

PLANNING BOARD MINUTES OF MARCH 2, 2023

A regular meeting of the Walpole Planning Board was held on Thursday, March 2, 2023 at 7:00 p.m. in the Town Hall Main Meeting Room. The following members were present: John Conroy, Chair; John O'Leary, Vice Chair; Catherine Turco-Abate, Clerk, Philip Czachorowski, Sarah Khatib and Carl Balduf.

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

ANR – Harwood Engineering, 455 South Street: The applicant was represented by Rob Truax, GLM Engineering, Holliston, MA. He stated they are splitting the lot behind the previously approved solar farm and Harwood Engineering. Mr. Balduf stated he reviewed the ANR and had asked Mr. Truax to make some changes based on his comments, such as the addition of the zoning circle, set back lines, and moving of the endorsement block. Mr. Truax made the requested changes.

There were no questions.

Mr. Conroy moved to endorse the ANR as before the board, which was reviewed and approved by Carl Balduf. Motion seconded by Ms. Abate and voted 5-0-0.

7:08 p.m. ANR – Warwick Road: The applicant was represented by Rob Truax, GLM Engineering, Holliston, MA. Ms. Khatib stated the owners are different from the applicant and asked if Mr. Petrozzi has an updated Purchase and Sale Agreement as the one in the file was signed in July of 2021. Mr. Petrozzi stated that is the date when the owners signed the Purchase and Sale Agreement. Ms. Khatib asked what will happen to the approved ANR plan if the owners don't follow through with the Purchase and Sale agreement. Mr. Petrozzi stated if he doesn't purchase it, the owners will still own it and if the subdivision is not approved, this ANR will not be recorded. Mr. Balduf stated he reviewed the ANR and had asked Mr. Truax to make some changes based on his comments, which he did. The corrected ANR is before the board tonight.

There were no further questions. Mr. Conroy moved to endorse the ANR plan as presented and reviewed by Mr. Balduf, Town Engineer. Motion seconded by Mr. Czachorowski and voted 5-0-0.

7:15 p.m. Warwick Road Subdivision Continued Hearing: Mr. Conroy opened the hearing and read comments from Walpole Police, Walpole Fire, Board of Health, Conservation Commission, Sewer and Water Commission, which questioned the two streets involved. Mr. Truax stated he believes them to be Summer and Warwick, but will verify that. Mr. Balduf read and discussed his comments dated February 2, 2023. Mr. Truax stated they have filed for an NOI with the Conservation Commission. He stated there is a dry sewer which goes across Summer Street to Comstock Way. They are proposing a small cul-de-sac and have already done soil testing on site. They want this to be a private road with a reduced cul-de-sac and a hydrant at the end of the cul-de-sac, but the sidewalk will not be extended. Mr. Truax stated they will be showing the existing conditions on the next submission and will meet with Mr. Kelly, an abutter, on the site. Mr. Truax stated the waivers they are requesting are listed on the cover sheet. Ms. Abate asked if there is a stream on site and Mr. Truax stated yes which comes down from Summer Street. They will be doing a culvert crossing with the Conservation Commission. There will be a culvert underneath the road, which is not approved by the Conservation Commission yet. Ms. Abate stated there is a currently a road there and now you are proposing to make it half public and half private. She asked if they have met with the Select Board yet. Mr. Petrozzi stated they have applied for a street opening permit and they are still waiting for an answer.

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Ms. Abate stated it is still a street that will be half private and half public. Regarding the street opening, Mr. Conroy asked why is this a street opening when there is no street to open. Mr. Balduf stated it is the only permit it could be. Mr. Conroy suggested they come back to the Planning Board when they have an approval from the Select Board. Mr. Petrozzi stated there will only be an issue if the Planning Board won't grant the waivers. Mr. Balduf agreed that the Select Board need to approve this. Mr. Conroy stated he feels that should be done first. Mr. Petrozzi stated it is a Catch 22. They are before the Planning Board for the subdivision of two lots. Mr. Conroy stated we could deny this. He stated it would be better to do this after the Select Board. Mr. Petrozzi stated they can't even get in front of the Select Board and if they say no, he will file an appeal. The Select Board has an obligation to do this. Mr. Conroy stated we don't have an obligation to approve it. Mr. Petrozzi stated he would like the Planning Board to approve this two-lot subdivision. Ms. Abate stated she doesn't understand why they can't get before the Select Board. Mr. Petrozzi stated the Select Board delegates the street opening. Mr. Conroy stated he can't have a Street Opening Permit until they post a bond. Mr. Balduf stated that is correct. Mr. Petrozzi stated they want to get this process and the Conservation Commission process out of the way and then go to the Select Board. Mr. Conroy asked if all the information is completed and Mr. Balduf stated no. Mr. Conroy stated so right now there is nothing in front of the Select Board. Mr. Petrozzi stated he did submit a complete package to them and they are looking for someone to review it. Mr. Conroy stated you can't design anything until the Conservation Commission tells you what they want. Mr. Petrozzi stated that won't affect the Planning Board's jurisdiction. He feels the obligation to approve this rests with the Town Engineer and Select Board. The Planning Board can approve this conditioned upon Selectmen approval. Mr. Balduf stated Mr. Petrozzi had said there was a statute regarding constructing the roadway. Mr. Petrozzi said he would get it for Mr. Balduf. Mr. Balduf discussed his latest letter dated February 2. Mr. Conroy stated that one showstopper is the DPW. Mr. Truax stated it appears that the DPW would like the road to be public. He stated maybe they should revise this plan and make it a public road. Mr. Truax stated they could get rid of the waived plan and come back with a revised plan. Mr. Balduf stated a private way requires action by town meeting and the Select Board. Also, one of the abutters, Mr. Kelly, is concerned about his access.

Ms. Khatib stated they need Conservation Commission approval. Mr. Truax asked where we want him to be when we come back.

Steve Kelly, 7 Wall Street stated his property is on the corner of Warwick and Wall Streets. Approximately 185' of his property is on Warwick and that side of his property will go from 0 to 4' or more. He also said he may need to put another driveway in and if there is a wall there he would be shut out. Mr. Conroy stated that the Select Board should not do anything that will affect Mr. Kelly's property. Mr. Balduf stated the plan can now show a curb cut. Mr. Kelly stated he will meet with Mr. Balduf about this.

Mr. Petrozzi stated they have spoken with Mr. Kelly and had surveyors out there. They are going to regrade his property with his permission. Mr. Conroy stated that should be part of the packet for the Select Board. Mr. Petrozzi agreed.

Mr. Conroy granted the board an extension of time up to and including May 30, 2023. Mr. Conroy moved to accept an extension of time up to and including May 30, 2023. Motion seconded by Ms. Abate and voted 5-0-0.

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Ms. Khatib asked for an impact analysis on the new plan. Mr. Truax agreed to look into that. Mr. Conroy asked how many waivers will go away and Mr. Truax stated he is not sure yet.

Mr. Conroy continued this hearing to April 20, 2023 at 7:15 p.m. Mr. Truax stated he will be bringing in revised plans.

8:05 p.m. Renmar Industrial Subdivision Continued Hearing: Atty. Tocchio granted the board an extension of time up to and including September 30, 2023. Mr. Conroy moved to accept an extension of time up to and including September 30, 2023. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy opened the hearing and continued it without testimony to September 21, 2023 at 7:05 p.m.

8:06 and 8:07 p.m. Renmar, Site Plan Approval, Case No. 23-01; Renmar, Special Permit, Case No. 23-02: Mr. Conroy opened both public hearings and read the public hearing notices. The applicant was represented by Atty. Jeffrey Tocchio, Hingham, MA.

Mr. Conroy stated they actually just rearranged things and the special permit will not change. Mr. Czachorowski asked if this is a ten-acre or fifteen-acre project. Also, the ten-acre project isn't allowed in the LM zone. Atty. Tocchio stated they kept the subdivision to allow the revisions to go into effect.

Atty. Tocchio introduced his team: Jim Bristol, applicant, Mark Romanowicz and Gabe Crocker, Crocker Design. Mr. Czachorowski stated this can't be in the LM zone. Atty. Tocchio talked about the differences between AQV-10 and AQV-15. They have also met with the Building Commissioner and resolved the issue with the house out front.

Gabe Crocker, Crocker Design Group, Civil Engineers stated the sidewalk improvements and driveways are exactly the same as before. They are proposing to keep the existing house at 534 West Street, but it was being razed on the prior plan. The club house and mail room are moving out front, which is a big update. Mr. Crocker discussed the various changes on the plans.

Mr. Conroy read letters from the Conservation Commission and Fire Department, Board of Health and Sewer and Water. Mr. Balduf discussed his comments.

John O'Leary asked if the overall elevations changed and Mr. Crocker stated no. Mr. O'Leary questioned the existing house and the clubhouse. He asked if there will be dedicated parking spots for visitors. Mr. Crocker stated yes separate from the driveway. Ms. Abate questioned the fire chief's comments. Mr. Crocker stated they want to make sure they are able to make the turn without crossing the line. Ms. Abate likes that they got rid of the dead end. Mr. Czachorowski questioned the gravel removal and basins. Mr. Crocker stated they will look at everything from a safety perspective. Mr. Czachorowski asked if all of the houses will have a two-car garage and Mr. Crocker stated yes. Mr. Czachorowski stated he likes the impervious pavement. He also asked if the sidewalks are only on one side and Mr. Czachorowski stated yes, which hadn't changed from before. Mr. Crocker stated they are balancing the topo as they go. Mr. Czachorowski stated the Industrial Subdivision shows a cul-de-sac and Mr. Crocker stated that was a proposal, but that's not how they want to proceed. Ms. Khatib asked for an updated letter from the Sewer and Water Commission. Mr. Crocker will talk to them. Regarding the fire gate off Forrest Road, Ms. Khatib asked if they have spoken with the neighbors about what they want and also about the snow removal.

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Mr. Crocker stated they will not be using Forrest Road for either primary or actual access, but will add a gravel turnaround. Ms. Khatib questioned the grading of the site and asked if it was possible to add access out through Renmar Avenue. Mr. Crocker stated no as it is too steep. Ms. Khatib questioned the 22,000 c.f. of fill and Mr. Crocker stated they are about 80% done with gravel. Mr. Czachorowski noticed there are some really high peaks on the roadway and Mr. Crocker stated they are exaggerated because they are in vertical scale. However, there will be highs and lows as they follow the topo. He stated these plans are based on the original topo. Ms. Khatib questioned the access road that goes through the easement being unpaved. Mr. Crocker stated paving it would create a path to be travelled on by people other than emergency vehicles. It would also affect the stormwater run-off. Ms. Khatib stated that because there is no gate, can it be driven over from Unit 7. Mr. Crocker stated it can be walked on but not driven on. Atty. Tocchio stated they will look at this to see whether or not there will be a gate. Ms. Khatib questioned the putt-putt area and access by pedestrians. There looks like there is a gate on the west side. Mr. Crocker showed her what is on the plan. Jim Bristol, the applicant, stated it is just a pitch and putt. People will walk up with two clubs. Ms. Khatib stated she just wanted to know how they will get there without going through other people's yards. Mr. Bristol stated there is a 12' wide gravel road. Also, they revised the pitch and putt down to three holes. He stated that people tend to walk in the road; however, there is not much traffic. They have zero visitor parking spots in their Weymouth facility and that has not been an issue. There are a lot of snowbirds that aren't here all the time. Ms. Khatib questioned visitor parking. Mr. Bristol stated they will look at this, but have found it not to be necessary in the past.

Atty. Tocchio stated they have built these in numerous towns and everything clicks. Ms. Khatib questioned the sidewalks and stated there are areas that don't have any. She thinks they are important. Mr. Crocker stated there will be sidewalks nearby that can be used. Ms. Khatib asked for a detail of the entrance sign. Mr. Bristol stated it will be a big Walpole stone that will be engraved. Ms. Khatib asked if it can be seen from West Street and Mr. Crocker stated yes. Ms. Khatib stated that all roads will be private, and Mr. Crocker stated yes and they are open to a nice design on the street signs. Ms. Khatib stated one of the documents mentioned amenities and she asked if there will be yard games. Mr. Bristol stated there will be a pickle ball court. Ms. Khatib asked if there will be water features and Mr. Crocker stated there will be a central basin with a fountain to keep the water moving for mosquito control. They will expose the purple stone wherever they can. Ms. Khatib asked for a trail map. Mr. Crocker stated he doesn't have one to be used for a presentation tonight. Mr. Conroy asked how much grass space is there when a person comes out their back door. Mr. Bristol stated 10-15' but that will vary from home to home. Mr. Conroy asked if there will be fencing on the slopes and Mr. Bristol they are looking at that, but they are trying to stay away from fences because of the maintenance. There will be a post and rail slope where there is a steep slope. Mr. Conroy stated that Forrest Road is private and asked Mr. Bristol why we plow it. Atty. Tocchio stated he doesn't know. Mr. Conroy asked if there will be netting or fences at the putt-putt and Mr. Bristol stated it will be limited to three holes with trees. Mr. Conroy asked if they have been digging up there and where is all the rock. Mr. Bristol showed him on the plans that it is near the clubhouse. They will not be bringing in fill as there is good gravel already on site. Mr. Conroy asked if the units will have a full foundation and Mr. Bristol stated some will be on a slab.

Mr. Conroy asked for public comments.

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Kevin Weinfield, a business owner on Renmar Avenue. He stated he has no major issues with the subdivision. He asked where the access for the utilities is and Mr. Crockett showed him on the plan that it is on Renmar.

Mr. Crocker stated they need to address Mr. Balduf's comments and asked to be put on the April 20 agenda. Atty. Tocchio granted the board an extension of time up to and including May 30, 2023 for both the site plan and special permit. Mr. Conroy moved to accept an extension of time up to and including May 30, 2023 as requested. Motion seconded by Mr. O'Leary and voted 5-0-0. Mr. Conroy continued these hearings to April 20, 2023 at 7:13 p.m. and 7:14 p.m.

Mr. Conroy moved to adjourn. Motion seconded by Ms. Abate and voted 5-0-0. The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Catherine Turco-Abate, Clerk

Accepted 3/16/23