

WALPOLE PLANNING BOARD MINUTES OF APRIL 6, 2017

A regular meeting of the Walpole Planning Board was held on Thursday, April 6, 2017 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: John Conroy, Chairman; Elizabeth Gaffey, Vice Chairman; John Murtagh, Clerk; Joseph Moraski, Marc Romeo, and Elizabeth Dennehy, Community Development Director.

The minutes of February 16, 2017 and March 2, 2017 were accepted on March 16, 2017.

7:06 p.m. Article 31 Zoning Article Public Hearing: Mr. Conroy read the public hearing notice and explained why this is being proposed. He also read a letter dated March 29, 2017 from the Economic Development Committee who voted against the article. He also read a letter that was received from Robert O'Leary, 776 Washington Street, Walpole, dated March 6, 2017. Robert O'Leary asked several questions and Mr. Conroy explained the reason for the zoning change. John O'Leary, 776 Washington Street, Walpole questioned the difference between Section 5 and Section 6 and asked how a duplex would be counted. He feels it is all about interpretation. Ms. Dennehy explained the difference between a two family versus a duplex.

Donnell Murphy, 3 Wisteria Drive asked as a follow up to the EDC letter if the right to put more than one dwelling on a parcel has been in existence for a long time. He feels the board is trying to address the density. He asked if anyone is losing any more rights than they have had and Mr. Conroy stated no. He stated that what they are trying to do is basically a subdivision without going through the process the way things are now. It is circumventing subdivision control. You can put a driveway in rather than a full blown street. Mr. Murphy asked if this change makes a common driveway go away and Mr. Conroy stated no.

Mr. Romeo asked if the Maplewood Project on Pleasant Street would be dead in the water if this bylaw was in place and Mr. Conroy stated they might have to knock off a unit. A neighbor should know what they are up against.

Philip Macchi, 1148 Washington Street, Walpole questioned the math, but he feels the intent is good. However, he is not sure when this board changes if another board will interpret this the way it is being explained. Mr. Murtagh stated this change will be good for the abutters and the neighborhood because you have to conform to what is already there. The developers will not like it as it is more restrictive. He asked if this was run by town counsel and Ms. Dennehy stated yes. It was sent by the Board of Selectmen and the Town Administrator before it goes to print. Mr. Murtagh feels we should have seen the opinion from town counsel. Ms. Dennehy stated it went to the Board of Selectmen. Mr. Conroy stated a developer isn't losing anything.

There were no further board comments or public comments. Mr. Conroy moved to close the hearing. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy moved to recommend favorable action on Article 31. Motion seconded by Mr. Murtagh and voted 3-2-0 (Murtagh, Romeo voting against the motion).

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7:44 p.m. Liberty Village, 1034 East Street, Case No. 17-2 Site Plan Approval: Mr. Conroy stated that before he opens the hearing, Mr. Moraski has a question. Mr. Moraski stated that in comparing the public hearing notice and the abutters, it appears that two parcels are missing from the notice and feels that may be a problem with the Open Meeting Law. Atty. Macchi, who is representing the applicant, stated the notice was drafted wrong and now they are being penalized? Mr. Moraski stated the application is wrong. After conferring with his client, Atty. Macchi stated it appears that the notice was sent to all the abutters within 300' and they would like to proceed at their own risk. Ms. Dennehy stated the abutters list was for all three parcels. Atty. Macchi wanted to go ahead tonight.

Mr. Conroy read the public hearing notice. He stated that the application did not list the two additional parcels, but the notice to the abutters did include the additional parcels and the applicant has chosen to go forward as he feels they are on solid ground. Atty. Macchi stated they are proceeding at their own risk. Mr. Macchi stated the locus in question falls completely within the CBD. Atty. Macchi described the location of the property, the present use and the proposed construction along with parking. He stated the applicant is Edgewood Development and the owner is Liberty Village Condominiums and ten condominium owners all who have signed consents allowing Liberty Village to sign any necessary applications or documents on their behalf. Both the applicant and Liberty Village have signed the application as the decision will be binding on all parties and runs with the land.

Atty. Macchi stated they are requesting Site Plan Approval to allow the construction of a 256,777 +/- sf mixed use building with a footprint of 54,417 +/- sf containing approximately 14,009 +/- sf of commercial business space to include office, retail and other uses allowed by right or Special Permit and 205,421 +/- sf of residential space on four floors along with appurtenant driveways, parking areas, landscape areas, utilities and drainage facilities as shown on the plan. Atty. Macchi stated there are no three bedroom units proposed. What is proposed will comply with everything except height; therefore, they have applied to the Zoning Board for a variance. The applicant is in negotiation with the MBTA to lease parking spaces for a fee. 2400 s.f. of pavement is being removed right next to the Neponset River. The only noise will be during the demo process. They are trying to put Eversource underground but it is up to Eversource, not the applicant. They are still discussing draining standards with the town engineer. Atty. Macchi stated there were letters that were received from downtown businesses in support of this project. Jerry Lorusso, President of Edgewood Development stated he was born and brought up in Walpole and they have built over 500 residential homes, plus manage and operate over 500,000 sf of business in town. All the properties that they manage are owned by the Edgewood Development team.

Tim Higgins, Edgewood Development, stated he did receive comments from the town engineer and is responding to them and also received an NOI. They do anticipate bidding out the lot across the street to the MBTA, but it is not part of this application.

Jacob Murray, Waterfield Design Group discussed the existing site conditions and the stormwater management system presently in place. He stated parking will be under the U-shaped building and also inside. They are proposing to send some of the clean roof runoff directly into the Neponset River. They are increasing the pervious area by about 2400'.

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Tim Thompson, Parking Consultant, discussed the onsite parking. He stated the peak morning times are 7-9 and peak afternoon times are 4-6 and trip generation was looked at. He stated the majority of the parking will be on Parcel 1.

Rob Schaeffer, Shaeffer Architects feels this is an ideal spot for this project and that it fits in with a liveable/walkable community. This is what people are demanding. Glenwood Avenue is starting to look like an alley way. He also discussed the layering of the building. He stated the windows will be single hung windows and there will be sliders for the decks. They received a lot of input from Jerry Lorusso.

Mr. Conroy read comments received from town boards. He asked Mr. Macchi if he has the March 7th comments from Margaret Walker and he stated yes. Ms. Dennehy addressed her comments. She stated there are no three bedroom units being proposed and there is no stormwater management on site now.

Mr. Conroy asked for public comments.

Donnell Murphy, 3 Wisteria Drive stated this project is a long time coming. He is a direct abutter to the property and this is exactly what the town needs. The building is dilapidated. This will be great for the town and feels the town should be supporting this to help get this through. He urges the board to help move this along.

Mr. Conroy asked if and when this gets approved, how long do you envision it to take. Mr. Lorusso stated about 14 months.

Mr. Conroy stated the board would like to go over the comments that have been received and also comments made. He asked if the entire group will be able to come to another meeting and Atty. Macchi stated yes, they will all be here.

Atty. Macchi granted the board an extension of time up to and including May 31, 2017. Mr. Conroy moved to accept an extension of time up to and including May 31, 2017. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy continued this hearing to May 18, 2017 at 7:30 p.m.

9:25 p.m. McSharry, off Pleasant Street, Continued Hearing, Case No.16-5: Atty. Macchi, on behalf of the applicant, stated that the Zoning Board did not vote and it has been pushed off until April 19th. He granted the board an extension of time up to and including May 31, 2017. Mr. Conroy moved to accept an extension of time up to and including May 31, 2017. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy continued this hearing to May 4, 2017 at 7:29 p.m.

Twins Realty Trust, 985-995 Old Post Road, Case No. 14-17 and 14-18: Mr. Conroy read a letter dated March 30, 2017 from Atty. Gerald Blair, 2 Commercial Street, Sharon, MA requesting an extension of time for both the special permit and the site plan approval up to and including July 16, 2018. Mr. Conroy moved to grant an extension of time up to and including July 16, 2018 as requested. Motion seconded by Mr. Romeo and voted 4-0-1 (Moraski abstained).

TMC ANR, 100 Elm Street: On January 5, 2017, the board endorsed three paper copies of an ANR for TMC, 100 Elm Street. Mr. Conroy moved to re-endorse the mylar for recording purposes. Motion seconded by Mr. Moraski and voted 5-0-0.

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It was moved, seconded and voted to adjourn. The meeting adjourned at 9:45 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 4/20/17