

WALPOLE PLANNING BOARD MINUTES OF DECEMBER 15, 2011

A regular meeting of the Walpole Planning Board was held on Thursday, December 15, 2011 in the town hall main meeting room. The following members were present: John Conroy, Chairman; Edward Forsberg, Vice Chairman; John Murtagh, Clerk; Richard Mazzocca, Richard Nottebart, Donald Johnson, Town Planner, Margaret Walker, Town Engineer.

Minutes: Mr. Conroy moved to accept the minutes of December 1, 2011. Motion seconded by Mr. Nottebart and voted 5-0-0.

Time Cards: Mr. Conroy moved to approve the secretary's time cards as presented. Motion seconded by Mr. Murtagh and voted 5-0-0. Mr. Conroy moved to approve the planner's time cards as presented. Motion seconded by Mr. Nottebart and voted 5-0-0.

Hale Trailer: At our last meeting, Mr. Conroy asked if Hale Trailer is working under a temporary certificate of occupancy. We received an email from Jack Mee, Inspector of Buildings stating the only permit that has been issued for this property is electrical for a temporary trailer.

FEMA Town Meeting Article: Ms. Walker submitted a copy of the FEMA articles to be submitted to the Selectmen for the Spring town meeting. Mr. Conroy suggested that she ask the Selectmen to sponsor the articles because she is not sure if they will be ready to move forward for the spring town meeting and it would be easier for the Selectmen to pull the articles if that has to be done again.

Plimptonville Crossing: The applicant was represented by Rick Merrikin, Merrikin Engineering, who requested a determination if what is before them is a major or minor modification; however, they will submit this as a new filing if that is what the board wants them. He stated that the grade of the road will stay the same; however, the basin at the bottom of the road will be in the same location, but it will be a little bit different construction. He asked the board how they would like him to proceed. Mr. Johnson stated that he understands Mr. Merrikin not wanting to start from scratch and that to do a modification would be better for the applicant. Mr. Mazzocca stated that either way the abutters would be noticed which he feels is very important. Mr. Forsberg asked if the big house is still owned by Ms. Pascoe as shown on the existing plan. Mr. Merrikin stated she past away. Mr. Forsberg asked if they are purchasing that property and Mr. Merrikin stated yes and they will be submitting an ANR plan shortly. Mr. Forsberg asked if he met with the neighbors yet to review the new plan and Mr. Merrikin stated yes. Mr. Forsberg asked if the driveway moved and Mr. Merrikin stated yes a little bit. He stated they will meet with the neighbor that was so opposed to this. Mr. Merrikin presented the major changes to the board as requested by Mr. Murtagh. Mr. Nottebart stated feels that to protect the neighbors, this should be a new filing. Mr. Murtagh is concerned about Plimpton Street being narrow. Mr. Conroy stated they are here for a modification determination; i.e., major, minor or a new project. He asked Mr. Merrikin why he thinks this could be a minor modification. Mr. Merrikin stated he doesn't think it could be.

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Mr. Conroy stated previously this was a long hearing process with lots of questions and issues raised by the abutters. He asked Mr. Merrikin when he presents something verbally to the board in the future, would he also submit it in writing. He stated that because of the addition of new land to the site, they will need an ANR and also an application for a full blown site plan. The applicant will not lose any previous conditions, but some may change. Mr. Merrikin asked if the board will take a vote on that and Mr. Conroy stated no, they just can't modify this one.

Barachiah Lane Subdivision Bonding: This was put on the January 5, 2012 agenda.

The Trails Subdivision: Mr. Conroy stated Mr. Priore has submitted an executed Tripartite Agreement that has been reviewed by Mark Good, Walpole Finance Director and also an acknowledgement from the bank. There were no questions from the board or the public.

Mr. Conroy moved to accept a Tripartite Agreement dated December 13, 2011 between Priore Realty Trust, Needham Bank and the Walpole Planning Board in the amount of \$76,000. Motion seconded by Mr. Murtagh and voted 5-0-0.

Mr. Conroy moved to endorse a Form I Release of Covenant for Loats 10-A, 17, 18, 19 and Parcel D. Motion seconded by Mr. Murtagh and voted 5-0-0.

Atty. Cannon notarized the forms, took the original Form I for recording and a copy of the Tripartite Agreement. He will return proof of recording of the Form I to the board. The original Tripartite Agreement will be forwarded to Mark Good for filing.

Mr. Conroy gave Ron Priore a copy of Ilana Quirk's response to our inquiry. Mr. Forsberg asked if this opens up a can or worms for anyone else in the subdivision. Mr. Conroy stated no because this is a new subdivision within a subdivision. Mr. Nottebart asked if he can now build a house the way he wants. Mr. Conroy stated after a hearing he can. Mr. Forsberg asked if everyone else will be coming in following this. He asked how many lots in the subdivision and Mr. Priore stated ten, but he is buying 12 Crosswoods Path from the bank. Mr. Forsberg stated it sounds like they will all be coming in after the fact. Mr. Priore doesn't think so. Mr. Conroy asked him to note the last paragraph of Ms. Quirk's email.

Legacy Lane CNA Inquiry Form: Mr. Conroy requested this bond status inquiry be filled out and returned.

Norfolk County School Plan Endorsement: Ms. Walker stated that the parking as shown on the plan doesn't meet zoning. Mr. Conroy stated they are exempt from all zoning, except as it pertains to the Conservation Commission.

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Sharon Credit Union Plan Endorsement: This was put on the January 5, 2012 agenda as the fence needs to be added to the plan.

B&C Floral Plan Endorsement: This was put on the January 5, 2012 agenda.

Mirick Letter: Mr. Conroy moved to endorse a letter regarding I-495 Southwest Regional Commuter Rail and Operations Study as prepared by Rich Mazzocca for forwarding to Atty. Mirick. Motion seconded by Mr. Nottebart and voted 5-0-0. It was agreed to send the letter certified and overnight. It was also agreed that Mr. Mazzocca would forward a list to the office of the towns and people that should be copied on this mailing.

Minuteman Truck: Mr. Johnson stated he has received three peer review quotes. Mr. Conroy stated we can discuss them on January 5 and pick one of the three at that time.

Evaluation: Mr. Conroy moved to accept the secretary's evaluation as presented. Motion seconded by Mr. Nottebart and voted 4-0-0.

It was moved, seconded and voted to adjourn. The meeting adjourned at 9:30 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 1/19/12