

## WALPOLE PLANNING BOARD MINUTES OF JULY 23, 2020

A regular meeting of the Walpole Planning Board was held at 7:00 p.m. in the Walpole High School Auditorium. The following members were present: John Conroy, Sarah Khatib, Catherine Turco-Abate, Philip Czachorowski, John O'Leary, and Carl Balduf, Town Engineer.

Mr. Conroy opened the meeting at 7:02 p.m.

**Minutes:** Mr. Conroy moved to accept the minutes of March 5, 2020. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy moved to accept the minutes of April 2, 2020. Motion seconded by Ms. Khatib and voted 4-0-1 (Mr. O'Leary abstained). Mr. Conroy moved to accept the minutes of April 16, 2020. Motion seconded by Mr. Czachorowski and voted 4-0-1 (Mr. O'Leary abstained).

Mr. Conroy stated that we are not allowed to hold public hearings with more than 25 people in attendance and we cannot control the number of people who could possibly attend a hearing. Therefore, at this time we will be holding public meetings to sign plans, set bonds, and do other things that don't require a public hearing and notice to abutters.

**Reorganization:** Ms. Abate moved to nominate Mr. Conroy as Chairman and Ms. Khatib as vice chair. Motion seconded by Mr. O'Leary and voted 5-0-0. Ms. Khatib nominated Mr. Czachorowski as Clerk. Motion seconded by Ms. Abate and voted 5-0-0.

**26 Baker Street Final Bond Release:** Mr. Balduf stated this subdivision is not ready at this time for final release. He will be in touch with Mr. Brolly.

**Lost Brook Trail Subdivision Bond:** Mr. Conroy stated that the original bond was set at \$376,000, but it was never posted. We have a request for a reduction which was calculated down to \$50,000 by Carl Balduf; however, we have a 25% retainage clause in our fees which means the bond can only be reduced to \$94,000.

Atty. Edward Cannon was present on behalf of Greg Coras. He doesn't agree with the board withholding \$94,000 as the subdivision is almost finished and he feels the bond being \$50,000 is more than sufficient as recommended by Mr. Balduf. Mr. Conroy stated we cannot go below the 25% mark. Atty. Cannon feels the board needs a legitimate reason for not going with the town engineer's recommendation. He feels it is not fair. Ms. Khatib asked when he expects the road to be completed. Mr. Coras stated in the Fall of next year because they have another house to build and they don't want to damage the road. Ms. Khatib feels that is a significant amount of time. Mr. Czachorowski asked what Mr. Balduf's recommendation is. Mr. Balduf stated he didn't know there was an original bond calculated before this request. Mr. Czachorowski asked what he recommends now. Mr. Balduf stated it is the board's choice with regard to retaining the 25%. Mr. Conroy stated the people who bought the house could go through 3-5 more years with just a base coat on the road. The Fall of next year is a year and a half away.

## WALPOLE PLANNING BOARD MINUTES OF JULY 23, 2020 (2)

Mr. Coras stated he doesn't want to have to repave it. Mr. Conroy stated the road is separate from the houses; therefore, someone will have to ride herd over the people coming in with their trucks. Mr. Coras stated there are only two lots. It is not uncommon to do the base and then do the topcoat after the heavy machinery is done. He asked Mr. Balduf if in his estimation that the \$50,000 would be adequate a year and half from now. Mr. Balduf stated construction costs could double. Mr. Conroy stated so we could be up the creek and Mr. Balduf stated that could happen. Mr. Conroy stated that today that is a great number, but in October of 2021 there could be an issue. Mr. Balduf stated if he had looked at this as a typical bond reduction, he would have added in the 25%. The board can do what they wish.

Ms. Abate stated she is not comfortable with not going with the \$94,000 as there could be too many changes. Mr. O'Leary stated that because this subdivision won't be finished for more than a year, he agrees with Ms. Abate. Mr. Czachorowski is okay with what the town engineer is recommending. Ms. Khatib agrees with Mr. Conroy that we should follow our Rules and Regulations to make sure the town is protected.

Mr. Conroy moved to set the bond for Lost Brook Trail at \$94,000, which includes a 25% retainage fee. He noted that the original bond in the amount of \$376,000 was never posted. Motion seconded by Ms. Khatib and voted 5-0-0.

**Bristol Bros. Subdivision:** Mr. Conroy moved to accept an extension of time on which to take action on this subdivision up to and including October 17, 2020. Motion seconded by Ms. Khatib and voted 5-0-0. Mr. Conroy continued this hearing to September 17, 2020 if we are meeting on that date. If not, the continuation will be to October 1, 2020.

**High Oaks IV Final Bond Release:** Mr. Conroy moved to release the bond in its entirety for the High Oaks IV subdivision as per a recommendation from the town engineer dated July 21, 2020. Motion seconded by Ms. Khatib and voted 5-0-0.

**Request for Comments:** Mr. Conroy spoke with Mr. Lee, Chairman of the Zoning Board. He stated that they will not be proceeding with Zoom meetings for the 40B applications presently before them. Therefore, the request for comments is on hold at this time.

**Bristol Bros. Plan Endorsement:** He asked Mr. Balduf if he is all set and Mr. Balduf confirmed he is. Mr. Conroy moved to endorse the Bristol Bros. Site Plans as presented and reviewed by Mr. Balduf. Motion seconded by Mr. O'Leary and voted 5-0-0.

**Pulte Site Plan Modification:** Mr. Conroy asked Mr. Balduf if he is all set and Mr. Balduf confirmed he is. Mr. Conroy moved to endorse the Pulte Modification Site Plans as presented and reviewed by Mr. Balduf. Motion seconded by Ms. Abate and voted 5-0-0.

## WALPOLE PLANNING BOARD MINUTES OF JULY 23, 2020 (3)

**Discussion:** Ms. Khatib requested the board discuss the procedures for holding public hearing. Mr. Conroy stated we are restricted by the State to limit our meetings to people to 25 and we can't limit the number of people who want to attend a public hearing. Ms. Khatib feels we can limit the number of people in the room and also limit their say. We can ask them to socially distance. This thing is not going to go away for a long time and it is not fair to the residents and applicants. Mr. Conroy stated we are in Phase 3 right now. He didn't set the rules. Ms. Khatib feels we can work within the rules. We can have the police here. People should be able to give their public testimony. Life is moving on. She asked how long we are going to keep this on hold. Mr. Conroy stated he didn't put this on hold, the government did.

Ms. Abate stated it should be town wide, not just up to our board. All boards should be doing it the same way. She had watched a Zoom meeting and it was challenging. Everyone is doing the best they can to make this work. She is not being critical of the meetings held on Zoom, but feels a decision should be made town wide. Ms. Khatib feels that as a board we should ask the town for all boards and committees. We have to think long term. Ms. Abate feels it should be a collaborative decision. Mr. Czachorowski feels we should see what other Planning Boards in the State are doing. We should work together with the town to have one plan. Ms. Khatib stated also Select boards. Mr. Conroy stated that Selectmen don't have public hearings; they have public business. Ms. Abate stated that Zoning Boards, Planning Boards and Conservation Commissions hold hearings.

Mr. O'Leary agrees with Ms. Khatib that we need to find a solution. He also agrees we have to be consistent within the town. He believes at the moment we are limited by the State as to what we can do. Mr. Czachorowski asked if it is possible to have a meeting and if more than 25 people show up, we could just end it. Ms. Khatib feels that would be difficult. Mr. O'Leary stated that would only anger people. Mr. Conroy stated we can't say who can come and go. Making people leave the room would be a possible appeal. He doesn't agree with the 25 people limit. We could have 15 people on any given team doing a presentation, which would limit the hearing to 10 people and the board is 7 more people, so now we are down to 3 people. The television person is also technically in the room. Ms. Abate asked how do we kick people out and then let them back in. This is not a simple cut and dry situation. Ms. Khatib stated the ZBA did do hearings on Zoom. Mr. Conroy stated you need to supply everyone with access to Zoom. Some people may not have a computer and some may not know how to use it. Mr. Czachorowski feels we should have this conversation with Jim Johnson. Mr. Conroy stated he is probably dealing with the Fall town meeting right now. He stated you can also be knocked off Zoom. Ms. Khatib would like to request something from the other towns. Mr. Czachorowski would like someone to go see Jim Johnson and also write a letter. He would be willing to do this.

WALPOLE PLANNING BOARD MINUTES OF JULY 23, 2020 (4)

Ms. Abate moved to adjourn. Motion seconded by Mr. O'Leary and voted 5-0-0. The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Philip Czachorowski, Clerk

Approved on 8/6/2020