

WALPOLE ZONING BOARD OF APPEALS MINUTES OF JUNE 19, 2019

A meeting of the Walpole Zoning Board of Appeals was held on Wednesday, JUNE 19, 2019 at 7:00 PM in the Richard Stillman Community Room at Walpole Police Department. The following members were present: John Lee, Chairman; Susanne Murphy, Vice Chairman; Bob Fitzgerald, Clerk; Mary Jane Coffey, Member; Rick Merrikin, Member; Drew Delaney, Associate Member.

Also present: George Pucci (KP Law); Chris Alphen (40B Consultant of Blatman, Bobrowski & Haverty LLC)

7:00 PM Lee opened the meeting

Case No. 05-19, Wall Street Development Corp., 48 Burns Ave., Comprehensive Permit Request:

Lee opened the hearing, Applicant Lou Petrozzi of Wall Street Development Corp. was present, along with Bill Skulley of Green International, Phil Paradis of BETA Group (peer reviewer) and Chris Alphen (40B Consultant). Skulley went over the June 10th 2019 submission in response to BETA's peer review. Lee opened the hearing up to the public for input, which included the following;

Barrows of Union St.: side walk installation/ LED stop sign currently in place .

Skulley stated that the Applicant plans to place sidewalks within the project itself to connect to the sidewalk on Burns Ave. and to also create a handicap ramp.

Paradis went over the items addressed in the peer review and also stated to the Board that the Stormwater Mgmt. peer review has been completed and submitted to the Conservation Commission. Petrozzi stated that revised plans have been submitted to the Conservation, however not to ZBA as of yet, since there will most likely be revisions made again after the next Conservation meeting on 6/26/19. Paradis stated the following from peer review findings;

- proposed project is in above the density than what zoning currently allows.
- proposing access from Burns Ave.
- no provisions for visitor parking currently shown
- little information shown relative to building height, signage, solid waste handling, landscaping, lighting.
- recommendation to add houses on plan that are within 100 ft. of the project
- road safety audit ay be appropriate for Board to consider or additional police/engineer safety review
- should provide info from DPW and/or S&W showing adequate access
- roads should be built to town standards (Applicant stated the road will be a private driveway to be maintained by an HOW but shall be constructed to subdivision/roadway standards)

Chris Alphen suggested the following;

- Applicant should properly explain the waivers and requests in order for them to be properly addressed
- dispute whether the Applicant owns the property or not regarding the portion of Burns Ave is not within the Boards purview, and it is not up to the Board to determine private interest rights.
- Alphen stated he will reach out to Mass Housing and also issue an opinion in the future about how access should be handled going forward.

Lee opened the hearing up to the public for comment which included;

Campbell of Burns: submission to Board

Barrows of Union: site control determination

With more information needed, Murphy made a motion to continue the hearing to 7/24/19 in the Main Meeting Room, seconded by Coffey, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

Case No. 07-19, Christopher Brundrett, 13 McKinley Ave., Special Permit & Variance Requests:

Lee opened the hearing, John Glossa of Glossa Engineering was present on behalf of the Applicant. Revised plans were submitted into the file showing the farmers porch to be 4ft. instead of 5 ft., along with the house being slightly pushed back on the property, fitting into the existing footprint of the house that is currently on the lot. Lee read a letter from the Building Inspector/ ZEO stating case law that the original plan is acceptable for a Special Permit, and no Variance is needed. After some deliberation, the Board found that the lot is undersized and the original plan submitted is not increasing the non-conformity, or detrimental to the neighborhood. Lee opened the hearing up to the public for comment, which there was none. Coffey made a motion to close the hearing, seconded by Murphy, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin). Merrikin made a motion to grant a Special Permit for the original plan, with standard conditions in place, plus the condition that construction shall commence within 1 yr. of the issuance of the decision, seconded by Fitzgerald, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

Case No. 06-19, Benchmark Senior Living, LLC., 160, 170 & 180 Main St., Modification, Special Permit or Variance Request:

Lee opened the hearing, Phil Macchi of Macchi & Macchi was present, along with James Bernardino of Bohler Engineering and Bill Cook, the Applicant. Revised plans were submitted to the Board that included additional stormwater enhancements, snow removal areas and no alteration plaques. Macchi stated that the use of the project is not changing from its existing use, however the labeling will, to both “independent and assisted living”. It was stated that the parking demand will increase slightly, however the project is currently under capacity of what is allowed. The property use is currently approved for 250 units and 295 parking spaces. Macchi stated that they are going before the Planning Board on 6/20/19. Murphy made a motion to continue the hearing to 7/17/19 at 7PM in the Main Meeting Room, seconded by Coffey, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

Case No. 10-19, Robert Doherty, 7 Pintail Rd., Special Permit Request:

Lee opened the hearing and read comments from various Boards. Applicant Robert Doherty was present and explained to the Board that he is proposing to convert an already existing room in his condominium to a second kitchen area in order to accommodate his family members that plan on staying with him at his residence. Lee stated that the Applicants residence is a condominium and not a single-family dwelling and therefore the Walpole Zoning Bylaw does not allow a Special Permit for in-law to be granted. Lee opened the hearing up to the public for input, Keshav Jha was present in the audience on behalf of the H.O.A. of Swan Pond and raised concerns regarding the proposed work. Coffey made a motion to close the hearing, seconded by Murphy, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin). Coffey made

a motion to accept the Applicants request to withdraw the application without prejudice, seconded by Murphy, the motion carried 5-0-0 (Lee, Fitzgerald, Murphy, Coffey, Merrikin)

John Lee recused himself of the hearing below

Case No. 11-19, Chafic Maalouf, 137 Lincoln Rd., Special Permit Request:

Murphy opened the hearing, and read Board comments. Mike of Hillcrest Builders was present on behalf of the Applicant and explained to the Board that the proposed project is to add an accessory in-law suite within the already existing footprint of the single-family dwelling. The Applicant is proposing to alter the existing finished basement with a kitchen, bath, and bedroom, for a total of 805 sq.ft. of altered space.

Merrikin stated that the current plans show the area being separate from the rest of the house due to the door attached to the mudroom, and should be removed. Murphy stated that a plot plan is needed showing the house on the lot. Murphy opened the hearing up to the public for input, which there was none. With revised plans needed, Coffey made a motion to continue the hearing to July 17, 2019 in the Main Meeting Room, seconded by Merrikin, the motion carried 5-0-0 (Murphy, Coffey, Fitzgerald, Merrikin, Delaney)

Minutes: Coffey made a motion to accept the minutes of 3/20/19, 4/3/19 & 5/29/19, seconded by Murphy, the motion carried 5-0-0 (Fitzgerald, Murphy, Coffey, Merrikin, Delaney)

Coffey made a motion to adjourn, seconded by Murphy, the motion carried 6-0-0 (Lee, Murphy, Coffey, Fitzgerald, Merrikin, Delaney)

The meeting adjourned at 10:00 PM