

## WALPOLE PLANNING BOARD MINUTES OF JUNE 16, 2016

A regular meeting of the Walpole Planning Board was held on Thursday, June 16, 2016 at 7:00 p.m. in the Main Meeting Room of Town Hall. The following members were present: John Conroy, Chairman; John Murtagh, Clerk; Elizabeth Gaffey, Joseph Moraski and Elizabeth Dennehy, Community Development Director.

Mr. Conroy opened the meeting at 7:05 p.m.

David Norton, Building Commissioner, was present to introduce himself to the board and stated he anticipates working with them.

**Town Meeting Article:** The board discussed the following four potential town meeting articles: OSRD, notification of abutters for a public hearing, dead end street waivers, and signature block placement for plan endorsement.

**7:31 p.m. Walpole Fire Station, Case No. 16-6 Site Plan Approval:** Mr. Conroy read the public hearing notice and stated he is also on the Permanent Building Committee. He informed the applicant that they are entitled to a five member board, but only four members are present tonight. The applicant has asked to go forward tonight.

Evidence was presented by Mr. Steven Ventresca of Nitsch Engineering and Mr. Jonathan Traficonte of Schwartz/Silver Architects Inc. Comment letters were received from the Walpole Police Department, Community Development Director, Building Commissioner, Town Engineer, Conservation Commission, Zoning Board of Appeals and the Board of Sewer & Water Commissioners. Mr. Conroy moved to close the Public Hearing. Motion seconded by Mr. Moraski and voted 4-0-0. Mr. Conroy moved to grant site plan approval to Case No. 16-6 incorporating the board's standard conditions. Motion seconded by Mr. Moraski and voted 4-0-0.

**8:10 p.m. Walpole Police Station, Case No. 16-7 Site Plan Approval:** Mr. Conroy read the public hearing notice and stated he is also on the Permanent Building Committee. He informed the applicant that they are entitled to a five member board, but only four members are present tonight. The applicant has asked to go forward tonight.

Evidence was presented by Mr. Greg Carell of The Carell Group and Mr. William Murray of Places Associates, Inc. Comment letters were received from the Walpole Police Department, Community Development Director, Town Engineer, Conservation Commission, Zoning Board of Appeals and the Board of Sewer & Water Commissioners. Mr. Conroy moved to close the Public Hearing. Motion seconded by Mr. Moraski and voted 4-0-0. Mr. Conroy moved to grant site plan approval to Case No. 16-7 incorporating the board's standard conditions. Motion seconded by Mr. Moraski and voted 4-0-0.

**9:00 p.m. Maplewood Condos, McSharry Bros., Pleasant Street, Case No. 16-5 Site Plan Approval:** Mr. Conroy read the public hearing notice. He informed the applicant that they are entitled to a five member board, but only four members are present tonight. Atty. Philip Macchi II, on behalf of the applicant, has asked to go forward tonight.

## WALPOLE PLANNING BOARD MINUTES OF JUNE 16, 2016 (2)

Atty. Macchi stated that the board's new member who is not present tonight, Marc Romeo, would not be able to sit on this hearing as he is an abutter.

Atty. Macchi stated the applicant is seeking to construct a total of 12 condominium units with no more than four units having three bedrooms and the remaining units will be two bedrooms. The exterior will be compatible with the area. The project, as a whole, will enhance the area as it also includes significant landscaping. This land is owned by the LaCivita estates and is two parcels under common ownership. The vast majority of the work is being done on one parcel and the other is for utilities. They met with the building inspector and it was determined they needed to apply for two special permits from the Zoning Board of Appeal, which they are presently doing. There is no buffer requirement as these are duplexes. If they were four families, there would have been a buffer. The lot is partially in Norwood and Walpole. However, they were told they don't need to file with Norwood as there is only a driveway in the Norwood portion of the property. This is not addressed in the Zoning Bylaw. The buildings will comply with the Zoning Bylaws and they have submitted a complete traffic report. They don't believe this development will change the amount of traffic on Pleasant Street.

David Johnson, Norwood Engineering, stated this is a 2.1 acre site made up of two parcels. The long narrow piece has frontage on Arbor Court, a private way and Maguire Park, a public way. The development will be accessed by a 26' single driveway with Cape Cod berm on each side. Drainage will be on site. They have worked closely with Margaret Walker and Rick Mattson. The water line on Pleasant Street is a dead end line. The water line is presently only 2" and it will be replaced with an 8" loop. They are also tying into the town's sewer system. They have provided twice as many parking spaces than what is required. Further, they have received permits from the Conservation Commission.

Al Kearney, architect spoke to the overall design and the exterior style and loop slope. He explained the unit layout including two and three bedroom units. He stated the area will be well lit.

Bob Durango, Landscape Architect stated they will be using native plant materials and drought resistant lawns and screening will be provided between the site and the abutters and shade trees along the road that will add color. Each unit will have privacy and post lighting for each unit will be provided.

Mr. Conroy read comments from Sewer and Water, Board of Health, Walpole Fire, and Engineering. Mr. Conroy asked Ms. Dennehy if she received a copy of the paving policy from Ms. Walker. Ms. Dennehy stated it wasn't provided to her. Regarding street name, Mr. Macchi stated there weren't enough street addresses between the houses on Pleasant Street. They are working with Capt. Smith to up with a name and numbering system. Ms. Dennehy reviewed her comments. She stated we need to look at traffic information and make sure Ms. Walker receives a copy also. Mr. Moraski asked if it is proper for the Planning Board to make comments while the Zoning Board decision is still pending and the updates go back and forth between us and the Zoning Board. Further, could our discussion tilt the ZBA decision? Mr. Conroy stated that we

### WALPOLE PLANNING BOARD MINUTES OF JUNE 16, 2016 (3)

have our own set of rules that we go by and we shouldn't affect each other. However, if one makes a negative decision, the process stops. Mr. Moraski asked if they will have egress to Arbor Court and Maguire Park and Mr. Macchi stated no there will only be access to Pleasant Street. Mr. Moraski feels there is a possible safety issue and is surprised that the fire department doesn't want a fire road. Mr. Macchi stated he can't speak for Chief Bailey, but there was never a request to go through to Maguire or Arbor. Any overflow parking will either be on the dead end streets or the East Walpole cemetery. Mr. Moraski questioned the snow storage areas and stated this plan has been a head shaker for him from the beginning and he thinks there are issues that should be resolved. Ms. Gaffey asked how long the driveway will be and if they spoke with the neighbors. Mr. Macchi stated they sent out 39 letters for a meeting and eight people showed up. Ms. Gaffey asked if they are going to leave some of the trees and Mr. Macchi stated the trees there don't screen anything as they are garbage scrub or sparse. Ms. Gaffey asked if any units will be affordable housing or 40B and Mr. Macchi stated no. David Johnson stated the driveway is 550' long. Mr. Murtagh asked what are they looking for from the ZBA and Mr. Macchi stated they are seeking two family dwellings on a lot and more than one principal building on a lot. Mr. Murtagh questioned the frontage and asked if we need town counsel to look at this. Ms. Gaffey asked if any part of the housing is in Norwood and Mr. Macchi stated no. Mr. Murtagh stated some of the land is in Norwood. He questioned the Cape Cod berm and stated he would like granite. Mr. Conroy stated he would like something from Norwood agreeing with what Mr. Macchi presented and then we can go to town counsel after we received that. Mr. Conroy questioned the parking and the two car garages. He asked if they are making the building bigger and Mr. Macchi stated no.

Mr. Conroy asked for public comments. He stated he has a letter of opposition from Atty. Gerald Blair on behalf of his clients, Mr. Gass at 7 Pleasant Street and Mr. Williams at 15 Maguire Park, which stated there is no 50' buffer shown on the plan, which is important for protection of the abutters. He stated that case law and Norwood's bylaws address these issues. Walpole doesn't control Norwood and vice versa. The primary use is residential in a manufacturing zone and neither Walpole nor Norwood permits use variances. Atty. Blair questioned the separate lot that is in the name of Walter LaCivita. He stated that 103,000 s.f. is available and 120,000 s.f. of lot area is required; therefore, the number of units needs to be cut back. For those reasons the application for site plan approval should be denied. As a board the Planning Board is not authorized to endorse a plan that is not consistent with the zoning bylaw. Atty. Blair submitted pictures to be part of the permanent record. Mr. Conroy stated we will send your memo to town counsel.

John Gass, 7 Pleasant Street stated when he bought his house, he was told it was landlocked. Also there is a chemical train that parks on the tracks for one or two days and if the trees are cut down, that view won't go away. He stated that a walkway is being used as a snow storage place. There was a soil evaluation, not a soil analysis. He feels this complex could contaminate his water. Mr. Gass feels this is a recipe for disaster and it will also drop the value of his property as no one will want to live in a neighborhood that floods. All the buildings are cookie cutter and the size of these units dwarf his house and garage together. He also feels the applicant is evasive about the parking spaces. This project will turn his house into a corner lot or an island. The

## WALPOLE PLANNING BOARD MINUTES OF JUNE 16, 2016 (4)

traffic is really dangerous and he questioned the fencing and trees. Mr. Gass feels they are devastating the character of the neighborhood and he wants to keep it the way it is. The Conservation Commission asked them to make this more green. He knows they are looking at this from a business prospective, but he is living here.

Mr. Conroy stated that frontage will come from Pleasant Street and he explained the setbacks. Ms. Dennehy stated if this site is contaminated, they should contact DEP as it is not a function of this board. They need to contact the southeast regional office based in Lakeville. Mr. Gass feels they are trying to squeeze too much into too small an area.

Mr. Williams, 15 Maguire Park stated they are going to clear cut the trees which shields them so there will be no buffer. When he saw these plans it doesn't seem reasonable to him. They have a nice neighborhood and everyone is upset about this. He feels there is little concern for the neighborhood.

Mr. Moraski stated Mr. Gass mentioned adverse obsolescence and feels we should talk to Dennis Flis for an opinion.

Atty. Macchi stated you have asked that they approach Norwood and get something in writing which they will do in order to let Norwood speak for themselves. These are two lots held in common ownership. He asked what the board wants him to submit to town counsel. Mr. Conroy asked Atty. Blair if he was all set and he stated yes. He asked Atty. Macchi how much time he needed and he asked to be continued to July 14<sup>th</sup>. Mr. Conroy continued this hearing to July 14, 2016 at 7:30 p.m.

**10:40 p.m. Fairfield Inn, Route 1, Case No. 16-8:** Mr. Conroy read the public hearing notice. The applicant was represented by David Johnson, Norwood Engineering, Gary McNaughton and Drew Queen. Mr. Johnson stated this property is the present location of the Boston View Motel and the site is approximately 2.1 acres. They were proposing a 106 room hotel, but would like to increase it to 108 rooms. They are proposing 109 parking spaces and 108 are required. The property is serviced by public water and public sewer, which will be replaced when the new building is constructed. They are also providing five handicap spaces.

Drew Queen, Design Build Company showed the board a colored rendering of the site plan. He stated it is designed to provide curb appeal. The landscaping around the building is ample and he discussed the lighting plan. No lights will spill onto the surrounding properties. Mr. Queen stated the floor plan is standard for a Fairfield Inn and the outside is the same as all the others. They need a 13.6' high portico for fire truck access.

David Johnson stated he has been working with Rick Mattson and is scheduled to meet with the Sewer and Water Commission on June 27<sup>th</sup>. They are in receipt of Ms. Walker's site plan review and have no issues with her comments or meeting her recommendations. He submitted a memo indicating how they will address her comments. He also submitted a lease agreement and stated the parking aisles are consistent with the zoning bylaw.

WALPOLE PLANNING BOARD MINUTES OF JUNE 16, 2016 (5)

Gary McNaughton, McManus Associates stated they did a full traffic study and they incorporated Ms. Walker's comments onto the plans, all of which will be subject to MA Dot approval.

Mr. Conroy read board comments. Ms. Dennehy stated they did have the owner of the Clyde's sign an application indicating they are okay with the small strip between the hotel and them. A potential special condition could address the lease and hotel parking. She recommends attaching the lease agreement to the decision.

John Murtagh asked for an explanation of the run-off water and Mr. Johnson stated it will go into the ground. Mr. Moraski asked if there were any waivers being requested and Mr. Johnson stated no. Mr. Moraski questioned the storm water management and asked if there should be a monitor system for the swales. Mr. Johnson explained the notes on the plan. Mr. Moraski questioned the location of the dumpster and Mr. Johnson showed him on the plan.

Mr. Conroy asked for public comments.

Bill Hamilton, South Walpole questioned the traffic flow from Clyde's. Mr. McNaughton stated they will post "no left turn". Mr. Hamilton asked them to investigate changing the entrances. Mr. Conroy stated we need more information from Sewer and Water before closing. He continued this hearing to July 14, 2016 at 7:29 p.m.

**11:15 p.m. Boyden Estates Continued Hearing:** Mr. Conroy read a letter dated June 7, 2016 from Margaret Walker, Town Engineer. Ms. Dennehy stated she doesn't think the board can proceed with the hearing because of sewer and water issues. Mr. Conroy agreed and stated we are all set with everything we can do and are down to a subdivision without sewer and water. Mr. Petrozzi doesn't understand what he is saying as he has received nothing. Mr. Conroy told him he is referring to a letter from Sewer and Water dated May 24, 2016. Mr. Petrozzi stated we are heading down a road we don't want to go down. They have a waiver free plan that complies with the board's rules and regulations. Mr. Conroy stated we have a plan that does not have water or sewer. Mr. Petrozzi stated that has nothing to do with a subdivision and doesn't understand the dilemma. That could be a condition of approval. He wants to close the public hearing tonight. Mr. Conroy asked Ms. Dennehy about the regulations and conditions of approval. Ms. Dennehy stated at the present time without a sewer and water connection being approved, there may be compliance issues, but that the Board is able to conditions approvals. Mr. Murtagh stated he is leaning toward a condition of approval. Mr. Murtagh asked what is the impasse with sewer and water. Mr. Petrozzi stated they want to get in my pocket more than he wants them to. He again asked to close the hearing.

There were no further questions or comments.

Mr. Conroy moved to close the hearing. Motion seconded by Ms. Gaffey and voted 3-0-1 (Mr. Moraski abstained).

WALPOLE PLANNING BOARD MINUTES JUNE 16, 2016 (6)

Mr. Conroy moved to approve the Boyden Estates subdivision with the Board's standard conditions and two special conditions. As per Mr. Petrozzi, Mr. Truax will provide a plan to the board showing the water and sewer connections within the public way. Motion seconded by Mr. Murtagh and voted 3-0-1 (Mr. Moraski abstained).

It was moved, seconded and voted to adjourn. The meeting adjourned at 11:40 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 9/1/16