

WALPOLE PLANNING BOARD MINUTES OF JANUARY 5, 2023

A regular meeting of the Planning Board was held on Thursday, January 5, 2023 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: John Conroy, Chair; John O'Leary, Vice Chair; Philip Czachorowski, Sarah Khatib and Carl Balduf, Town Engineer.

Mr. Conroy opened the meeting at 7:01 p.m.

Minutes: Mr. Czachorowski moved to accept the minutes of November 3, 2022. Motion seconded by Ms. Khatib and voted 3-0-1 (Mr. O'Leary abstained). Mr. Czachorowski moved to accept the minutes of December 1, 2022. Motion seconded by Mr. Conroy and voted 2-0-2 (Ms. Khatib, Mr. O'Leary abstained). It was agreed to add the December 1st minutes on our January 19th agenda.

7:03 p.m. Patrick Deschenes re: Zoning Bylaw changes: Mr. Deschenes presented eight articles and requested that the Planning Board sponsor them. After a brief discussion of the articles, it was noted that they can introduce modifications at the public hearing.

Mr. Conroy moved to sponsor the articles and to hold the public hearing. Motion seconded by Ms. Khatib and voted 4-0-0. Ms. Khatib feels that all zoning articles should be going through the Planning Board and thinks it is inappropriate for the Select Board to sponsor them. Mr. Conroy stated that the Zoning Board can't sponsor an article, so the Select Board does it. Ms. Khatib stated the Planning Board should be in charge of the Zoning Articles.

7:30 p.m. 24 Heidi Street Subdivision Continued Hearing: The applicant, Al Quaglieri, was represented by Atty. Lou Caccavaro, Norwood, MA. Mr. Conroy asked if they made changes to the waived plan and also do they have a plan without waivers. Mr. Bissonette stated yes. Atty. Caccavaro stated there is no mortgage on this property at this time. Mr. Conroy read comments received from the Fire Department, Board of Health and Mr. Balduf read the Engineering comments. Jamie Bissonette, ZLS Engineering, stated they met with the fire department and have worked out the issues. Mr. Balduf stated he doesn't think his comments will carry over to the waived plan.

Mr. Conroy asked for questions regarding the non-waiver plan. Mr. O'Leary asked if the waiver plan and non-waiver plans are combined and Mr. Bissonette stated yes and that some of the waivers are regarding the standard of the roads. Mr. O'Leary asked if there will be run off and Mr. Bissonette stated that much less pavement would mean much less run off. Mr. O'Leary questioned the Board of Health letter. Mr. Bissonette stated he did the perc tests on site with them. Mr. Conroy stated they have to fill those in before a building permit is given. Mr. Czachorowski stated if they went forward with the non-waiver plan, would they need to go before the Conservation Commission and Mr. Bissonette stated yes. Ms. Khatib questioned the lots on the non-waiver plan and asked where the drainage basin is and if it will become part of another lot. Mr. Bissonette stated it is shown as a separate lot. Atty. Caccavaro stated the intent is to build a house for his client and currently there is no further intent. Ms. Khatib asked why they are insisting to not label it as a non-buildable lot and Atty. Caccavaro stated because it is buildable. Mr. Balduf stated it could create a possible cloud on the title if there is a non-buildable note on it. Mr. Conroy stated this is one plan for one house and if they want to do another one they would have to come back and go through this whole process again. Ms. Khatib stated she would like to hear from the Deputy Fire Chief as we are talking about eight lots. Mr. Bissonette corrected Ms. Khatib and stated it is only one lot.

WALPOLE PLANNING BOARD MINUTES OF JANUARY 5, 2023 (2)

Mr. Bissonette stated they are asking for waivers from: Section III-1(c)9; Section IV-(c); Section IV(d); Section V-6(a through c); Section V-7; Section V-8; Section V-9; and Section V-12. Mr. Conroy asked Mr. Balduf if he is all set with the waiver plan and Mr. Balduf stated he hasn't looked at it in a while. Mr. Bissonette stated he has no engineering issues with the waived plan. Ms. Khatib asked the width of the driveway going to the house and Mr. Bissonette stated 20' paved. Mr. Quaglieri stated past precedence has been 14' paved plus 3' on each side. Mr. Conroy stated the Fire Department wants 20' with 3' on each side. Mr. Balduf stated we have seen it done that way. Ms. Khatib stated recently it has been 20' paved. Mr. Quaglieri asked if the "by right" plan paved area changed and Mr. Conroy stated no. Mr. Quaglieri asked what about the plan that is in effect now and Mr. Conroy stated you are modifying it. Ms. Khatib noted he is only building one house and asked if there are more lots. Mr. Quaglieri stated that today there is one house. Ms. Khatib asked that the locus plan be revised and Mr. Bissonette agreed. He stated the original plans are in color. Mr. Czachorowski stated he would like to make sure all the deputy fire chief's comments are carried out. He asked if they will be backing up to go in the driveway. Mr. Bissonette stated the plan is to have a turnaround right before the driveway. Mr. Czachorowski asked if he met with the deputy chief and Mr. Bissonette stated yes.

Mr. Conroy asked for comments from the public.

Dan Cesario, 11 Carl Road stated he lives directly behind the lot in question and asked if there can be more development. Mr. Conroy stated the wetlands are there. He asked if the water from Mr. Cesario's lot drains toward the new house lot and Mr. Cesario stated yes. Mr. Conroy stated they have already been through the Stormwater Management process.

Mr. Conroy moved to vote the waivers as indicated on Mr. Balduf's memo of September 9, 2022 with the exception that the road will be 20' paved as per the fire department. Motion seconded by Ms. Khatib and voted 4-0-0.

The board discussed the following special conditions:

- All comments provided by the Town Engineer during the public hearing process shall be added to the final plan prior to endorsement, with the exception of the note regarding the non-buildable lot.
- Waivers as approved by the Planning Board shall be added to the final plan prior to endorsement.
- All comments provided by the Walpole Fire Department during the public hearing process shall be added to the final plan prior to endorsement.

Mr. Conroy moved to approve the conventional plan with the board's added conditions. Motion seconded by Mr. Czachorowski and voted 4-0-0. Mr. Conroy moved to approve the waiver plan. Motion seconded by Ms. Khatib and voted 4-0-0. Mr. Conroy moved to close the public hearing. Motion seconded by Mr. Czachorowski and voted 4-0-0.

8:14 p.m. 931 Main Street, Case No. 22-04 Continued Hearing: The applicant was represented by Atty. Philip Macchi, 1256 Washington Street, Norwood and Dan Merrikin, Legacy Engineering, Millis, MA.

WALPOLE PLANNING BOARD MINUTES OF JANUARY 5, 2023 (3)

Mr. Balduf reviewed his comment of December 27, 2022. Mr. Conroy stated that everyone agrees the entrance will be on East Street, not Main Street. Mr. Merrikin stated they will withdraw the special permit presently before the Zoning Board as they are adding another parking space because of changing the traffic flow in the site plan process. Mr. Merrikin stated they are adding a paved patio with two benches in the front. Ms. Khatib stated she likes the flow better and you gained a safer parking spot. She stated the deputy fire chief had asked for an area of no parking. Mr. Merrikin stated he will add that prior to endorsement. She asked for a breakdown of commercial space versus residential and Mr. Merrikin stated Mr. Macchi will discuss that. Ms. Khatib stated that Ms. Abate had previously asked for a one-way sign and Mr. Merrikin stated they added that to the plan. Ms. Khatib questioned a designated delivery space. Mr. Merrikin stated that can't be noted on the plans as what they have is not quite big enough to show on the plans as an actual parking space. Ms. Khatib asked if the space in front of the trash dumpster will be paved and Mr. Merrikin stated yes. Ms. Khatib stated she does like the improvements for downtown. She questioned the lighting under the building. Mr. Merrikin stated it will be on the special permit plan and there will be adequate lighting underneath the overhang. He stated that could be a condition of approval. Mr. Czachorowski thanked Mr. Merrikin for the bench out front. Mr. O'Leary questioned the snow removal. Mr. Merrikin showed him where it is on the plan. Mr. Czachorowski stated that because this is a covered parking area, you will have less snow.

Mr. Macchi submitted a handout on the easements on the property. Mr. Czachorowski asked who actually owns this and Mr. Macchi stated Mr. Goldman and his trust. The applicant has the right to use it as a driveway or passageway. He also submitted a handout with regard to the calcs. He stated he believes this project is compliant with the Zoning Board.

There were no public comments.

Mr. Conroy moved to approve the board's standard conditions and the following special conditions:

1. Prior to endorsement, denote on the plans the signs and paint markings per the Fire Department memorandum dated January 3, 2023.
2. Prior to endorsement, revise the plans per comments 1-4 per the Town Engineer's memorandum dated December 27, 2022.
3. Prior to endorsement, revise the plans to note the amount of landscape area around the parking area per Section 8.8.B.1 of the Zoning Bylaw.
4. Prior to endorsement, revise the plans to add a note requiring adequate lighting under the parking area building overhang to ensure safe pedestrian conditions.
5. The design engineer shall inspect the infiltration systems bottom prior to installation, the installed system prior to backfill, and finished surface upon completion and provide as-built verification of the units and materials installed and also show on an as-built plan. Town of Walpole Engineering should be notified at the same stages to have the opportunity to verify installation conditions.

WALPOLE PLANNING BOARD MINUTES OF JANUARY 5, 2023 (4)

6. The applicant has agreed to gift \$12,000 to the Town of Walpole as a contribution towards the upgrade of the pedestrian activation controls at the adjacent Main Street and East Street pedestrian crossings to accommodate pedestrians with vision impairments. Such payment shall be provided to the Town at the time of endorsement of the site plan.

Motion seconded by Mr. Czachorowski and voted 4-0-0. Mr. Conroy moved to grant site plan approval for 931 Main Street, Case No. 22-04 with the board's standard and special conditions. Ms. Khatib stated she will abstain due to her working with the Downtown Committee. Motion seconded by Mr. Czachorowski and voted 3-0-1 (Ms. Khatib abstained). Mr. Conroy moved to close the public hearing. Motion seconded by Mr. Czachorowski and voted 4-0-0.

8:37 p.m. Warwick 2-Lot Subdivision Continued Hearing: Mr. Conroy moved to accept an extension of time up to and including February 28, 2023 as granted by the applicant, Lou Petrozzi, Wall Street Development. Motion seconded by Mr. O'Leary and voted 4-0-0. Mr. Conroy continued this hearing without testimony to February 2, 2023 at 7:10 p.m. as requested by Mr. Petrozzi.

8:40 p.m. 2250 Route 1 Site Plan Approval, Case No. 22-07 and 8:41 p.m. 2250 Route 1 Special Permit, Case No. 22-08: The applicant was represented by Atty. Philip Macchi and John Glossa, Glossa Engineering. Mr. Conroy stated we did not receive a certified abutter list from the Town of Foxboro and therefore, he will continue this hearing without testimony in order to receive the list and notice the abutters as required. Mr. Glossa stated he asked Jim Crowley, Building Commissioner, about noticing the abutting town abutters and he said they didn't need to. Mr. Conroy stated it is not his call. Mr. Conroy stated we will open these hearings to continue without testimony. Atty. Macchi granted an extension of time up to and including January 31, 2023 for both the site plan hearing and the special permit hearing. Mr. Conroy moved to accept an extension of time up to and including January 31, 2023 for Case No. 22-07 and 22-08. Motion seconded by Mr. Czachorowski and voted 4-0-0. Mr. Conroy continued these hearings to January 19, 2023 at 7:05 p.m. and 7:06 p.m. respectively.

Lincoln Road Scenic Road for Lots 1-5 Continued Hearing: The applicant was represented by John Glossa, Glossa Engineering, East Walpole, MA. Mr. Khatib stated she doesn't want to approve this with some trees being taken down and then the driveway location is changed. Mr. Glossa stated they have submitted septic plans, an Order of Conditions on Lot 5, and a Negative 3 determination on Lot 3. He agreed they would need to come back to the Planning Board with any changes.

Mr. Conroy stated a condition of approval will be that these scenic road permits don't kick in until there is a permit pulled. Ms. Khatib stated she doesn't want someone to cut down all the trees and then come back looking for a change. Mr. Balduf stated he won't issue a curb cut permit without a scenic road approval.

Mr. Czachorowski questioned the driveway on Lot 5.

There were no further questions. Mr. Conroy moved to approve the Scenic Road applications for Lots 1-5 on Lincoln Road. Motion seconded by Mr. O'Leary and voted 4-0-0.

WALPOLE PLANNING BOARD MINUTES OF JANUARY 5, 2023 (5)

Master Plan Update: Mr. Czachorowski updated the board on what the Master Plan Committee is presently doing. He stated they will get a draft plan from Judy Barrett in mid-January.

Mr. Conroy moved to adjourn. Motion seconded by Ms. Khatib and voted 4-0-0. The meeting adjourned at 9:02 p.m.

Respectfully submitted,

John O'Leary, Vice Chair

Accepted 2/2/23