

WALPOLE PLANNING BOARD MINUTES OF JANUARY 18, 2017

A regular meeting of the Walpole Planning Board was held on Thursday, January 18, 2018 at 7:00 p.m. in the Town Hall Main Meeting Room. The following members were present: John Conroy, Chairman; Marc Romeo, Vice Chairman (7:06 p.m.); Sarah Khatib, Clerk; Katherine Turco-Abate, Joseph Moraski, and Margaret Walker, Town Engineer.

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

Minutes: Mr. Conroy moved to accept the minutes of December 7, 2017 and January 4, 2018. Motion seconded by Mr. Moraski and voted 4-0-0.

Lost Brook Trail Subdivision: Mr. Conroy moved to grant an extension of time up to and including January 31, 2021 as requested by Mr. Hoegler, High Street, Walpole, MA. Motion seconded by Mr. Moraski and voted 4-0-0.

Mr. Romeo arrived at 7:06 p.m.

Atlantic Court Extension Subdivision: Mr. Conroy moved to grant an extension of time up to and including April 1, 2018 as requested by Larry Stern. Motion seconded by Mr. Moraski and voted 5-0-0.

Gigi's Way: Mr. Conroy read an informational email from the Conservation Agent.

Hancock Court Extension: Mr. Conroy read a letter dated January 10, 2018 from Kevin Sullivan regarding a fence around the retention basin at this subdivision. He stated that Ms. Walker's punch list referenced a wooden fence around the basin, but the homeowner has put up a vinyl fence. He is asking the board to accept the vinyl fence as it is already in place. Mr. Conroy stated a wooden fence is on the plan and asked if the board wants to waive it. He asked Ms. Walker to look at this to determine if a wooden fence is needed. She agreed and will make a determination.

Olmsted Bond Reduction: Mr. Conroy questioned the bump in the road coming onto Fisher Street from the Olmsted Subdivision and asked what is proposed to fix it. Ms. Walker stated it will be topped off and made level by the developer. Mr. Conroy stated we need a plan showing the change in grade and we will not reduce any more money from the bond until that is done. Ms. Walker stated she will tell them. Mr. Conroy moved to reduce the bond on Olmsted Estates to \$458,000.00 as recommended by Ms. Walker. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy stated that Whitman Homes could take over the bond from P.J. Hayes. Mr. Moraski asked Ms. Walker to meet with Whitman Homes and P.J. Hayes. He also pointed out that Town Meeting would be very concerned and critical about additional appropriations to repair or resurface a road that have been constructed and finished only a short time ago.

Spring 2018 Zoning Articles: David Norton, Building Commissioner, was present to discuss the articles as prepared and forwarded to the board by Joe Moraski. Mr. Moraski wanted to take Article IV first.

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Article IV (Changes to Section 6-C.4.A Number of Buildings on a Lot): Mr. Moraski stated that everyone has a copy of Dave Norton's review of Article IV. He made some changes, but it is still the same as what is in the book now with the exception that it lists the conditions and the addition of the Planning Board for site plan review. The conditions are basically the same as in the current bylaw with one exception. Mr. Norton said he is trying to make this more consistent. Condition 1 will remain the same; Condition 2 he changed "will not exceed" to "shall have not less than"....; Condition 3 changes from 25' setback to 30' setback; Condition 4 changes "twenty feet apart" to "30 feet apart..."; Condition 5 stays the same; Condition 6 changes "15,000 s.f." to "10,000 s.f.", He recommends if you change the area per unit in this section, that the board also change Section 5 to the square footage. After much discussion, Mr. Conroy moved to request a placeholder for this article. Motion seconded by Mr. Moraski and voted 5-0-0.

Article I (Adding to Definitions, Section 14.2, Railroad Yard, etc.): It was agreed to hold this article until the Fall 2018 town meeting.

Article II (Housekeeping for Section 6B, Dimensional Regulations): Mr. Moraski moved to accept this article for Planning Board sponsorship. Motion seconded by Mr. Conroy and voted 5-0-0.

Article III (Changes to Section 10-C-2-A(2), AQV: Mr. Conroy moved to sponsor this article. Motion seconded by Ms. Abate and voted 5-0-0.

Article V (Changes to Section 5B, Table 5-B.1, Daycare): Mr. Conroy moved to request a placeholder for this article. Motion seconded by Mr. Moraski and voted 5-0-0.

Article VI (Changes to Section 7, Sign Regulations): Mr. Conroy moved to request a placeholder for this article. Motion seconded by Mr. Moraski and voted 5-0-0.

Mr. Conroy asked that Articles II, III and VI be forwarded to town counsel for review and that we discuss this further at our February 1st meeting.

8:26 p.m. 26 Baker Street Subdivision Continued Hearing: Mr. Conroy read comments received with regard to revised Plan #3 from Paul Barry, Deputy Fire Chief, Board of Health and ConCom. He read comments received with regard to revised Plan #2 from Paul Barry, Deputy Fire Chief, Board of Health and Sewer and Water Commission. Ms. Walker read her comments dated December 18, 2017. Mr. Conroy stated the legal frontage will have to be on the proposed street. Ms. Walker stated there is a moratorium until 2020 with regard to the street opening; however, the applicant may request a waiver from the Board of Selectmen. Mr. Conroy questioned how this street will be conveyed as it will remain private. Shawn Hardy, Mr. Brolly's engineer, stated the owner of Lot 2 will be responsible for that roadway, including paving, lights, etc. Mr. Moraski questioned if plowing is included and Mr. Hardy stated yes.

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Mr. Conroy distributed a letter that was received in the office this morning at 10:42 from Robert and John O'Leary, Washington Street. He stated it is hard to read and digest this as it just came in and no one has seen it, but he did paraphrase it.

Mr. Hardy stated he had a conversation with both Ms. Walker and the Fire Department. The road pavement will be 25' wide and there were other changes to the hydrant and roundings. Mr. Moraski questioned the proposed turn around and asked what will prevent someone from doing plantings in there later on. Mr. Hardy stated it will be paved. Also, they are asking for a hammerhead instead of a cul-de-sac and the Fire Department is satisfied with what is being proposed. Mr. Moraski also questioned the trees. Mr. Hardy stated there will be three on Lot 1 and three on Lot 2. He had a list to use for guidance which he received from Bob LeBlanc, Tree Warden. Ms. Khatib questioned the required zoning circle and town services. Ms. Walker stated she will assign a Baker Street address. Mr. Conroy read a letter dated October 17, 2017 from Christine Corcoran, Peach Street, Walpole.

Mr. Hardy agreed to add the wording "A Two Lot Single Family Residential Subdivision" to the plan cover sheet as requested by Ms. Khatib. Ms. Corcoran questioned the developer retaining the fee in the street and who will own the street. Mr. Hardy stated the owners of Lot 2. Mr. Conroy stated that both Lots 1

and 2 will own the road, but Lot 2 will maintain the road. Ms. Corcoran stated that in order to grant waivers, they need to show they can do it and Mr. Conroy agreed. Ms. Corcoran questioned the rounding closest to Washington Street and stated it is 29', but 30' is required. Ms. Walker agreed there is 29' on one side and 30' on the other. She feels that is a question for the surveyor. Mr. Hardy stated they are requesting a waiver on the 29'. Ms. Walker asked if the original plan showed 30' and Ms. Abate stated they all show 29'. Mr. Conroy stated they need to show this can be done at 30'. Ms. Corcoran still questioned the easement. She also questioned that it will be a single family home. Mr. Conroy stated this is an RB zone.

Robert O'Leary, Washington Street, Precinct 3 asked if this is going to be more than one additional home and can they come back in the future and add another home. Mr. Conroy stated they can't. Mr. O'Leary discussed the ownership of the road, future further subdivision, roundings, frontage, and certification of the 90 degree angle. Ms. Walker stated they would need to have a surveyor verify what we have in front of us. Mr. Conroy stated if there is further information from the surveyor, it needs to be submitted. Mr. Hardy asked if they need to redo the plan and Mr. Conroy stated the roundings have to be shown. Mr. O'Leary questioned Regan Road.

John O'Leary, Washington Street questioned the geometry and stated the plan doesn't show the change in the angle. Also, Page 3 on one of the older plans showed 189', not 200'.

Mr. Conroy stated this hearing will be continued as we need a new plan showing what was discussed. Mr. Hardy gave the board an extension of time up to and including February 28, 2018 on which to take action. Mr. Conroy moved to accept an extension of time up to and including February 28, 2018. Motion seconded by Ms. Khatib and voted 5-0-0. Mr. Conroy continued this hearing to February 15,

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2018 at 7:30 p.m. He asked Mr. Hardy to bold the changes to the plans and also to bring in reduced size copies showing what the board discussed.

9:55 p.m. Nichols Pond Lane Subdivision Continued Hearing: Mr. Conroy opened the hearing and read a letter dated January 2, 2018 from Deputy Chief Paul Barry. Mr. Truax stated he would like to go over the history of this project. Mr. Conroy stated we have a letter from the Deputy Fire Chief that doesn't approve of the street length waiver request. Mr. Truax talked about a plan dated back in 2003 and also three ANR plans. He stated that back then there was a build out of 29 lots and today there are 21 lots and a reduced density. Mr. Conroy stated Mr. Wakefield rezoned this based on connecting through to Barachiah Lane. Mr. Truax stated at the end it went from 40 lots down to 29 and then down to 21. Mr. Romeo asked how that addresses what the fire chief wants and Mr. Truax stated it doesn't. Mr. Conroy stated if you had connected through to Barachiah Lane, you wouldn't be here now. Mr. Truax stated he would like an emergency access that goes through but is not a road. Ms. Abate feels this is a safety issue and believes lives could be at stake. Mr. Truax asked what about an emergency access. Ms. Khatib said talk to the fire chief. Mr. Romeo stated we all know that Barachiah Lane is a driveway. Ms. Khatib asked if Barachiah Lane is a private way and Mr. Truax stated yes. Mr. Romeo asked if it is in perpetuity and Mr. Conroy stated yes.

Mr. Conroy stated we can take a vote now or you can go see Deputy Chief Paul Barry. Mr. Truax stated they don't want the board to vote this down.

Mr. Conroy asked who owns Barachiah Lane and Mr. Wakefield stated he owns it all. Ms. Khatib stated when we talked about going through to Barachiah Lane before, it was mentioned this would need to be readvertised. If it were only a fire access, would we have to do that? Mr. Conroy stated he doesn't think so, but he is not sure. Mr. Moraski asked what is the length of the road where the cul-de-sac stops at the right of way and Mr. Truax stated 750'. Mr. Romeo asked how far from the end of Barachiah Lane to Lafayette to Washington Street? Mr. Truax stated he will find out. He also stated he will set up a meeting with Paul Barry. Mr. Moraski stated he would like to attend that meeting.

Mr. Wakefield gave the board an extension of time up to and including April 10, 2018 on which to take action on Nichols Pond Lane subdivision. Mr. Conroy moved to accept the extension of time. Motion seconded by Mr. Moraski and voted 5-0-0.

Michael Finocchi, 4 Barachiah Lane stated his initial issue was that the development will be a cut through. Barachiah Lane is a two lot subdivision with a Mutual Maintenance Agreement and it did not connect through to anyone else. They are afraid of some sort of a connection. He feels that an emergency access road would still be as much of an issue as a through road. He would like the Deputy Fire Chief to come see this area. Mr. Conroy stated there would be no through traffic as it would be a locked gate and therefore there wouldn't be much affect to Mr. Finocchi's house.

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Bob Dandurand, 12 Lafayette Drive stated he can't imagine a fire truck being able to swing into Barachiah Lane. Mr. Conroy stated he agrees, but when Barachiah Lane was approved, the Walpole Fire Department didn't have an issue.

Mr. Truax stated he will submit revised plans to the board. Mr. Conroy continued this hearing to March 1, 2018 at 7:30 p.m.

Mr. Conroy moved to adjourn. Motion seconded by Mr. Romeo and voted 5-0-0. The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Sarah Khatib, Clerk

Accepted 2/1/18