

WALPOLE PLANNING BOARD MINUTES OF DECEMBER 1, 2022

A regular meeting of the Walpole Planning Board was held on Thursday, December 1, 2022 at 7:00 p.m. in the Town Hall Main Meeting Room. The following members were present: John Conroy, Chair; John O'Leary, Vice Chair; Catherine Turco-Abate, Clerk; Philip Czachorowski and Carl Balduf, Town Engineer.

Mr. Conroy opened the meeting at 7:00 p.m.

7:02 p.m. Home for Little Wanderers, Lots 1-5 Joint Scenic Road Hearing: The Town of Walpole Tree Warden, Justin Monta was present for the joint scenic road hearing. Mr. Conroy read the public hearing notice. John Glossa, Glossa Engineering represented the applicant. Ms. Abate stated this is advertised as one piece of land comprised of five lots. She questioned if we have an issue with one of the lots, what happens to the other four and how would we vote this. Mr. Conroy they have to all be voted favorably or one would take the whole thing down. He asked who owns these lots and Mr. Glossa stated The Home for Little Wanderers. Mr. Conroy stated they do presently have access to their lots through The Home for Little Wanderers and owned by one person. The purpose of a Scenic Road Hearing is for access. Mr. Glossa stated that the people who want to buy these want to make sure they have all permits in place. That is the dilemma. Mr. Conroy stated he has never done it like this. The purpose is to keep a Scenic Road from getting carved up. He asked if the Home for Little Wanderers owns everything right now and Mr. Glossa stated yes. Mr. Glossa feels the Board is creating this dilemma. Mr. Conroy stated that Scenic Roads have been considered as a hardship access in the past, but there is no hardship here as they already have access. Also, he doesn't see any locations for driveways shown on the plan. Mr. Conroy stated the homeowner could go back and change the location if they wanted to. Mr. Glossa agreed they can come back to Planning for that change. Mr. Conroy stated the plan doesn't show metes and bounds and Mr. Glossa stated he can change that. Mr. Glossa stated the buyers want some assurances before making any purchases that they are going to have proper access. Mr. Glossa stated that three out of the five lots already have a wide enough opening. They want to move the stone walls as little as possible.

Lot 1: Mr. Glossa stated this is next to the Walpole Sportsmen's Club driveway. He stated that Carl Balduf, Justin Monta and himself have walked this site. Lincoln Road is a county layout that dates back to 1932. The layout line and the lot line are in the same location. Also, the paved portion of Lincoln Road was never widened to match the layout and the wall for Lot 1 is pretty much buried.

Lot 2: The owner of the property gave a license to the Walpole Sportsmen's Club to allow electricity to be brought to their site. You can drive in there now.

Lot 3: This lot has a formal entrance on site but the trees are rather close.

Lot 4: There is no formal entrance.

Lot 5: Mr. Glossa has discussed this lot with Carl Balduf as the stone walls and trees are not within the county layout. Mr. Balduf thought the town layout was between the walls and therefore it would be safer to remove 10' of the stone wall.

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Mr. Conroy asked if the ANR plans are recorded and Mr. Glossa stated yes. Mr. Conroy asked why there are no street numbers shown and Mr. Glossa stated there won't be any numbers assigned until permits are pulled.

Mr. Balduf discussed his comments.

Justin Monta, Walpole Tree Warden stated the trees to be removed have been posted for two weeks. In his opinion, he would like these trees removed safely.

Mr. O'Leary doesn't see a problem holding this hearing for all five lots. Ms. Abate stated that a person on Lincoln Road called her and asked her how the stones will be relocated. Mr. Glossa stated they will not be removed, but will frame the driveways. Mr. Czachorowski stated he has no problems with the plans or lots.

Brenda Mosetich, 460 Lincoln Road stated it looks like the five lots will be across the street from her driveway and asked if the openings will interfere with anyone else. Her mailbox and a telephone pole is also there. She asked why the opening needs to be more than what is there now. Also, the street grading the way it is now is already eroding her property and still taking away more erosion. Mr. Glossa stated they will be removing on the town side and closer to the pond. Ms. Mosetich was okay with that. Mr. Conroy stated it is not up to us to make sure someone is comfortable with buying land. He stated that Mr. Glossa has already said that the new owners can come in later and change this and Mr. Glossa stated yes. Mr. Conroy stated we might have five difference locations next year. Also, Lot 5 should not be before us as there are no trees or walls on town property. Mr. Glossa stated Mr. Balduf has to issue a curb cut permit.

Mr. O'Leary moved to continue this so we can get a revised plan showing the street numbers and dimensions showing where the driveways will be placed. Motion seconded by Czachorowski and voted 3-1-0 (Mr. Conroy voted against the motion).

7:50 p.m. East Walpole Clocktower Continued Hearing: Mr. Conroy moved to accept an extension of time up to and including January 31, 2023 as per a letter from Dan Merrikin, Legacy Engineering. Motion seconded by Ms. Abate and voted 4-0-0. Mr. Conroy continued this hearing to January 19, 2023 at 7:15 p.m. as requested.

7:52 p.m. Northwoods Subdivision, Delaney/Dover Drive Continued Hearing: Mr. Conroy moved to accept an extension of time up to and including January 31, 2023 as per a request from the applicant's engineer, Rob Truax. Motion seconded by Mr. Czachorowski and voted 4-0-0. Mr. Conroy continued this hearing to January 19, 2023 at 7:20 p.m.

7:54 p.m. Patrick Deschenes re: Discussion of Proposed Zoning Articles: Mr. Deschenes presented ten draft zoning articles to the board. After a brief discussion of each proposed article, Mr. Deschenes asked if the board would vote to sponsor these articles for the Spring town meeting. Mr. Conroy stated we need to have the actual articles that are ready to go forward. Even if the board votes to sponsor these articles, it doesn't mean we will support each one. Mr. Deschenes stated he would like to come back to the board in January with articles that have been finalized.

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8:30 p.m. Darwin Estates Preliminary Plan: John Glossa, Glossa Engineering was present as was the applicant, Lou Petrozzi. Mr. Conroy stated this is not a public hearing and our actions are not binding. We also need to see both a non-waiver plan and a waiver plan as you can't ask to waive something you can't do. With regard to the 750' street length, the Walpole Fire Department doesn't want anything beyond 750' even if the houses have sprinklers and the Planning Board has always supported the fire department. This is also true for 40-B's. The fire department wants 750' whether or not it is for a subdivision, 40-B or a site plan. Mr. Conroy asked Mr. Glossa if they are beyond 750' now and Mr. Glossa stated yes. Mr. Conroy asked if they have a waiver plan and Mr. Glossa stated no. Mr. Conroy stated that because they are presently beyond 750' we need two plans, a waiver plan and a non-waiver plan.

Ms. Abate stated we will not go against public safety and she doesn't understand why they are before us tonight. Mr. Conroy again asked if they have a non-waiver plan tonight and Mr. Glossa stated no. He stated they are only trying to show this is a buildable subdivision. Mr. Conroy stated it does not meet the requirements of the board's Rules and Regulations. Mr. Glossa asked if they will be allowed to present tonight. Mr. Conroy stated they knew they couldn't do this coming in. If this was buildable, why didn't John Hasenjaeger do it before. He will do whatever the board wants to do. Mr. O'Leary stated it would be a waste of time to go forward. Ms. Abate agrees it is a waste of time because of what is in front of us. Mr. Czachorowski stated he doesn't mind listening to the presentation. Mr. Conroy stated we all know, regardless of how we vote, this means nothing. Mr. Glossa stated the process is that anyone is entitled to present their plan in front of the board. He feels the board's comments should be said at the end of this process, not the beginning. Mr. Conroy stated Mr. Glossa wants the board to look at something that can't be built.

Mr. Glossa stated he is moving forward tonight. He stated there is a 34' drop down to the property in question. Darwin Lane has both water and sewer. Mr. Czachorowski asked how far the well head is from the property line and Mr. Glossa stated 400'. Everything meets the Planning Board's Rules and Regulations other than the length of the street. Drainage would be collected just before the cul-de-sac in some device that will allow the water to recharge back into the ground. A pump system is not uncommon in Walpole.

Mr. Balduf read his comments. He feels this should be filed as an 81-W as a change to the original subdivision.

Ms. Abate stated she is all set. Mr. Czachorowski asked if they would consider having only one or two houses. Mr. Conroy stated they have one buildable lot.

Mr. Conroy read the comments that were received from the abutters. Mr. O'Leary asked if there are any wetlands on the property and Mr. Glossa stated no. Mr. O'Leary asked if the cul-de-sac can be sloped and Mr. Glossa stated this is similar to Echo Estates on Main Street.

David Vlacich, 31 Darwin Lane stated he is a direct abutter and is strongly opposed to something of this density. This doesn't work here.

Joe Moriarty, 28 Darwin Lane stated he is also a direct abutter and they would be fine with one or two houses. This has been in the works for a long time. They paid more money for their lots on the cul-de-

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sac. Mr. Conroy stated that John Hasenjaege went and bought the extra land and then tried to sell it back to the town. Wall Street Development sent letters to the abutters on the street stating he either gets five houses or you get a 40-B. Mr. Petrozzi stated that is not a threat, it is an option.

Mr. Conroy stated a negative vote has no effect on a preliminary plan. Mr. Glossa agrees. He would prefer the board follow their Rules and Regulations and vote yes or no even though it is not binding.

Mr. Moriarty, 28 Darwin Lane stated they were slammed with the threat of a 40-B a year and a half ago. They told Mr. Petrozzi they would support two or three houses and now there are five. We told him we would consider this if the 40-B is off the table, but that has not been done.

Mr. Conroy moved to deny the Darwin Lane Preliminary based on the fact that it can't be done without a waiver from 750' and based on the length of the street now. Motion seconded by Ms. Abate and voted 4-0-0.

Mr. Czachorowski stated if they are going to come back, he asked that they address the safety issues. Mr. Glossa stated they won't come back with a definitive plan unless they know public safety is on board.

Master Plan Update: Mr. Czachorowski updated the board on the status of the Master Plan. He said they will try to set up a January meeting with the Planning Board.

Mr. Conroy moved to adjourn. Motion seconded by Ms. Abate and voted 4-0-0. The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Catherine Turco-Abate, Clerk

Accepted 1/19/23