

WALPOLE PLANNING BOARD MINUTES OF MARCH 16, 2017

A regular meeting of the Planning Board was held on Thursday, March 16, 2017 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: John Conroy, Chairman; Elizabeth Gaffey, Vice Chairman; John Murtagh, Clerk; Joseph Moraski, Marc Romeo, and Elizabeth Dennehy, Community Development Director.

Mr. Conroy opened the meeting at 7:05 p.m.

Minutes: Mr. Moraski moved to accept the minutes of February 16, 2017. Motion seconded by Mr. Murtagh and voted 5-0-0. Mr. Moraski moved to accept the minutes of March 2, 2017. Motion seconded by Mr. Murtagh and voted 5-0-0.

Keaney Estates Form I: Mr. Conroy moved to (re)endorse a Form I Release of Form F Covenant dated April 6, 2006 and recorded in Norfolk Registry of Deeds, Book 23551, Page 506 for Lots 1, 2, 3, and 4 as shown on a plan entitled Keaney Estates Definitive Subdivision and recorded with the Registry of Deeds, Plan Book 554, Page 20. Motion seconded by Mr. Moraski and voted 5-0-0.

Keaney Estates, Chieftain Way: Mr. Conroy read correspondence dated March 10, 2017 from Margaret Walker, Town Engineer which stated that all bonded items have been satisfactorily completed. Mr. Conroy moved to release the bond in its entirety for Chieftain Way and to proceed with the street acceptance process. Motion seconded by Ms. Gaffey and voted 5-0-0.

ANR – 1145 West Street: Mr. Conroy moved to endorse an ANR plan entitled “Plan of Land in Walpole, MA” dated March 10, 2017 by RIM Engineering, P. O. Box 32, Mansfield, MA 02048 finding Form A in order and subdivision control not required. Motion seconded by Mr. Moraski and voted 5-0-0. The owners’ title to the land is derived under deed from Rishi Bhatia dated August 27, 2002 and recorded in Norfolk County Registry of Deeds, Book 17498, Page 259. The name of the applicant is Paul Wilson, 1115 West Street, Walpole, MA (Lot 3A) and the owner is Rishi and Karuna Bhatia, 1145 West Street, Walpole, MA (Lot 4A). The purpose of the plan is to divide existing Lot 4A into two lots. Lot C, a non-conforming lot is to be deeded to the owner of Lot 3A. The remaining portion of Lot 4A, now Lot 4B, has the minimum required lot frontage and area and is in

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conformance with the Town of Walpole Zoning Bylaws. Said property is located in the Rural zone.

7:32 p.m. Winter Estates Residents' Hearing: Mr. Conroy read a letter dated March 15, 2017 from Ms. Walker which stated the Engineering Department had inspected the subdivision street paving and found it to be satisfactory. He also read a letter dated December 5, 2016 from Robert LeBlanc, Tree Warden stating the requirement for street trees has been fulfilled. J.T. Walsh stated they think they are done with the street, but they are aware there is some seed that has not germinated yet.

There were no public comments.

Mr. Conroy moved to release the bond in its entirety and to proceed with the street acceptance process. Motion seconded by Ms. Gaffey and voted 5-0-0.

7:35 p.m. Manzo, 100 Elm Street Continued Hearing, Case No. 16-14: The applicant was represented by Atty. Mark Bobrowski, Concord, MA. He discussed the parking. He stated that Mr. Manzo met with Landis Hershey, Conservation Agent. Mr. Manzo stated they took the comments made by the Planning Board and the Conservation Commission very seriously. Atty. Bobrowski thanked the Planning Board for his being able to talk to town counsel, Ilana Quirk. He stated they will be asking the Zoning Board of Appeals for some specific relief for parking lots 2, 5, and 6 to bring them into compliance at the April 19th meeting.

David Mackwell, the applicant's engineer, discussed the changes suggested by Landis Hershey and also his review of the parking regulations. He stated they are trying to maximize the parking and get the most they can. They looked at the drainage in the lot across West Street and also looked at the Elm Street gravel lot. They are planning on re-landscaping what is presently gravel. Atty. Bobrowski stated they will lose some spaces, but there will still be enough to support this project. He would like the board to comment on this. Mr. Murtagh stated he is not sure about the parking yet. He thinks we should hire a consultant to look at the numbers. It should be someone that hasn't worked for Corcoran or Manzo in the past. He is concerned about the MBTA parking.

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Mr. Romeo questioned Lot 6 and asked if they will be paving it or leaving it gravel. Mr. Manzo stated it will be paved. Mr. Romeo asked if it will be brought up to standards to the extent the Zoning Board of Appeals allows them to and Mr. Manzo stated yes. Mr. Romeo questioned the sidewalk on West Street.

Ms. Gaffey questioned the parking fee on Lots 2 and 5 and asked if the MBTA will be able to use what is left over. Atty. Bobrowski stated yes. Ms. Gaffey asked if they found out if Lot 6 is a legal lot and Mr. Manzo stated he talked to PJ Hayes who said the lot goes back many decades. He also spoke to Bob Zaker, who lives in Florida and he stated this parking lot was part of the 2000 permit, but they can find no evidence that it was. Mr. Moraski questioned the parking under the building. He also asked if anyone went to the MBTA to discuss the parking. Mr. Manzo stated they did and were told they never put up fencing unless it's a matter of life and death. Mr. Moraski stated we want to prevent people from crossing West Street wherever they want. Mr. Manzo stated they need a crosswalk for safety.

Mr. Conroy stated we need an extension of time. We also need something showing the lot count. They also need to establish how many spaces are needed for the whole thing. Atty. Bobrowski stated that 214 are needed and 235 are what they have. Regarding Elm Street, he asked if they will be filing that with the site plan and Atty. Bobrowski stated yes. He asked if they are going to use Lot 6 as part of the whole thing and Atty. Bobrowski stated they will talk to Landis Hershey. Mr. Conroy stated if they are going to have parking for a fee, they will need to ask the ZBA. There is a State statute about if there are outstanding fees, which there are. There has never been payment for Elm Street or the others. Mr. Manzo thought they were paid. Mr. Conroy stated they did pay for 47 up on the hill, not you but Historic Realty, but you didn't pay for Elm Street or across the street. Atty. Bobrowski asked where he got that information and Mr. Conroy stated the Licensing Board. Mr. Manzo stated he will check on that. Mr. Moraski stated you can start with Cindy Berube. Mr. Conroy also questioned the leases with the parking.

Mr. Conroy asked for public comments.

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Bill Hamilton, Precinct 5 asked what commercial parking is. He understands you have to provide so many spaces for an apartment, but he is not sure if it is one or two spaces per apartment. He had heard there will be stickers sold for parking. He also questioned visitor parking. Mr. Conroy stated we don't know the answers to those questions. Mr. Conroy stated the Zoning Board is the key in this. Mr. Hamilton questioned the designated parking and guest parking and also the water supply. He stated people have a right to build, but when you have a lot of waivers, he doesn't like that.

Atty. Bobrowski stated that regarding the consulting, Judith Nitsch has looked at this already in the pre-permit stage for the Board of Selectmen. Mr. Conroy stated anything you have done previously and paid for never came to us. He asked if Mr. Murtagh would like to see that and he stated yes. Atty. Bobrowski stated the numbers are changing, but the basics are there. Mr. Murtagh asked if we sorted out town counsel's fees and Mr. Conroy stated no, we have never been asked to. Atty. Bobrowski stated town counsel emailed him and he only talked to her less than an hour. Mr. Murtagh stated the town shouldn't be responsible for Atty. Bobrowski talking to town counsel.

Atty. Bobrowski asked if they refiled would the fee be waived. Mr. Moraski stated he would make that motion. Mr. Conroy stated you need to get Lot 6 squared away. David Mackwell stated that Lot 6 will only be needed to provide for commuter parking. They do not intend to obtain a full Conservation Commission approval. Mr. Conroy stated that Lot 6 will need to be brought up to today's standards. He asked if that is going to stay part of this whole thing. Mr. Manzo stated they want Lot 6 and they will do what they have to do to make it acceptable to both the Planning Board and the Conservation Commission. Mr. Conroy asked if they need Lot 6 to make this go and Mr. Manzo stated no, but they want it part of the process. Ms. Dennehy stated you could take it out and come back later.

Mr. Conroy moved to accept an extension of time on which to take action on this application up to and including May 31, 2017 as per Atty. Bobrowski on behalf of the applicant. Motion seconded by Mr. Murtagh and voted 5-0-0. Mr. Conroy continued this hearing to May 4, 2017 at 7:30 p.m.

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8:40 p.m. John Corcoran, 95 West Street, Continued Hearing, Case No.16-

12: The applicant was represented by Atty. Philip Macchi II, 1256 Washington Street, Norwood, MA. He requested to continue this hearing to May 4, 2017 and granted the board an extension of time up to and including May 31, 2017 on which to take action.

Mr. Conroy moved to accept an extension of time up to and including May 31, 2017 as per Atty. Macchi on behalf of the applicant. Motion seconded by Mr. Moraski. Mr. Moraski would like them to come in and talk about the architecture. Atty. Macchi stated that can wait until May 4th. Motion voted 5-0-0. Mr. Conroy continued this hearing to May 4, 2017 at 7:31 p.m.

Mr. Moraski moved to adjourn. Motion seconded by Mr. Murtagh and voted 5-0-0. The meeting adjourned at 8:55 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 4/20/17