

PLANNING BOARD MINUTES OF MARCH 17, 2016

A regular meeting of the Walpole Planning Board was held on Thursday, March 17, 2016 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: John Conroy, Chairman; Richard Nottebart, Vice Chairman; John Murtagh, Clerk (7:10 p.m.); Elizabeth Gaffey, Richard Mazzocca, Elizabeth Dennehy, Community Development Director, and Atty. Ilana Quirk, Town Counsel.

54 Peach Street Subdivision: Mr. Conroy noted that the town clerk has signed off on the certificate of approval stating that the appeal period has expired and no appeals have been taken. Mr. Conroy moved to endorse the definitive plans dated June 22, 2015, latest revision January 21, 2016 as submitted. Motion seconded by Mr. Nottebart.

Mr. Mazzocca stated there is now a "For Sale" sign at this location and he feels this is misleading and not what we were told. Mr. Nottebart agreed and asked if we can rescind our approval. Atty. Quirk stated a majority of the board needs to sign. She asked if there is a restriction or a condition placed on the plan stating the lots won't be sold and Mr. Mazzocca stated it was a verbal representation by the applicant, but probably should have been a condition. Ms. Dennehy stated there was no condition. It was represented at the hearing. We could send a letter to them telling them we have questions and concerns to discuss with them.

John Glossa, Glossa Engineering, stated the last lot in the subdivision was to be built on by Mr. Adams and the front lot was to be sold.

Mr. Conroy withdrew his motion; Mr. Nottebart withdrew his second to the motion.

Mr. Nottebart moved to bring in Atty. Brady and Mr. Adams to our next meeting to discuss the subdivision at 54 Peach Street. Motion seconded Mr. Murtagh and voted 4-0-1 (Mr. Conroy abstained).

7:25 p.m. Boyden Estates Continued Hearing: Mr. Conroy read a letter dated March 17, 2016 from the applicant, Lou Petrozzi, requesting to continue tonight's public hearing to April 7th and also granting the board an extension of time up to and including May 15, 2016 on which to take action.

Mr. Conroy moved to accept an extension of time up to and including May 15, 2016 as requested by the applicant. Motion seconded by Mr. Nottebart and voted 5-0-0-. Mr. Conroy continued this hearing to April 7, 2016 at 7:36 p.m. as requested.

Warren Lane Discussion: Mr. Glossa stated there is a basin in this subdivision that doesn't drain properly, but it will be taken care of.

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7:28 p.m. DiSangro, 24 & 28 Production Road Continued Hearing for Site Plan Approval, Case No. 16-1 and 7:29 p.m. DiSangro, 23 & 27 Production Road Continued Hearing for Site Plan Approval, Case No. 16-2: The applicant was represented by Frank Gallagher, Gallagher Engineering, Foxboro, MA. John DiSangro was also present. Mr. Gallagher stated he has nothing new to present tonight. He met with the town engineer to go over her comments and concerns and has addressed most of them. He came out of the meeting with a clear understanding of what she was looking for. There have been no revisions to the plans yet because they are meeting with the Conservation Commission and then would like to meet with us after that.

Mr. Gallagher stated he would like to talk to the board about a landscape architect, which was mentioned before at the last meeting by Mr. Murtagh. They do show plantings on the site plan which was done by him. They have specified, in a general way, what is a shrub, tree, etc. Mr. DiSangro stated that the islands and parking cannot change. Also, Ms. Walker liked everything. To have a professional landscaper would cost thousands of dollars, so he is hoping that maybe he doesn't need to have the requirement with a stamp. Mr. Murtagh stated he likes what he is looking at and he doesn't want to put John DiSangro in the hole. He is happy with what he sees. Mr. Nottbart asked him to get a sign off from a landscape architect with a stamp. Mr. Murtagh stated he is okay with what he is looking at and trucks can't be blocked. Mr. Nottbart asked that the shrubs be tolerant to the salt. Mr. DiSangro stated the building across the street is the same, but maybe a different color. He thinks we they resolved everything with Ms. Walker as she is all set now.

Mr. Conroy moved to accept an extension of time from the applicant up to and including April 30, 2016 as per Mr. DiSangro for both 24 and 28 Production Road and 23 and 27 Production Road. Motion seconded by Mr. Nottbart and voted 5-0-0. Mr. Conroy continued these hearings to 7:16 p.m. and 7:17 p.m. on April 21, 2016.

7:44 p.m. DiSangro, 23 and 27 Production Road Special Permit, Case No. 16-3: Mr. Conroy read the public hearing notice. The applicant was represented by Frank Gallagher, Gallagher Engineering, Foxboro, MA. He stated they did test pits in the locations where they are proposing an infiltration system. They also met with the town engineer and she stated they concur with regard to the stormwater management system. These two sites are subject to DEP stormwater management standards and they do meet those standards.

Mr. Conroy asked Mr. DiSangro where he got the list of chemicals that was submitted. Mr. DiSangro stated he went through the records and made up a list from the one submitted for Walpole Park South. Mr. Conroy stated that list has worked well up there. Ms. Dennehy stated they have to let the Fire Department and Board of Health know what will actually be on site.

There were no public comments.

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Mr. Mazzocca stated he assumes Ms. Walker is comfortable with the recharge system. Mr. Nottebart stated the involvement of the Board of Health and other departments is reassuring. Mr. DiSangro stated he benefitted quite a bit from what Donnell Murphy did. Mr. Murtagh asked if there is a use for the buildings yet and Mr. DiSangro stated no. Mr. Nottebart asked if our threshold is household quantities and Ms. Dennehy stated yes. Further, the Conservation Commission's hearing will have no bearing on this. Ms. Walker was okay with the special permits, but she did want some changes to the site plan. Mr. Murtagh stated he has a problem when he doesn't see the Conservation Commission's review. Mr. DiSangro asked for a vote of confidence from the board and Mr. Conroy stated no. Mr. Mazzocca asked if he has heard anything negative from the board and Mr. DiSangro stated no.

Mr. Conroy continued this hearing to April 21, 2016 at 7:18 p.m.

8:05 p.m. DiSangro, 24 and 28 Production Road Special Permit, Case No. 16-4: Mr. Conroy read the public hearing notice. Mr. DiSangro stated everything is identical to the previous hearing. Mr. Gallagher stated the only difference is this location has a little less impervious cover, but has the same review and comments from the town engineer.

There were no public comments.

Mr. Conroy continued this hearing to April 21, 2016 at 7:19 p.m.

8:10 p.m. Olmsted Estates Modification Continued Hearing: The applicant was represented by John Glossa, Glossa Engineering and Atty. Vincent O'Brien, Dover, MA. Mr. Glossa stated that since the last meeting he has made three revisions to the plan and the utility pole is to be moved in the near future. He has spoken with Dep. Fire Chief Michael Laracy and also he has given marked up plans to the town engineer and she is happy with the those plans. Mr. Conroy read a notice of non-compliance from the Conservation Commission. Mr. Glossa stated he spoke to Ms. Hershey about that and they will take care of it as it is just a matter filing forms with the Conservation Commission. Mr. Conroy stated that Ms. Hershey doesn't think the basins are working correctly and they are on your plan for us to approve. Mr. Glossa stated she is talking about the process and forms, not whether or not anything is physically working.

Mr. Conroy read letters from the fire department and conservation agent. Regarding moving the pole, Mr. Conroy asked if everyone is on board with all the owners and Mr. Glossa stated yes. Mr. Conroy stated there have been lots sold there, so how will that work. Mr. Glossa stated they will not have occupancy permits until the pole is moved. Mr. Conroy stated that creates an issue and Mr. Glossa stated not with the Planning Board. Atty. Quirk stated she strongly recommends that if those owners are not signed onto the application, they need to be. Mr. Mazzocca stated he is not sure what the owners need to sign on to. We are talking about the entire subdivision. Atty. Quirk stated they need to be signed onto the entire modification. She stated if they can't

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get an occupancy permit and Parcel 5 has been conveyed, plus there is an extension of the roadway, the question is does that affect their lots. The better course is to have all of them sign off. If it affects title or value to their lot, they need to sign off and so does the mortgagee as well. Atty. O'Brien stated every purchaser is aware of this. Mr. Conroy questioned all the owners who own the lots and haven't signed off but will have to sign off that they are okay with the occupancy stipulation. Atty. Quirk stated also the mortgagees.

Mr. Conroy stated the applicant needs to come back. All the plans need to go back out for comment. Mr. Glossa stated he doesn't agree as there are only three things changed. Atty. O'Brien stated he got an email on March 7th that they are moving forward. He feels that two things they need are 1) assent from owners and mortgagees and 2) confirmation from Ms. Hershey that she is all set. Ms. Dennehy stated she is all set.

There were no public comments.

Atty. O'Brien asked if the town engineer could calculate the bond at this time. Mr. Conroy stated we have to wait until this is approved. Atty. O'Brien would like her to work on this in the interim.

Mr. Viano granted the board an extension of time up to and including April 15, 2016. Mr. Conroy moved to accept an extension of time on which to take action on this subdivision up to and including April 15, 2016. Motion seconded by Mr. Mazzocca and voted 5-0-0.

Mr. Conroy continued this hearing to April 7, 2016 at 7:31 p.m.

Mr. Conroy moved to adjourn. Motion seconded by Mr. Nottebart and voted 5-0-0. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

John Murtagh, Clerk

Approved: April 7, 2016

