

WALPOLE PLANNING BOARD MINUTES OF MAY 16, 2013

A regular meeting of the Walpole Planning Board will be held on Thursday, May 16, 2013 at 7:00 p.m. in Room 112 at the town hall. The following members were present: Edward Forsberg, Chairman; Richard Nottebart, Vice Chairman; John Murtagh, Clerk; John Conroy (7:06 p.m.); Richard Mazzocca (7:07 p.m.); Margaret Walker, Town Engineer.

Minutes: Mr. Forsberg moved to accept the minutes of May 2, 2013. Motion seconded by Mr. Nottebart and voted 3-0-0.

Time Cards: Mr. Forsberg moved to endorse the secretary's time cards. Motion seconded by Mr. Nottebart and voted 4-0-0.

ANR – Hill Property, 24 Pilgrim Way: The applicant was represented by Dan Merrikin, Merrikin Engineering, Millis, MA. He stated that they had filed with Zoning Board, but it was continued so they could present an ANR. He stated this is fully compliant for Lot 1 and Lot 2 is unbuildable unless or until a variance is granted by the Zoning Board. Mr. Forsberg read an email that was received from the Deputy Fire Chief.

There were no questions from the public.

Mr. Forsberg moved to endorse an ANR plan entitled "24 Pilgrim Way, ANR Plan of Land in Walpole, MA" dated May 13, 2013 and drawn by Paul J. Desimone PLS, 38 Coffee Street, Medway, MA 02053. Motion seconded by Mr. Nottebart and voted 5-0-0. Said property is shown as Assessor's Map 27, Parcels 59 and 86, Zoning District Residence B. The owner of the property is Hill Family Realty Trust, 24 Pilgrim Way, East Walpole, MA 02032. The owner's title to the land is derived under deeds from Barbara J. Hill dated November 13, 2003 and August 16, 2006 and recorded in Norfolk County Registry of Deeds, Book 20230/23995.

7:16 p.m. Borrego Solar Continued Hearing, Case No. 13-2: The applicant was represented by David Albrecht from Borrego Solar and Dan Merrikin, Merrikin Engineering. Regarding the decommissioning bond, Mr. Merrikin stated the board needs to set a bond amount and can add a 25% contingency to their figure if they want. In other words, the board can use the figure as submitted by the applicant or they can add 25% to it. Mr. Forsberg questioned whether or not this figure should be reviewed and Mr. Conroy stated that a third party review if needed should have been done a long time ago.

Mr. Forsberg moved to set the decommissioning bond at \$86,000. Motion seconded by Mr. Nottebart and voted 5-0-0.

Mr. Forsberg moved to close the hearing as requested by the applicant. Motion seconded by Mr. Nottebart and voted 5-0-0.

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There were no further questions. Mr. Forsberg moved to approve the site plan application for Borrego Solar with the board's standard conditions and nine special conditions as discussed during the public hearing process. Motion seconded by Mr. Nottebart and voted 5-0-0.

Beatty Plan Endorsement, Chestnut and Washington Streets: Dan Merrikin stated that the wall design will not be finalized until the building permit is issued. Anything over 6' is regulated by the building code. It is being worked on now. He can't give us a final wall design, but he can give us a proposed one; however, the Building Department could change it. He is looking for direction from the board. The board could 1) vote to endorse the site plan with a caveat that they need to provide copies of the final wall design attached which would be in two months; 2) or the board could hold the mylars until the wall plan is done; or 3) wait for the proposed design and endorse it as part of the site plan. Mr. Merrikin doesn't recommend that as the plan is approved by the Building Inspector, not the Planning Board. Mr. Conroy feels we should hold it. Mr. Merrikin it won't hold up anything not to sign the plan as they have met the requirement by seeking endorsement. The board agreed with that. Mr. Merrikin took the mylars and will bring them back for endorsement when the wall plan is done.

Brush Hill Bond Reduction: Mr. Forsberg moved to reduce the bond being held on the Brush Hill subdivision by \$59,113.36, maintain \$470,000.00 in the bond which will leave the bond amount at \$470,000.00 as per recommendation of Margaret Walker, Town Engineer. Motion seconded by Mr. Conroy and voted 4-0-1 (Mr. Conroy abstained). Said bond is dated July 14, 2003 between the Town of Walpole, P.J. Hayes, Inc., Brush Hill Realty and is issued by Hartford Casualty Insurance Company in the amount of \$530,000.00 to secure Berkeley Drive, STA 0+00 to STA 14+34.24+/-; Arlington Lane, STA 0+00 to STA 11+53.72+/-; Hancock Court, STA 0+00 to STA 6+10.04+/-; Evergreen Lane, STA 6+50 to STA 10+51.83+/- per Planning Board letter dated May 13, 2003. The bond reduction amount was calculated by the Town Engineer as follows: Original Subdivision Bond Figure (\$529,113.36) minus all costs associated with Berkeley Drive plus increased/updated unit prices to 2013 for the items in the remaining three (3) streets (Arlington Lane, Evergreen Lane, Hancock Court) resulting in the new bond amount to be \$469,329.60 which was rounded up to \$470,000.00. No further reductions may be taken without written consent of the Planning Board.

Hunter Lane Subdivision (formerly 576 Common Street): Mr. Conroy stated the original applicant needs to come in and tell the board that this subdivision has been sold. Any time someone comes in for a bond, we need to be assured that person is the original applicant or if not that we have proof that it changed. Ms. Walker stated that Hugo DiMartino bought this subdivision. Mr. Conroy asked that a letter be sent to the original applicant, Peter Alberini, to inform him that his decision is in violation if he no longer owns the subdivision.

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It was moved, seconded and voted to adjourn. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 6/13/13