.

**Minutes:** Ms. Nashawaty moved to accept the minutes of April 16, 2009 with clerical corrections. Motion seconded by Mr. Conroy and voted 4-0-0.

### **Appointments:**

**7:35 P.M. Dodakian, 19 Bach Court Ext. #2 Subdivision:** Mr. Conroy informed Mr. Macchi, the Dodakian's attorney, that there is only a four-member board sitting tonight. Mr. Macchi stated his client will go forward.

Mr. Conroy read the public hearing notice. Ms. Mackenzie checked the green cards and they were all accounted for. The applicant was represented by Philip Macchi, 1256 Washington Street, Norwood, MA. He stated that this subdivision is totally built and nothing further will be done. Atty. Philip Macchi had previously been before the board with a preliminary plan. There will be two house numbers, 15 and 19. The houses were put on one lot through an ANR plan. These two houses were allowed as long as it was one family. There are presently two complete houses on one lot, but you can't use the second house for anything other than an in-law or a guesthouse at this time. To fix this problem, they need to subdivide the land and the area is big enough to subdivide. There could also be a full road layout. Both of the buildings are in conformance with zoning. However, neither the applicant nor the neighbors want a full lot build out. It will just look like two different houses. The applicants couldn't afford to maintain a separate house and keep it empty. They would like to rent it or sell it. The Board of Health has already approved this change. They just want to change the lines on the ground.

John Anderson, Anderson & Associates, 281 Mylod Street: stated there is a long list of waivers on the plan and everything already exists. There is no drainage or sewer issues, just two new lots. They are fortunate because we can layout a subdivision and everything fits. Everything is totally existing and nothing will change when approved.

Ms. Nashawaty asked where 16 Bach Court is and Mr. Anderson stated that is not part of this subdivision. Mr. Macchi stated he has incorporated the comments from the Fire Chief already. They will execute a covenant to be part of the decision.

Mr. Conroy read comment letters. Ms. Walker stated she has reviewed copies of the Mutual Maintenance Agreement and asked Mr. Macchi to make some changes. All the other documents are okay. They will give us signed copies when the plans get changed.

WALPOLE PLANNING BOARD MINUTES OF MAY 7, 2009 (2)

Mr. Conroy told Mr. Johnson he likes his checklist as submitted and would like that done in the future. Mr. Johnson stated he worked on the draft decision and incorporated the fire chief's comments.

There were no public comments.

Ms. Nashawaty was concerned about the whole subdivision. Mr. Murtagh would like documents on snow removal. Mr. Macchi stated that is addressed in the covenant and it will be part of the decision. Recording of the deed means acceptance of the covenant. He stated the driveway is approximately 11' wide and the easement runs along the property line. It doesn't follow the pavement. The deputy fire chief requested that they maintain a clear-cut area of 4-5' on either side of the driveway.

There were no comments from the public.

Mr. Conroy moved to close the public hearing. Motion seconded by Ms. Mackenzie and voted 4-0-0.

Mr. Conroy moved to grant a request for twenty-five waivers as listed on the plan. Motion seconded by Ms. Mackenzie and voted 4-0-0. Said waivers are to be incorporated into the Certificate of Approval.

Mr. Conroy moved to approve Bach Court Extension 2 definitive subdivision plan entitled "Bach Court Extension 2 Definitive Subdivision Plan of Land in Walpole, MA" dated March 27, 2009 showing a 2-lot subdivision. Motion seconded by Mr. Murtagh and voted 4-0-0 subject to five (5) standard conditions, six (6) special conditions, and twenty-five (25) waivers. It was further agreed to incorporate the Covenant with the Town of Walpole and the Mutual Maintenance Agreement into the Certificate of Approval. Motion seconded by Mr. Murtagh and voted 4-0-0.

**8:12 P.M. Brush Hill Discussion:** Mr. Conroy asked Mr. Hasenjaeger to update the board on the status of this subdivision. Mr. Hasenjaeger submitted a letter dated May 6, 2009. He said he didn't know he was supposed to be at the April 16<sup>th</sup> Planning Board meeting. He stated that Nstar doesn't have the stock and will let PJ Hayes know when the bases are in so he can arrange to do the work. He had asked PJ Hayes to submit a schedule as to when he can finish the sidewalks and streetlights. Mr. Hasenjaeger thought it could be done by the end of July. Mr. Johnson stated that PJ Hayes had told him he could start by the beginning of July. Mr. Hasenjaeger submitted a sidewalk and lighting plan. Mr. Conroy asked if the sidewalk will be brought to the corner and Mr. Hasenjaeger stated that PJ Hayes will do that.

WALPOLE PLANNING BOARD MINUTES OF MAY 7, 2009 (3)

Mr. Conroy read a letter from PJ Hayes and had also talked with him last Monday and again today. Mr. Hayes stated that the reason for the delay was that his foreman was going back to Ireland for two weeks. Mr. Conroy asked Mr. Hasenjaeger to submit the names of the people he spoke with from Nstar. Mr. Hasenjaeger stated he spoke with a Mr. Kennedy. Mr. Conroy stated that PJ Hayes will put in the bases and do the conduit, put in the granite at the edge of North and Gould Streets and do the roundings and site work from that point. It should be finished in a month. Ms. Walker stated she has put the order in to Nstar and she has been given a number for it. She stated they have been doing their due diligence on this and they have a commitment from the person doing the Nstar work.

Lou, Arlington Lane: what about the sidewalk on Arlington? Mr. Conroy stated nothing right now because there is only one house there now. He stated he would like it done by his house. Mr. Hasenjaeger stated they will do that after the corner lot is done. Mr. Conroy stated that they aren't going to pave right now, but will get it to grade. It will not be a big deal as it will just be a gravel pass at the beginning. Mr. Hasenjaeger stated it can't be done right now, but he will put in the gravel. The sidewalk will be on the opposite side of the street from Lou's house.

Bob Murphy, Berkeley Drive: asked if there will be streetlights throughout the subdivision and Mr. Conroy stated yes. Lou, Arlington Lane, asked if the streetlights will be on the same side as the sidewalks. Mr. Conroy stated it will be mixed.

Mike Grandinetti, Hancock Court: asked if there will be a letter stating when this will be done. Mr. Conroy suggested he come to the office and get a copy of PJ Hayes' letter stating the time frames. Mr. Grandinetti stated they are dumping more stuff across the street from him.

**8:25 P.M. EDC Discussion:** Stephanie Mercandetti, Economic Development Officer was present to discuss ongoing and new projects.

**Other Business:**

**Time Cards:** Ms. Nashawaty moved to accept the secretary and town planner's time cards as submitted. Motion seconded by Mr. Conroy and voted 4-0-0.

**Design Review Committee:** Mr. Conroy stated that a DRC meeting should not be held after an application has been filed because plans have already been sent out for board comments. Therefore, any changes suggested at a DRC meeting would not be incorporated before requesting committee or board comments.

**Scenic Roads:** Mr. Conroy asked if the State mandates us to re-plant trees that are removed on scenic roads. He asked that we send a memo to the Board of Selectmen with a copy to the DPW requesting them to consider adding this to their bylaw.

WALPOLE PLANNING BOARD MINUTES OF MAY 7, 2009 (4)

**Horsley & Witten:** Ms. Nashawaty moved to endorse a contract in the amount of \$5,000. Motion seconded by Mr. Murtagh and voted 4-0-0. Ms. Mackenzie moved to send a letter to the Selectmen asking them to amend the contract by \$5,000 along with a copy of the contract. Motion seconded by Mr. Murtagh and voted 4-0-0.

**MPIC:** Mr. Johnson gave a draft of an activities table for the five-year update. The board is to get information back to Mr. Johnson by June 4<sup>th</sup>.

**Grandview III Subdivision:** Mr. Conroy placed this on our May 21, 2009 agenda.

**Hancock Court Extension:** Ms. Walker has been in touch with Mr. Sullivan regarding streetlights.

**Scope of Services:** Ms. Mackenzie moved to have us get started with the scope of work for the junk yard, Production Road, Industrial Road, Grossman's and Bird Machine Company. Mr. Johnson asked if she wants this done like an RFP and she stated yes. Motion seconded by Mr. Murtagh and voted 4-0-0. It was agreed there would be four scopes of work.

Ms. Nashawaty left at 9:15 P.M.

**Barachiah Lane:** Mr. Macchi asked that the Form F Covenant be extended for two years. Motion seconded by Mr. Murtagh and voted 3-0-0.

**Grace Memorial Drive:** Mr. Macchi stated that the covenant has expired on this subdivision. He requested a modification to the covenant rather than an extension because it has expired. He would like 48 months substituted for 24 months.

Mr. Conroy moved to modify the Form F covenant by substituting the words 48 months for the words 24 months in Paragraph 9 of the Form F Covenant. Motion seconded by Ms. Mackenzie and voted 3-0-0.

**Special Permits:** Mr. Macchi submitted a letter dated May 5, 2009 asking who rules on what as it is less clear now than before the bylaw change. The original idea was to make "one stop shopping". Mr. Conroy stated we never wanted to touch drive through special permits, but it seems like we have it now. Mr. Macchi stated the Planning Board ended up with more special permits than what they wanted. Mr. Conroy stated he doesn't understand why we have drive throughs with us. Mr. Macchi stated because it says when coupled with site plan it belongs to the Planning Board under Section 12. Existing uses and existing buildings are back with the ZBA. Mr. Conroy stated they should be with the ZBA. We were only going to take the CBD ones. Ms. Mackenzie stated she is going to call Nate from Horsley Witten and talk to him about it. She asked Mr. Johnson to forward Mr. Macchi's letter to Nate, Nick and Doug and to let them know that she will be calling them.

WALPOLE PLANNING BOARD MINUTES OF MAY 7, 2009 (5)

Mr. Conroy stated he would like the top sections carried over so we don't have to constantly flip pages. Mr. Conroy placed this on our May 21<sup>st</sup> agenda.

**High Oaks IV:** The board is in receipt of a letter from Jack Walsh requesting Millbrook Avenue be accepted by the town. Mr. Conroy stated that his request would modify the subdivision plan. We can't act on this request because it has to be the entire subdivision as there was no phasing or potential cul-de-sac like Northwood III.

**Commerford's Corner:** Mr. Conroy asked the planner to talk to Ilana Quirk to obtain a list of the process and steps to be taken to rescind this subdivision. He asked that this be put on our May 21<sup>st</sup> agenda.

**Private Road List:** Mr. Conroy stated we need to make sure we have all our rights. Mr. Johnson stated that Ilana Quirk said to make sure the Planning Board has all the information up front. He will contact town counsel again with the board's questions.

**Outstanding Subdivisions:** Ms. Walker stated she will update the list. Mr. Johnson has pictures of these subdivisions. Mr. Conroy stated he would like the people who have Form F Covenants to come in and extend them. He asked that this be put on the May 21<sup>st</sup> agenda.

**Rules and Regulations:** Mr. Conroy stated he would like a synopsis of what is present and what is proposed. Ms. Mackenzie asked that this be forwarded to the board with changes in red. Mr. Johnson agreed.

**Summer Schedule:** It was agreed to meet on June 4, July 9 and August 6 for the summer. The board will meet as usual for September.

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

Respectfully submitted,

Edward Forsberg, Clerk

Accepted 6/4/09