

WALPOLE PLANNING BOARD MINUTES OF OCTOBER 20, 2022

A regular meeting of the Planning Board was held on Thursday, October 20, 2022 in the main meeting room at town hall. The following members were present: John Conroy, Chair; John O'Leary, Vice Chair; Catherine Turco-Abate, Clerk; Philip Czachorowski, Sarah Khatib, Carl Balduf, Town Engineer and Town Counsel, Atty. Thomas Lane, Kopelman & Page.

6:30 p.m. Mr. Conroy moved to enter into Executive Session to discuss pending litigation on Lincoln Estates, Walsh Brothers Building Company vs. Town of Walpole Planning Board C.A. No. 21 MISC 000611. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy asked for a roll call vote: Ms. Abate - yes; Mr. O'Leary - yes; Ms. Khatib - yes; Mr. Czachorowski - yes; Mr. Conroy - yes. The board entered into executive session at 6:32 p.m. and Mr. Conroy stated they will be coming back into regular session after. Town Counsel Tom Lane was present.

7:08 p.m. Mr. Conroy moved to come out of Executive Session. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy asked for a roll call vote: Ms. Abate - yes; Mr. O'Leary - yes; Mr. Czachorowski - yes; Ms. Khatib - yes; Mr. Conroy - yes. The board came out of executive session into regular session at 7:09 p.m.

Atty. Lane left at 7:09 p.m.

Mr. Balduf arrived at 7:09 p.m.

Minutes: Ms. Abate moved to accept the minutes of September 15, 2022. Motion seconded by Mr. Czachorowski and voted 5-0-0. Mr. Conroy moved to accept the minutes of October 6, 2022. Motion seconded by Ms. Abate and voted 5-0-0.

7:12 p.m. 195 Lincoln Road Joint Scenic Road hearing: Mr. Conroy read the public hearing notice and stated that the Town's Tree Warden Justin Monta was also present. The applicant, Andrew Adams, was present and represented by Dan Merrikin, Legacy Engineering, Millis, MA. Mr. Merrikin stated that Mr. Adams would like to rebuild the entire wall as it is presently a rubble wall. He would also like to relocate the existing driveway toward the left. Mr. Conroy stated you are asking for something that is already done; therefore, this will be between the Select Board and the applicant. Mr. Merrikin disagreed and feels the Planning Board can move forward with this hearing. Mr. Conroy asked how as the work is already done. Mr. Merrikin asked how they would do this with the Select Board. Mr. Conroy asked how we can do a Scenic Road hearing on something that doesn't exist. Mr. Merrikin asked if they can just get a letter from the Select Board stating it is okay to continue with us. Mr. Conroy stated no as they need to go talk to them as they are the road commissioners and they will need to send us another Scenic Road application.

Justin Monta, Tree Warden, stated he is just hearing tonight about the tree removal already being done. He stated there is also a fine involved. Mr. Merrikin stated the driveway is existing. Mr. Andrews stated he is the owner of 195 Lincoln Road and has been granted a permit. The existing curb cut and driveway is allowed. Where he took the rocks out is where the proposed drive way will be. Neighbors were complaining about the traffic; therefore, he took it upon himself to move 20' of rocks, which is the proposed section for his driveway. There is still 150' of wall intact. He thought it was the right thing to do to keep the street cleaner.

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He didn't think it would be an issue. His intention was not to blow out the wall. Mr. Conroy stated there is no wall there now, so why would you think you need to be in front of us. If you are sent back to us, we will deal with this.

Mr. Conroy moved to deny the Scenic Road request for 195 Lincoln Road due to the fact that the wall has been demolished already. Motion seconded by Ms. Abate and voted 5-0-0.

7:24 p.m. 488-504 High Street Joint Scenic Road hearing: Mr. Conroy read the public hearing notice and stated that Justin Monta, Tree Warden, is also present. The applicant, Walsh Construction, Attleboro was represented by Rob Truax, GLM Engineering, Holliston. He stated this hearing is in conjunction with Northwood Estates subdivision presently before the board. Mr. Truax stated the roadway will only be about 20' in this area. This hearing is pretty straight forward as there are no tree removals proposed. He has spoken with Mr. Balduf and they are in agreement regarding his comments and conditions. Further, the road pitches into the site. Mr. Balduf stated his comments will be incorporated into the subdivision approval. Mr. Conroy stated they need to be able to accommodate a fire truck. Mr. Truax stated he didn't meet with the fire department, but you can get in and out at this place now.

Mr. Monta had no comments.

Robert Schrandt, 483 High Street stated he is right across the street from this location. He doesn't know why they need a 40' driveway as every other driveway on the street is 20-25'. He feels it should be a single drive for a single house. Mr. Conroy stated if the waivers are granted, it will only be 20' wide. Mr. Conroy stated we follow what the Fire Department recommends. Mr. Schrandt stated his house was built in 1978 and the width of his driveway is 22'. He objects to 44'. Mr. Conroy stated they can do less without coming back, but can't do more. Mr. Truax stated if waivers are granted, this opening will shrink down. Ms. Khatib stated we will go with the recommendation of the fire department. Mr. O'Leary agrees with Ms. Khatib.

Mr. Conroy moved to approve a removal of a wall on a scenic road up to a maximum of 44' and every effort will be done to make that 44' a lesser amount if possible. Motion seconded by Mr. Czachorowski and voted 5-0-0.

7:34 p.m. Northwoods Subdivision, Delaney/Dover Continued Hearing: The applicant was represented by Rob Truax, GLM Engineering, Holliston, MA. Mr. Conroy moved to accept an extension of time on which to take action up to and including December 30, 2022 as per a request by Mr. Truax. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Truax stated he has no information to present tonight and asked that this hearing be continued without testimony. Mr. Conroy continued this hearing to December 1, 2022 at 7:10 p.m. as requested.

7:38 p.m. Bristol Industrial Subdivision Continued Hearing: The applicant was represented by Atty. Jeffrey Tocchio, Hingham. Also present was Mark Romanowicz. Atty. Tocchio presented an update to the board on the status of this subdivision.

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He proposed to continue this hearing to February 16, 2023 and will ask for a major modification with respect to this project.

He stated he will re-notice the abutters prior to that hearing. Mr. Conroy stated they will need to give a standard notice for the subdivision and also the site plan. Further, when you present a new plan, we request that you prepare a narrative on what has changed. Atty. Tocchio asked if that needs to be part of the re-notice and Mr. Conroy stated no, but would like it to be attached to the new plan. Atty. Tocchio stated there will still be 100 townhouse units and the existing house at 534 West Street will be modified to be part of the development and will not be demolished. Mr. Conroy moved to accept an extension of time up to and including February 28, 2023. Motion seconded by Ms. Khatib and voted 5-0-0. Mr. Conroy continued this hearing to February 16, 2023 at 7:15 p.m.

7:46 p.m. 24 Heidi Street Continued Hearing: The applicant was represented by Atty. Lou Cavacarro, Norwood, MA. He asked that the board send him a copy of what they sent to town counsel and Mr. Conroy agreed to send Atty. Cavacarro everything that we sent to town counsel. Atty. Cavacarro stated they will defer further engineering of the site until we hear back from town counsel and granted the board an extension of time on which to take action up to and including November 30, 2022. Mr. Conroy moved to accept an extension of time up to and including November 30, 2022. Motion seconded by Mr. Czachorowski and voted 5-0-0. Mr. Conroy continued this hearing to November 3, 2022 at 7:05 p.m.

Other Business:

Echo Estates Bond Reduction: Mr. Conroy moved to reduce the bond on Echo Estates to \$46,000 per recommendation of Mr. Balduf, Town Engineer. Motion seconded by Ms. Abate and voted 5-0-0.

Roscommon Bond Reduction: Mr. Conroy moved to continue this to the board's November 3, 2022 meeting as requested by the applicant. Motion seconded by Mr. Czachorowski and voted 5-0-0.

Master Plan Update: Mr. Czachorowski stated he would like to present the Master Plan updates to the board on December 15, 2022 along with their consultant, Judy Barrett, but will verify that time frame at a later date.

Mr. Conroy moved to adjourn. Motion seconded by Mr. O'Leary and voted 5-0-0. The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Catherine Turco-Abate, Clerk

Accepted 11/3/22

