

WALPOLE PLANNING BOARD MINUTES OF MAY 4, 2017

A regular meeting of the Walpole Planning Board was held on Thursday, May 4, 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, Economic Development Director.

Minutes: Mr. Conroy moved to accept the minutes of April 20, 2017. Motion seconded by Mr. Moraski and voted 4-0-1 (Ms. Gaffey abstained).

7:31 p.m. McSharry, Maplewood Condos, Case No. 16-5 Continued Hearing: Mr. Romeo recused himself. The applicant was represented by Philip Macchi II, 1256 Washington Street, Norwood, MA. He stated that the Zoning Board did approve their request for two-family dwellings, but denied their request for more than one dwelling on a lot. He also stated that nothing has changed since February 1, 2017 and he has no additional information to present tonight. Town Counsel ruled that the Zoning Board and Planning Board are independent and their decisions are not contingent on each other. They can't build this project until the Zoning Board issue is resolved.

Mr. Conroy read comments that were received. Mr. Macchi stated he has no issue with any town comments.

Ms. Gaffey asked if the Zoning Board put buffer conditions on their decision. Atty. Macchi stated 30' rear setback and no more than five buildings. Mr. Moraski went over some items he wanted to be considered as conditions of approval and Atty. Macchi responded to each comment.

Mr. Conroy asked for public comments.

Atty. Gerald Blair, Sharon, MA stated he has a copy of the Zoning Board's decision and knows that they are independent from the Planning Board. He stated because the Zoning Board denied the use of Zoning Bylaw Section 6-C-4, you can't get around the lack of conformity to the dimensional regulations. Ms. Dennehy stated that would be the purpose of us conditioning the approval with regard to the issuance of building permits. Atty. Blair stated the Zoning Board did not permit the number of buildings on the lot as requested. Therefore, under Section 6-C, one principal building is all they are entitled to, not multiple buildings. Ms. Dennehy stated the board could approve the site plan tonight and the applicant still can't do anything without approval from the Zoning Board of Appeals. Mr. Conroy stated we only rule on the site plan and we can't be bound by another board. Mr. Blair stated the buildings on this lot do not conform to the regulations of Section 6-C. Mr. Conroy stated that is not our call. Ms. Dennehy stated the site plan is consistent with the Zoning Bylaw. This board's approval is not giving them free rein to construct the project; it just tells them what it is supposed to look like. Ms. Dennehy stated this doesn't give them license to do the project. Mr. Blair stated this is not in harmony with the neighborhood and that should be reflected with a denial.

There were no further questions or comments. Mr. Conroy moved to close the hearing. Motion seconded by Mr. Moraski and voted 4-0-0. Mr. Conroy moved to vote the special conditions. Motion seconded by Ms. Gaffey and voted 4-0-0. Mr. Conroy moved to approve the Maplewood Condos Site Plan Approval, Case No. 16-5. Motion seconded by Mr. Murtagh and voted 4-0-0.

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Mr. Romeo returned at 8:04 p.m.

8:06 p.m. Manzo, 100 Elm Street Continued Hearing, Case No. 16-14: The applicant was represented by Atty. Mark Bobrowski, Concord, MA. Atty. Bobrowski discussed the parking improvements previously suggested by the board. Also, David Mackwell, Kelly Engineering, discussed Lots 2 and 5 and also Lot 6. He discussed the size of the parking stalls and the number of spaces. Sean Kelly, Vanesse Associates discussed the number of parking spaces in all of the lots. He discussed a typical workday and the amount of traffic generated. He stated he had pictures dating back to 1952. Mr. Conroy asked how they got those pictures. Atty. Bobrowski stated there are companies that do this for historic reasons. Mr. Conroy stated we need a multiple parking count as we need to establish a starting point. Atty. Bobrowski stated that is not realistic. Mr. Manzo stated they rent 200 spaces per day to the MBTA. He stated they have more than enough. Mr. Conroy asked how many spaces you need for what you have today. Mr. Mackwell stated 616 spaces. Mr. Manzo stated today they use 308 spaces. Mr. Conroy stated that is a starting point.

Mr. Conroy read board and committee comments.

Mr. Murtagh stated he feels comfortable with the parking right now. Mr. Romeo likes the plan as it stands. He asked if there will be public parking in Lots 2 and 3. Atty. Bobrowski stated that Lots 2 and 5 are to be merged as one lot. Mr. Romeo stated that none of these lots will be used by anyone other than those that will be getting on the train or live there. Mr. Bobrowski stated that is correct. Mr. Romeo stated there will be a lot of people with 1034 East Street being built also. He asked if that project was taken into consideration when this one was done. He feels people will be waiting for parking spots down there. Ms. Gaffey stated that on March 16th we were told that lots 2 and 5 were 193 parking stalls. Atty. Bobrowski stated yes and that Lot 6 is 82 spaces. Lots 2 and 5 will be used by the commuters. Mr. Moraski stated there have been some good substantial improvements to this plan. He asked if the Building Inspector only approved them for 29 commuter spaces. Atty. Bobrowski stated Atty. Macchi will answer that. Mr. Moraski stated he counted nine light poles. Mr. Mackwell stated the proposal is to leave the lighting that is there. Mr. Moraski asked if there will be security cameras on Lots 2 and 5. Mr. Manzo stated they do monitor the lots. He stated they will continue to own lots 2, 5, 3 and 6. Mr. Moraski asked if there will be signage; i.e., tenant vs. retail vs. commuter. Atty. Bobrowski stated it will be a free for all. Mr. Moraski asked where you will get a sticker for underground parking and Atty. Bobrowski replied Corcoran.

Peter Mahoney, Corcoran Company, described the parking breakdown. Mr. Mackwell stated there will be an O&M plan for snow removal. Mr. Moraski questioned trash receptacles and Mr. Mackwell stated that is a reasonable request. Regarding security, Mr. Romeo questioned that there are no security cameras. Mr. Manzo stated they have found with the commuters that a manned system is more efficient. They have a sticker system and rarely tow. Mr. Romeo stated he is concerned with illegal activity. Mr. Manzo stated that is a good point and will put it on their list. Mr. Romeo stated someone should have their eye on these lots at all times. Atty. Bobrowski stated they will accept that as a condition of approval and will work with the Walpole Police Department. Mr. Conroy stated you said you will own Lots 2, 3, 5 and 6. You also said Mortgage Master controls all the spaces in Lot 3. Atty. Bobrowski stated yes, 135 spaces, which was included in the number of spaces. Mr. Conroy stated that is an issue.

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Mr. Manzo stated that Mortgage Master owns 2/3 of the spaces. Mr. Conroy stated you can't control those 135 spaces if you lease them to Mortgage Master. Mr. Manzo stated that is correct. Atty. Bobrowski stated that even with Mortgage Master, they would need 214 spaces and have 308 spaces. Mr. Conroy stated he would like to see the square footage. Mr. Manzo stated they have 308 spaces. Atty. Bobrowski stated there are still empty spaces. Mr. Manzo stated that Mortgage Master parks mostly in Lot 3, but they have the right to park 90 on the site. Mr. Conroy stated he would like clarification. Atty. Bobrowski stated they have the list by spaces, but not by tenant. Mr. Manzo stated they have tenants that have the right to park in Lot 1 now, but they will change. Mr. Conroy stated he would like to see all the leases so he can check the final tally. Atty. Bobrowski stated they would be happy to do that even though he was going to ask to close the hearing. Mr. Conroy stated he hasn't received answers to his questions. Mr. Conroy questioned snow storage. Mr. Mackwell stated they will be working with the Conservation Commission on that. Mr. Conroy asked if that is on the plan yet and Mr. Mackwell stated no. Mr. Conroy stated we need that on our plan. He also questioned the FEMA map and stated there is corner of the flood plain that is not shown. Mr. Mackwell stated that is a ConCom item. Mr. Conroy stated that should be on the plan and it is not here. Our zoning bylaw requires a filing with the Zoning Board. Mr. Mackwell stated they are not working in it. Mr. Conroy asked if we have any calculations for drainage. Mr. Mackwell stated they were filed with the ConCom. Mr. Conroy stated we don't have them and Mr. Mackwell stated they will provide them if you want. Mr. Conroy stated we need them. He stated we have no comments from the town engineer on this. It appears you have more work to do on the plans and we need more information. Atty. Bobrowski stated they can't close and asked to be put on the next available meeting agenda. Mr. Mackwell asked if we can condition this. Mr. Conroy stated he didn't create this situation. Mr. Moraski asked if we can put them on May 18th. Atty. Macchi stated that will be a long night. Mr. Romeo stated they run the risk of having to advertise again. Mr. Moraski suggested we meet on June 1st.

Ms. Dennehy left at 9:30 p.m.

Mr. Conroy moved to accept an extension of time up to and including June 15, 2017 as per Atty. Mark Bobrowski. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy continued this hearing to June 1, 2017 at 7:00 p.m.

9:32 p.m. Corcoran, 95 West Street Continued Hearing, Case No. 16-12: The applicant was represented by Atty. Philip Macchi, 1256 Washington Street, Norwood, MA. He stated they received approval from the Conservation Commission and also from the Zoning Board of Appeals at their last meeting. The Zoning Board did add a condition of approval that they will need to work with Ms. Dennehy. Mr. Moraski asked if we need to wait for that recorded decision in order to proceed. Atty. Macchi stated we don't control them and they don't control us. Mr. Conroy questioned the buffer they have with Manzo regarding parking. Atty. Macchi stated they are giving them exactly what they need. Mr. Conroy asked if he falls short is there enough to give you then. Atty. Macchi stated he has 94 extra and therefore he could give them more. Mr. Conroy stated so they can have residential and commercial mixed and Atty. Macchi said that is correct which is why they need 235 spaces dedicated to this building. There should always be an excess of 100 spaces. Mr. Conroy stated you can mix as long as you have the correct amount of spaces and they can park next to each other. Atty. Macchi stated yes.

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Mr. Moraski stated he is happy the garage is being used for the tenants. He stated the security issue will be covered by Mr. Manzo and Mr. Macchi stated that is correct. Mr. Romeo stated the parking underneath the building was for a retail requirement, but now it is residential. What kind of effect will that have? Atty. Macchi stated the current Building Inspector has determined that there is a parking requirement in the CBD, but he disagrees. They have to have 117 spaces under the building, but people aren't required to lease them. Mr. Moraski feels every apartment should have at least one space. Mr. Mahoney stated they had a similar discussion with the Zoning Board of Appeals and they did make sure they had a space for every apartment. Mr. Murtagh asked if you need 235 spaces from Mr. Manzo to make this work and Atty. Macchi stated no. Mr. Conroy feels this is an issue. Atty. Macchi doesn't think the Building Inspector and the Planning Board want to get involved in lease parking.

Bill Scollay, Green International, gave a presentation on the various intersections and daily analysis. Mr. Moraski liked the Saturday analysis. Mr. Romeo questioned the effect on the downtown traffic.

Mr. Conroy read board comments. He asked who owns Depot Street and Atty. Macchi stated MBTA.

Steve Chanard, Allen & Major Associates stated he sent in new plans on April 17 showing curbs, planting strip and sidewalks. Ms. Walker asked them to just do curb and sidewalks, which they did. The site architect discussed the lay out of the units and the building design. He showed what is existing and proposed. Mr. Moraski asked if what he showed the board meets the Zoning Board's conditions and Atty. Macchi stated it is a starting point. They will be working with Liz Dennehy. Mr. Moraski stated what is being shown is better, but stated they need to go more into the colonial look. Atty. Macchi stated he is not sure that Section 13 gives the board jurisdiction over building materials. Mr. Romeo questioned the use of gas grills. Steve Chanard Allen & Major Associates, stated it will be direct piped in. Mr. Murtagh asked if there will be a childrens' play area. Steve Chanard stated they have a pool, but not a playground area. Mr. Conroy asked if there will be access to the train station from the upper level. Steve Chanard stated there will not be a bridge, but they will be on the second floor.

Mr. Macchi asked the board if they want anything specific at the next meeting to the right people are here. Mr. Conroy stated there will be no more traffic, landscaping of architectural questions; therefore, just the applicant and attorney will be needed at the next meeting.

Mr. Conroy moved to accept an extension of time up to and including June 15, 2017 per Atty. Macchi on behalf of his client. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy continued this hearing to June 1, 2017 at 7:01 p.m.

Mr. Conroy moved to adjourn. Motion seconded by Ms. Gaffey and voted 5-0-0. The meeting adjourned at 10:55 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 5/18/17

