

WALPOLE PLANNING BOARD MINUTES OF APRIL 7, 2011

A regular meeting of the Walpole Planning Board was held on Thursday, April 7, 2011 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: Edward Forsberg, Vice Chairman; John Murtagh, Clerk; Richard Mazzocca, Donald Johnson, Town Planner, and Margaret Walker, Town Engineer.

Ms. Walker submitted a memo dated April 5, 2011 informing the board that she is required to be at the Finance Committee and Capital Budget Committee tonight, but will return to the Planning Board meeting when finished.

Minutes: Mr. Forsberg moved to accept the minutes of February 3, 2011. Motion seconded by Mr. Murtagh and voted 3-0-0. Mr. Forsberg moved to accept the minutes of March 17, 2011. Motion seconded by Mr. Mazzocca and voted 3-0-0.

Time Cards: Mr. Forsberg moved to approve the planner's time cards. Motion seconded by Mr. Mazzocca and voted 3-0-0. Mr. Forsberg moved to approve the secretary's time cards. Motion seconded by Mr. Mazzocca and voted 3-0-0.

Step Increase: Mr. Forsberg moved to approve the planner's step increase. Motion seconded by Mr. Mazzocca and voted 3-0-0.

Cost of Living: Mr. Forsberg moved to approve the planner's cost of living increase. Motion seconded by Mr. Mazzocca and voted 3-0-0.

Ms. Walker left at 7:30 p.m.

Walmart, Case No. 10-08: On March 17, 2011, the Planning Board voted 4-0-0 to determine that the change as presented for Walmart be a minor modification. Mr. Forsberg moved to endorse the plans showing the minor modification as voted. Said endorsement is subject to the condition that the building and wall may be treated as separate phases for the purposes of obtaining a certificate of occupancy. Motion seconded by Mr. Mazzocca and voted 3-0-0.

It was agreed that the chain link fence on top of the right of way would be shown on the plan.

Panda Express: On February 3, 2011, the Planning Board voted 4-0-0 to determine that the change as presented for Panda Express be a minor modification. Mr. Forsberg moved to endorse the plans showing the minor modification as voted. Motion seconded by Mr. Mazzocca and voted 3-0-0.

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Shea, 390 West Street: On March 17, 2011, the Planning Board voted 4-0-0 to determine the change as presented for Michael Shea be a minor modification. Mr. Forsberg read a memo from the Building Inspector dated April 7, 2011. Mr. Forsberg

moved to endorse the plans showing the minor modification as voted. Motion seconded by Mr. Mazzocca and voted 3-0-0. Mr. Merrikin took the mylars and will return copies.

7:33 P.M. McDonald's, 595 Main Street, Case No. 11-3 Continued Hearing: Mr. Forsberg informed the applicant they are entitled to a five person board and there are only three members present tonight. Mr. Micale asked that this hearing be continued up to and granted the board an extension of time up to including May 10, 2011 on which to take action. Mr. Forsberg moved to accept the extension of time up to and including May 10, 2011. Motion seconded by Mr. Mazzocca and voted 3-0-0. Mr. Forsberg continued the hearing to April 21, 2011 at 7:45 p.m.

Mr. Micale submitted revised plans. Mr. Johnson stated the revisions were minor and therefore the plans do not need to go back out for board comments.

Atlantic Court Extension Subdivision: Mr. Forsberg read a memo dated April 2011 from Margaret Walker, Town Engineer and received April 5th questioning the Grant of Easement, Release of Right of Way and the Operation and Maintenance Plan and Covenant with the Town of Walpole as they pertain to Atlantic Court Ext. Mr. Viano, the applicant, stated this plan was approved at the same time Toll Bros. got their approval, but they had to wait to endorse the Atlantic Court plan because the Bird Estates Phase V had to be bonded, which was done in January. Also, because everything is bonded, no easement is necessary. Mr. Murtagh stated he would like clarification from Margaret Walker before moving forward. Mr. Forsberg agreed with Mr. Murtagh that the easement questions need to be worked out with Ms. Walker and town counsel. He asked if Mr. Viano defaulted on the bond, how can this subdivision be accessed? Ms. Walker seems to have a lot of questions. Mr. Viano asked if the board could make sure that town counsel is asked for her opinion on Monday. Mr. Murtagh stated he would like a full board and Ms. Walker present when we next discuss this.

Request for Comments: Mr. Johnson stated that he has two letters that need to be signed by Mr. Conroy, one for Mass Development and one to the Conservation Commission regarding Mass Bay Right of Way. However, because Mr. Conroy wasn't at tonight's meeting, he changed the signature line to Mr. Forsberg.

It was moved, seconded and voted to adjourn. The meeting adjourned at 8:25 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted April 21, 2011