

WALPOLE PLANNING BOARD MINUTES OF AUGUST 15, 2013

A regular meeting of the Walpole Planning Board was held on Thursday, August 15, 2013 at 7:00 p.m. in the Main Meeting Room, Town Hall. The following members were present: Richard Nottebart, Chairman; Edward Forsberg, Vice Chairman; John Murtagh, Clerk; and Margaret Walker, Town Engineer.

Mr. Nottebart opened the meeting at 7:08 p.m.

High Oaks IV Ball Field Discussion: John Anderson, Anderson Associates, was present and he stated he has a copy of two emails that were sent to Ilana Quirk and her responses of August 12 and August 14th regarding notification to abutters. He stated that Jack Walsh probably wants to only notice the abutters to Lot 115. He also stated that Atty. Quirk had stated an ANR was not required. Mr. Forsberg asked if Mr. Walsh has read town counsel's responses and Mr. Anderson stated yes and he has sent it on to his attorney for review. Mr. Murtagh stated his preference would be to notice the entire subdivision. Mr. Forsberg stated that we need to do this the right way. It was agreed to wait to see what Jack Walsh wants to do.

ANR – Ralph Topham, 210 Main Street: The applicant was represented by Atty. Joanne Karamas, Main Street, Walpole, MA. Mr. Nottebart noted that this was originally on the board's July 11th agenda, but it was returned to GLM Engineering as the setbacks were not on the plan. There were no further questions.

Mr. Nottebart moved to endorse an ANR Plan of Land dated July 2, 2013, revised July 23, 2013 by GLM Engineering, 19 Exchange Street, Holliston, MA finding Form A in order and Subdivision Control Not Required. The purpose of said plan is to subdivide Lot A and Create Lots A-1 and A-2. Said property is shown as Assessors' Map 19, Parcel 12. The owner's title to the land is derived under deed from Jelinek, dated May 9, 1994, and recorded in Norfolk Registry of Deeds Book 10504, Page 672. Motion seconded by Mr. Murtagh and voted 3-0-0 (Nottebart, Forsberg, Murtagh). Endorsement does not determine compliance with all zoning regulations.

7:26 p.m. Lincoln Road/High Street Joint Scenic Road/Shade Tree Hearing: Mr. Nottebart read the public hearing notice. Robert LeBlanc, Tree Warden, was present. He read comments received from the Conservation Commission and Margaret Walker, Town Engineer. He stated that he has heard from two abutters and they are present tonight: Mr. and Mrs. Doyle, 684 High Street and John Canter, 681 High Street. Mr. Canter would like to ensure there is visual screening from the road and would like off street vehicles restriction. Mr. LeBlanc stated in June he was noticed by Bill Hayes, from NSTAR, that they wanted to work on the lines and he told them the town wanted to be involved. Two of the locations involved scenic road hearings and he informed Mr. Hayes of the need for those hearings. NSTAR was also supposed to cut trees on High Street in Medfield, but cut down the trees on High Street in Walpole in error. There was no problem on the other roads, just High Street. Mr. Nottebart asked if this has ever happened before and Mr. LeBlanc stated no.

WALPOLE PLANNING BOARD MINUTES OF AUGUST 15, 2013 (2)

He would like to bring in a consultant, Horticultural Technology, to help with the process and to get an evaluation on what was already removed. Mr. Murtagh stated it could be worse.

Mr. Nottebart asked for comments from the public. Bill Doyle, High Street, stated he has been there since 1966 and he has taken a rough inventory of the trees removed on the north and south sides of the street. These trees have been cut down and replanted before and the original trees were a different kind of pine. The area looks like a combat zone right now. He feels Edison has a responsibility to do something about the situation. Bill Hayes, NSTAR Arborist agreed NSTAR is responsible. It was never their intention to have this happen. High Street in Medfield is one row south of this. Mr. Nottebart stated he went out there and agrees with Mr. Doyle. Mr. LeBlanc would like a report from Horticultural Technology. Mr. Nottebart wants to know what the neighbors want. Mr. Forsberg stated he would like Mr. LeBlanc to do a pre-inventory and then talk with the specialist and have a plan for replenishing the area. Mr. Hayes stated that would give them an opportunity to get the right plantings in that area. Mr. Forsberg requested they have a meeting with the abutters and come back to us. Mr. LeBlanc gave the board an extension of time up to and including September 30, 2013 to take action.

Florine Ida, 670 High Street stated there is an abundance of trees and logs on the ground that should be removed. Mr. Hayes stated it is their intention to do that but doesn't want to be operating equipment while Hale Reservation has kids in the woods. Their intention is to remove brush and debris. Mr. LeBlanc stated there is a smaller inventory of trees on Lincoln Road near the landfill. He looked at the trees up there and at least one is pretty damaged. Mr. Hayes is looking to complete his work, so they need an approval for Lincoln Road and then they will deal with High Street. Mr. Murtagh stated that going back to High Street, he would like to include the neighbors with the meeting with the arborist. Mr. LeBlanc stated he will set up a mailing using the abutters' list.

Mr. Forsberg moved to accept an extension of time up to and including September 30, 2013 upon which to take action. Motion seconded by Mr. Murtagh and voted 3-0-0. Mr. Doyle asked that this work be done before the snow flies. Mr. LeBlanc stated he needs Engineering to mark the right-of-way. Mr. Nottebart continued this hearing to September 19 at 7:30 p.m.

436 High Street Scenic Road: Mr. Nottebart read a letter dated August 8, 2013 from the Tree Warden, Bob LeBlanc regarding construction within the Right of Way on a Scenic Road/Stone Wall. He approved the work requested with the understanding that the contractor will not dismantle a section of the stone wall greater than 15' and a follow up inspection of the wall be performed to confirm that the wall has been restored to the original configuration.

WALPOLE PLANNING BOARD MINUTES OF AUGUST 15, 2013 (3)

7:50 p.m. Bird Estates Residence Hearing: The applicant was represented by Atty. Philip Macchi, II. He stated they are not prepared to close the hearing tonight and would like it continued to September 5th. He realizes that is after the warrant closes, but he wants to keep the hearing open regardless.

Jeff Alpert, 19 Hound Pack Circle stated he is the president of the Homeowners' Association and is very pleased with this development and Toll. One outstanding issue is with a basin which retains water permanently. Toll Bros. had told him they would address it. Mr. Macchi stated they are aware of it.

Mr. Nottebart continued this hearing to September 19, 2013 at 7:45 p.m.

Bill and Chris Glaropolous, Ashmont Plaza: Mr. Nottebart stated he is aware that Jack Mee has already spoken to them and gave them clarification. He asked if they are looking for further clarification. Bill Glaropoulos said yes. They would like to pave less than 11,000 s.f. which is to be used for snow storage. Mr. Nottebart stated we will need to check with town counsel to find out whether or not we can do a minor or major determination for a site plan or are they all major which requires a new hearing.

Niden Woods: Dan Merrikin, Merrikin Engineering and Ellen Rosenfeld, applicant, was present along with two homeowners, Jason Roche and Joe McCarthy. Mr. Merrikin stated that Mr. Roche built a walk out basement; therefore, they don't need the wall. Also, the swap from a wall to a slope could be handled as a field change. The neighbors are here and they are okay with whatever the board decides. Also, Ivan Beisty, another neighbor, wrote a letter stating he doesn't care either. They have submitted as-builts that have been certified that they will function as per the approved design. The only question is the elimination of this wall being done as a field change or will they need a new hearing. They don't want to deal with mortgagees. Mr. Beisty built a wall that wasn't shown on the plan. Mr. Nottebart feels this would be a public hearing with the abutters; however, Ms. Walker agrees with Dan Merrikin. The biggest thing is they have provided certification for capacity and that they function together as one system. Mr. Murtagh stated a field change would be cleaner. Mr. Nottebart stated he would prefer the whole board be here to vote on this. Mr. Forsberg stated as long as Ms. Walker is happy that the detention basin works and the residents down stream are not affected, he is okay. Mr. Merrikin stated he has not had any complaints. Mr. Forsberg stated the town engineer and the property owners are happy, so he is. He asked if there is a problem with the height of wall. Mr. Merrikin stated he is not sure, but he will check it. Ms. Walker stated that Conservation usually requires a fence when a wall is over 4'. Mr. Merrikin will check. He stated the small basin is owned by Beisty and also the wall. Mr. Murtagh stated this summer was a test for the basin. He checked it and it seems to empty pretty quickly. This is one of the nicest subdivisions he was ever in. Everything looks excellent. Mr. Nottebart state we were trying to get you in for town meeting. Mr. Merrikin stated obviously we can't do Fall town meeting, but they will continue to move forward.

WALPOLE PLANNING BOARD MINUTES OF AUGUST 15, 2013 (4)

Jason Roche, Hummingbird Lane stated his previous problems have been resolved. He deferred the wall to the board and doesn't really understand what the wall implicates. Mr. Nottebart asked Mr. McCarthy if he is okay with the wall as he is in between both neighbors and he stated yes. Mr. Nottebart put this on the board's September 5th agenda at 7:35 p.m.

8:17 p.m. Dedham Auto Mall Continued Hearing: In a letter dated August 13, 2013, Mr. Merrikin asked that tonight's hearing be continued to September 19th and also granted the board an extension of time on which to take action up to and including October 30, 2013. Mr. Nottebart moved to accept an extension of time up to and including October 30, 2013. Motion seconded by Mr. Murtagh and voted 3-0-0. Mr. Nottebart continued this hearing to September 19, 2013 at 8:00 a.m.

Plimptonville Crossing Modification Determination: John Marini, applicant, was present with his engineer, Paul Brodmerkle, Site Design, who stated Mr. Marini is asking to build the driveways without the berm as shown on the approved plan as it will serve no purpose and to modify the landscape plan. They would like to eliminate the berms and keep the driveways at 9' and the sidewalk at 5' all of which to be considered a minor modification. Mr. Murtagh asked if the berm was put in to keep the water in and Mr. Brodmerkle stated he doesn't think so as they do not serve any purpose for water flow. Ms. Walker stated your own driveway doesn't have one and doesn't think this would be a big deal. Mr. Nottebart asked if this could be a field change and Ms. Walker stated it could. Mr. Murtagh agrees with Ms. Walker that berms are an eyesore. Ms. Walker stated a Cape Cod berm takes up 12" and a vertical takes up 6-8".

With regard to the modifying the landscape plan, Steve Cosmos, Landscape Architect stated initially they proposed a double row of 4-5" evergreens, but there is quite a bit of shade next to the property line. They put trees in front of the units and also ornamental grasses. Mr. Nottebart questioned the stonewall near Rubini's and Mr. Cosmos stated no one asked him to look at that. Mr. Forsberg questioned the buffer going up against the back property line and Mr. Cosmos stated there are existing trees there. What was approved was a civil engineer's version of a landscape plan.

Gary Cieplik, 224 Plimpton Street and Charlie Carr, 236 Plimpton Street, two abutters, were present. Mr. Murtagh asked if this request is interfering with the buffer and Mr. Cosmos stated it goes up to the back of the decks. Mr. Forsberg stated the buffer can't be used as part of the yard and Ms. Walker agreed. Mr. Cosmos stated they are in the buffer now and Mr. Forsberg stated they shouldn't be. He suggested they work this out with Ms. Walker. Mr. Nottebart stated that Ms. Walker should have a discussion with Paul Brodmerkle regarding the berms. Regarding the landscaping request for modification, he feels we should have a new hearing. Mr. Cieplik stated he has to look at this and would like to see his property protected. Mr. Forsberg stated we just can't give a waiver and feels this is a major modification. Mr. Forsberg moved that the landscaping changes be considered a major modification. Mr. Murtagh seconded the motion for discussion.

WALPOLE PLANNING BOARD MINUTES OF AUGUST 15, 2013 (5)

Mr. Forsberg stated they are in the buffer and we have regulations that must be followed. Mr. Murtagh agreed they should go through the process. Motion voted 3-0-0.

Mr. Forsberg stated he has no issue with the way the trees are planted, but the buffer is being enhanced. You need a waiver to use the buffer. Mr. Cieplik stated the neighbors are in favor of the change as presented. Mr. Murtagh asked why he doesn't just build what was approved and Mr. Forsberg stated because he might want to use it down the road. Mr. Cosmos asked Mr. Marini why doesn't he just put in the row of trees as per the decision and be done. He could put in his two rows and let the weeds grow. Mr. Nottebart read the decision and the bylaw and stated he will come into the office and do further research on this. Mr. Forsberg suggested we ask town counsel what to do. Mr. Nottebart feels the driveways should be a field change. Ms. Walker asked them to vote that. Mr. Murtagh moved to authorize Ms. Walker to use her discretion to remove the asphalt driveway berms. Motion seconded by Mr. Forsberg and voted 3-0-0. Mr. Marini stated he will be back with an application for the landscape change.

8:56 p.m. Lubold, 254 Plimpton Street: Ms. Walker stated she checked the plans against the decision and found the plan referenced in the decision is not the one submitted for endorsement. Paul Brodmerkle stated it is because they met with Zoning Board one night and the Planning Board the next. Ms. Walker stated we need to amend the decision. Mr. Nottebart moved to amend the previously approved decision for Lubold, 254 Plimpton Street that was approved on May 7, 2013 be amended to reflect the latest plan revision of March 21, 2013. Motion seconded by Mr. Forsberg and voted 3-0-0.

9:10 p.m. PGC Associates re: Housing Plan Update: Stephanie Mercandetti, Economic Development Director was present for the discussion. Also, present from PGC Associates was Nate Carlucci, to discuss the goals and Gino Carlucci to discuss the statistics. Nate Carlucci gave the board a handout dated August 15, 2013 entitled "Town of Walpole Housing Production Plan" by PGC Associates to accompany Ms. Mercandetti's power point presentation. Mr. Nottebart asked for a copy of Table 27 which is referenced in Goal #3. Ms. Mercandetti didn't have it with her, but would get him a copy. Mr. Murtagh asked Gino to categorize low income housing for him. Gino Carlucci responded that housing has to be affordable with an income that is 80% of the median Boston income, not Walpole, which is roughly \$68,000 for a family of four. Mr. Murtagh questioned Section 8 housing and Gino stated he is not sure that qualifies for affordable units. Mr. Murtagh questioned inclusionary zoning and asked if that is mandated. Gino Carlucci stated yes it is and Mr. Murtagh stated he doesn't like mandates. Gino Carlucci stated there is a wide range that often include density and varies by town. Mr. Murtagh stated we are a rural town similar to Medfield and Dover and he feels 45 units would be too much. Gino Carlucci stated nothing says you have to do 45 units, that is just the number that gets you to your one year moratorium. Mr. Forsberg questioned Table 8 figures with a 40B coming into town. He doesn't think their projections are correct. He feels houses turn over fast and totally disagrees with Table 8 as presented. Also, mobile homes are not allowed in Walpole.

WALPOLE PLANNING BOARD MINUTES OF AUGUST 15, 2013 (6)

He is in favor of affordable housing, but it has to be in the right place. Mr. Forsberg stated that with regard to Goal #1, these projects are coming and getting shoved down our throats and most of the projects that come in are rentals. Where are these people coming from? It has to fit into the districts and neighborhoods. With regard to Goal #2, Westwood has been doing this for almost a decade and it is working pretty well. Ms. Mercandetti stated that in regard to inclusionary zoning, most were 10%. Mr. Nottebart asked if that goes toward the unit moratorium and Gino Carlucci stated it has to be a built unit. Mr. Forsberg asked about inclusionary and even if it is a rental would it count as one unit and Gino Carlucci stated yes. Ms. Mercandetti understands the board's concerns regarding inclusionary zoning, but there is no formal proposal for the board to look at. These are just considerations for the town.

Regarding Goal #3, Mr. Forsberg stated there is nothing for people to downsize. He would like to see something for the seniors with a first floor master bedroom and a two car garage. He considers affordable housing to be owned, not rentals. He is in favor of affordable ownership, but not rentals.

Regarding Goal #6, Mr. Forsberg stated our housing in Walpole needs to be changed. Norwood just got a \$750,000 plus grant. Why can't Walpole? Ms. Mercandetti stated Denise Landry is aware of this. Mr. Forsberg questioned Table 26 and Gino Carlucci explained it. Ms. Mercandetti stated they are trying to work parallel with the timing of this as it pertains to the Moosehill Road 40B. Mr. Nottebart questioned when the Planning Board voted and approved this in 2007 and the Housing Plan was approved in 2008, has the it changed much since then. Ms. Mercandetti stated some zoning changes were made and the Housing Partnership was created, but now we need to keep ahead of the curve. Mr. Nottebart asked how much benefit has the town received since signing this and Ms. Mercandetti stated none to date. It has changed, but not drastically. Mr. Nottebart asked Mr. Forsberg if he voted for that and Mr. Forsberg didn't know. Mr. Nottebart asked if we don't vote, does it mess up on the goal and Ms. Mercandetti stated if the Planning Board doesn't adopt this, they can't file it with the State. Mr. Nottebart stated that filing in 2007 didn't help or hurt us. Mr. Carlucci stated the primary reason is you are aware of a pending 40B on the horizon which will get the town a safe harbor provision. Ms. Mercandetti stated the town needs to have a plan in place. Mr. Nottebart stated it seems like we would lose more by not voting for this. Ms. Mercandetti stated that is correct. Mr. Nottebart asked if Senior Housing and Age Qualified Villages is the same thing and Mr. Carlucci stated yes. Mr. Nottebart asked the salary for one person to be eligible and Ms. Mercandetti stated \$46,000. Mr. Nottebart questioned the towns involved and Ms. Mercandetti stated they are listed on Tables 18 and 20. Mr. Nottebart asked who is the authority that updates this and when and Mr. Carlucci stated HUD and they do it annually.

WALPOLE PLANNING BOARD MINUTES OF AUGUST 15, 2013 (7)

Mr. Forsberg asked why didn't the other plan work and Ms. Mercandetti stated that it's not that it didn't work, there weren't any comprehensive permits then. Mr. Nottebart asked who is the driving force for this and Ms. Mercandetti stated a mix of town officials and boards. With regard to inclusionary zoning, we will take responsibility for that. Mr. Nottebart stated people have to be accountable. Mr. Nottebart stated we can vote tonight, but you will need a 2-1 vote. Mr. Murtagh stated he is in favor of adopting this tonight. Mr. Forsberg asked if we are required to update the previous plan and Ms. Mercandetti stated it expires every five years.

Mr. Forsberg read a memo from the Board of Selectmen dated August 1, 2013. Ms. Mercandetti stated that memo is a result of their presentation to the Selectmen. They adopted the plan and she hopes the Planning Board does to. Mr. Murtagh moved to adopt the Housing Plan as presented tonight. Motion seconded by Mr. Nottebart. Mr. Forsberg asked what we will be committing to and Ms. Mercandetti stated you will have the opportunity for zoning changes for town meeting, which ultimately approves it. These are just concepts, not specific proposals. Mr. Forsberg stated he doesn't agree with the charts. Gino Carlucci stated what you really are approving are the goals to move forward on. Motion voted 3-0-0.

Washington Green ANR: Mr. Nottebart moved to accept an extension of time up to and including September 13, 2013 on which to take action as per a request dated August 15, 2013 from Rob Hennessey. Motion seconded by Mr. Murtagh and voted 3-0-0. Mr. Nottebart continued this hearing to September 5, 2013 as requested by Mr. Hennessey.

Mr. Nottebart gave the board and applicant comments submitted by Jack Conroy. Mr. Nottebart asked that the decision by the Zoning Board be forwarded to the board when it is received. Also, he had some questions for town counsel: 1) did the ZBA act properly; 2) send the ZBA decision and our application and ask if there is a procedure to appeal the ZBA.

It was moved, seconded and voted to adjourn. The meeting adjourned at 11:10 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 9/19/13