

WALPOLE PLANNING BOARD MINUTES OF JANUARY 16, 2020

A regular meeting of the Planning Board was held on Thursday, January 16, 2020 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: John Conroy, Chair; Sarah Khatib, Vice Chair; Catherine Turco-Abate, Clerk; Philip Czachorowski, John O'Leary, and Carl Balduf, Town Engineer.

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

Minutes: Mr. Conroy moved to accept the minutes of December 5, 2019. Motion seconded by Ms. Abate and voted 5-0-0.

7:01 p.m. Olmsted Estates Major/Minor Determination: The applicant was represented by John Glossa, Glossa Engineering, 46 East Street, East Walpole, MA. He stated the homeowners have signed a petition to place the subdivision trees in places where it is appropriate. He stated this can be a field change handled by the tree warden and town engineer. Mr. O'Leary asked if the number of trees changed and Mr. Glossa stated no, just the species of some along with their location. The location will be in compliance with the Board's Rules and Regulations, but the amount will stay the same. Mr. Conroy moved to allow the location of the trees within Olmsted Estates to be a field change. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Glossa stated he will handle this with Mr. Balduf. Ms. Khatib asked if Mr. Balduf is okay with this and he responded absolutely.

7:06 p.m. Pulte, Pennington Crossing, 767-777 East Street Major/Minor Determination: Reid Blute and Matt Leidner represented Pulte. Mr. Blute stated they would like to add a clubhouse on the former Woodworkers site which is presently being developed as an AQV. They are doing this because that is what the people seem to be looking for. Mr. Conroy stated this modification will only involve the site plan, not the special permit. He explained the difference between a minor and major modification.

Matt Leidner, Civil Design Group, N. Andover, MA stated the club house is to supplement the amenities and will be where the gazebo is presently located on East Street. It will meet all the Zoning requirements, nothing will change on the approved plan, it won't affect density, it will meet the 50' perimeter setback and will be in the underlying business zone. They will be deleting two structures and consolidating it into one structure. They submitted this to the building inspector, but did not receive any comments. They are requesting this change to be a minor modification.

Ms. Abate stated she is leaning toward a major modification because she feels the neighbors should be made aware of the proposed change and be given an opportunity to ask questions. She feels we owe them that.

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Mr. O'Leary asked if it will be a one or two story building and Mr. Leidner stated one story with a gable roof. Mr. O'Leary questioned if there will be restrooms and Mr. Leidner stated yes. He asked if the property manager will be located there and Mr. Leidner stated yes. Also, there will access on three sides, east, south and west, but there will be no change in the sewer run off. Mr. O'Leary feels this would be a major modification.

Mr. Czachorowski would like them to show the existing structures on the plan. He also agrees this would be a major modification. Ms. Khatib stated she is pleased with the change and likes the patio area. She feels this is a nice addition to the community. She asked if there will be steps to the front door and Mr. Leidner stated this building will be completely ADA accessible. Everything will be flush. There will be no steps anywhere. Ms. Khatib feels dimensions from the lot line should be added to the plan and also agrees that we need to notice the abutters. She is pleased with the change.

Mr. Conroy moved the proposed clubhouse addition be a major modification. Motion seconded by Ms. Khatib and voted 5-0-0.

ANR –Dziejma, 209 Summer Street: The applicant, Frances Dziejma, was represented by Atty. Greg White. He stated this property is the RA district and all setback are met. Mrs. Dziejma bought this property in 1961 and would like to stay there as long as she can. Mr. Conroy stated they have the necessary frontage and square footage and they are not creating a non-conforming lot. Mr. Balduf stated he has no issues with this ANR. Mr. Conroy moved to endorse an ANR plan of land, finding Form A in order and subdivision control not required. Motion seconded by Mr. Czachorowski and voted 5-0-0.

7:30 p.m. Walpole Housing Partnership discussion: The opening discussion was presented by Ashley Clark, Community Development. She introduced Courtney Starling, Community Opportunities Group, Boston, MA. Ms. Starling presented a power point regarding the housing needs in Walpole and answered the Planning Board's questions regarding same.

Cliff Snuffer, Lorraine Road, Walpole asked questions of Ms. Starling, as did John Hasenjaeger, Pinnacle Drive. Ben Barrett, a member of the Select Board also spoke on Walpole's needs.

Mr. Conroy stated he would expect the Walpole Housing Partnership to know exactly what the impact is when South Walpole comes up and they have all the facts and figures.

8:57 p.m. ANR – Wohler, 24 Peach Street: The applicants, Erich and Elizabeth Wohler, 24 Peach Street, were represented by Atty. Joanna Hilvert, Macchi & Macchi. She stated they are not changing the frontage and not creating any non-conformity. She met with Carl Balduf and made some changes as he suggested. This is legal as a non-buildable lot.

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Mr. Conroy asked if this will remain under the same ownership. Atty. Hilvert stated it is now, but will be transferred at a later date.

Mr. Conroy moved to endorse and ANR plan of land finding Form A in order and subdivision control not required. Motion seconded by Ms. Abate and voted 5-0-0.

9:01 p.m. New Pond Village Continued Hearing, Case No. 19-03: Mr. Conroy opened the hearing and read the comments received associated with Revision #3 and Revision #4. Mr. Balduf stated he is all set, but does have a comment on the demo plan, which could be a condition of approval. The applicant was represented by Atty. Philip Macchi, 1256 Washington Street, Norwood. He stated in October there were some outstanding issues that have been addressed. Ms. Khatib wanted to know the width of the driveway. He stated it is a 20' driveway. He has no more information to present to the board at this time.

Ms. Khatib questioned the size of the project as the front sheet of the plan and back sheet of the plan show different figures. Jim Bernadino, Bohler Engineering, explained it. He stated that New Pond Village is 19 acres and the difference is the entire land area is referenced.

There were no further questions or comments. Mr. Conroy moved to close the public hearing. Motion seconded by Ms. Abate and voted 5-0-0

The board discussed the special conditions of approval. It was agreed that Mr. Balduf's letter would be added; the Deputy Fire Chief's request that "No Parking Fire Lane" markings and signs on the rear access road will be added to the plans prior to endorsement; the emergency access lane must comply with 527 CMPRI, Chapter 18 Fire Department Access and Water Supply; the applicant will coordinate with Norfolk County Mosquito Control as appropriate as requested by the Board of Health; and all changes will be added to plan prior to endorsement.

Mr. Conroy moved to approve New Pond Village, 160 & 170-180 Main Street, Case No. 19-03 with the Board's standard conditions and four special conditions as discussed. Motion seconded by Ms. Khatib and voted 5-0-0.

9:16 p.m. Sycamore Heights discussion: Mr. and Mrs. Laframabaise, 61 High Street were represented by John Glossa, Glossa Engineering. They requested to meet informally with the Planning Board to discuss the possibility of installing a driveway (in lieu of a public street) for the purpose of combining two existing lots to create one buildable lot. Mr. Conroy stated they need to present either an ANR or a subdivision plan. Both sides own to the middle of the street so the neighbor would either have to be part of the application or sell to the Laframabaise's which would make the paper street go away. Mr. Glossa stated their neighbor didn't want to sell.

Mr. Conroy stated the Laframabaise's would need to buy out the people or they have to be co-applicants for this. They need to do a two-lot subdivision as they can't propose a one lot

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subdivision. Mr. Glossa stated they are not changing the existing lot and he is aware there is nothing in subdivision control that allows a one-lot subdivision.

Ms. Laframbiasse stated the paper street has been there since 1902. When they bought this they were told that they would need to prove the lot was there and their surveyor did that. Also, on the 1902 plan Joal Avenue didn't exist. When it was approved by the town they took away their rights to Sycamore and they were left with no access to it. She stated that her neighbor, John Simeone and three others lots are land court land. She stated she would be willing to come back with one lot, not two, with a 40' road that would go from Pemberton to High Street. Mr. Conroy stated she can't do a one-lot subdivision. They could propose an ANR, but there has to be frontage on a public way. That being said, we don't give legal advice.

Mr. Glossa stated the hurdle they have is that any one of the abutters can appeal this. Mr. Conroy stated we can't take the application without all their signatures. Ms. Laframbiasse stated her next step would be to put the original plan before the board and not worry about what the neighbors would say. Mr. Conroy stated all the names would have to appear as co-owners. Ms. Laframbiasse feels there is a disconnect between her attorney, Tom Brady, John Glossa and the Board.

Ms. Khatib asked if Ms. Laframbiasse has the cooperation of the home at 59 High Street. She stated they made an offer to her, but she refused. Mr. Glossa stated she doesn't want to give up her land. Atty. Philip Macchi stated his client said unequivocally no and wrote that in a letter to Tom Brady. Ms. Khatib stated that we need something that says legally you can do what you want to do. Mr. Glossa stated they will need to come back with a definitive plan and application. Ms. Laframbiasse stated she is grandfathered.

9:40 p.m. Bristol Bros. Site Plan Continued Hearing, Case No. 19-08; and, Bristol Bros. (2) Special Permits, Case No. 19-09 Continued Hearings, Renmar Avenue & West Street:

The applicant was represented by Atty. Jeffrey Tocchio, Drohan, Tocchio & Morgan, 175 Derby Street, Suite 30, Hingham, MA and Gabe Crocker, Crocker Design Group, 2 Sharp Street, Unit B, Hingham, MA.

Mr. Conroy read comments from the Fire Department, Eversource, Police Department and the Board of Health, who stated that the bat houses have gone away and there are other measures to take their place. Mr. Conroy stated they need to be removed from the plans. He also read a letter from Chief Bailey, Fire Department, with regard to street names.

Carl Balduf, Town Engineer stated he would like the flexibility to have concrete or bituminous sidewalks within the complex. Mr. Conroy stated they proposed bituminous, but we want the option to go to concrete in some places. Ms. Khatib would like the line of sight added to the plan at the West Street area prior to endorsement. Atty. Tocchio stated all sight lines are good.

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There were no further board or public comments or questions.

Mr. Conroy moved to close Case No. 19-8, Site Plan Approval and Case No. 19-9, for two special permits. Motion seconded by Ms. Abate and voted 5-0-0.

Mr. Conroy moved to approve the site plan application and the two special permits with the board's standard and special conditions. Motion seconded by Ms. Khatib and voted 5-0-0.

Mr. Conroy moved to return the filing fees for all three applications as submitted and as requested by Atty. Jeffrey Tocchio on behalf of Bristol Bros. Motion seconded by Ms. Abate and voted 5-0-0.

Bristol Industrial Subdivision: Mr. Conroy opened the continued Industrial Subdivision hearing. Mr. Conroy moved to accept an extension of time up to and including May 31, 2020 as requested. Motion seconded by Ms. Khatib and voted 5-0-0. He moved to continue this hearing without testimony as requested by Atty. Jeffrey Tocchio to May 21, 2020 at 7:05 p.m.

Rolls Royce, 110 Norfolk Street Plan Endorsement: Mr. Conroy moved to endorse the plans as submitted and reviewed by Carl Balduf, Town Engineer. Motion seconded by Ms. Abate and voted 5-0-0.

Boyden Estates: Mr. Balduf stated Mr. Petrozzi is still working on installing the granite curbing and they are not ready at this time to move forward with a bond reduction. Mr. Conroy stated Mr. Petrozzi owes property taxes and we cannot do anything until those are paid. Mr. Balduf will look into that.

Mr. Czachorowski moved to adjourn. Motion seconded by Ms. Abate and voted 5-0-0. The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Catherine Turco-Abate, Clerk

Accepted on 3/5/2020