

## WALPOLE PLANNING BOARD MINUTES OF AUGUST 20, 2015

A regular meeting of the Walpole Planning Board was held on Thursday, August 20, 2015 at 7:00 p.m. in the Main Meeting Room of Town Hall. The following members were present: John Conroy, Chairman; Richard Nottebart, Vice Chairman; John Murtagh, Clerk; Elizabeth Gaffey, Richard Mazzocca, Elizabeth Dennehy, Community Development Director; Margaret Walker, Town Engineer; and Michael Yanovitch, Building Commissioner.

**ANR – Town of Walpole/DCAMM:** Ms. Dennehy and Ms. Walker reviewed the ANR as presented and determined there are no issues. Mr. Conroy moved to endorse an ANR plan of land as prepared by Northeast Survey Consultants, 116 Pleasant Street, Suite 302, P. O. Box 109, Easthampton, MA and dated 11/19/2014 entitled “Plan of Land in Walpole, MA, Norfolk Registry, Prepared for Commonwealth of Massachusetts Division of Capital Asset Management & Maintenance finding Form A in order and subdivision control not required. Motion seconded by Mr. Nottebart and voted 3-0-0 (Conroy, Nottebart, Gaffey).

**Minutes:** Mr. Conroy moved to accept the minutes of June 18, 2015 and July 16, 2015. Motion seconded by Mr. Nottebart and voted 5-0-0.

**7:05 p.m. Fall 2015 Town Meeting Zoning Articles:** A discussion was held on the proposed zoning amendments relative to Sections 2, 7, 13, 5 and 14 of the Zoning Bylaw. Additional discussion was held on the proposed zoning amendments previously reviewed at the July 16, 2015 Planning Board meeting (Sections 2, 5, 5F, 5G, 6B, 6C, 13 and 14, respectively). After discussion between the Board, Ms. Dennehy and Mr. Yanovitch, it was noted for the record that the Board supported all of the Zoning Bylaw amendments reviewed on July 16, 2015 and August 20, 2015 (Sections 2, 5, 5F, 5G, 6B, 6C, 7, 13 and 14) but that the Board did not support the amendments regarding allowing two and three family dwellings in the GR District and also the amendment regarding allowing commercial bakeries in the Business District.

Mr. Conroy moved to forward all of the proposed Zoning Bylaw amendments (excluding the two that the Board had concerns with) as discussed to the Board of Selectmen for inclusion on the 2015 Fall Town Meeting Warrant as Articles sponsored by the Planning Board. Motion seconded by Mr. Nottebart and voted 5-0-0.

**7:50 p.m. Kingswood Estates Continued Hearing:** Mr. Conroy moved to accept an extension of time up to and including October 16, 2015 as granted by the applicant’s attorney, Gerald Blair. Motions seconded by Mr. Nottebart and voted 5-0-0. Mr. Conroy continued this hearing to October 1, 2015 at 7:30 p.m.

**7:55 p.m. Meadowbrook Realty Trust Continued Hearing, Site Plan Approval, Cases 15-6; Special Permit, Case No. 15-7; Special Permit, Case No. 15-8:** The applicant was represented by Atty. Daniel Seigenberg. Also present was Paula Verderber, Joseph Verderber, Rob Truax, GLM Engineering and William Scollay, Traffic Expert. Mr. Conroy stated there was

some information that was not submitted in time, so not a lot can be addressed at this time. Also, we will send out to McMahon for a traffic study which will be billed to the applicant. Ms. Dennehy stated the landscape plan has been submitted and it looks okay to her. Mr. Conroy read correspondence from the Walpole Police Department, Conservation Commission and the Zoning Board. Atty. Seigenberg stated their plan is to file with the Conservation Commission, but that hasn't been done yet.

James Gamerman, 10 Montaup Road stated he is all set and got all the information he needed.

Ms. Walker addressed her comments. Ms. Dennehy stated that each driveway can hold a minimum of two cars and possibly more. Ms. Walker stated that bylaw or no bylaw, they can't park on Pine Street. Mr. Conroy read a letter dated August 18, 2015 from Karin Johnson, 162 Pine Street that was submitted for the file. Ms. Johnson stated one of the things she was concerned with is the smell from the pump station. Mr. Conroy stated if there is an issue now and it stinks already, it will be the town's problem to fix it. Ms. Walker stated that additional flow could exacerbate the problem. This would not cause the problem as it is already there. Mr. Conroy stated that the Sewer and Water Commission should be involved. He asked Joe Verderber if he knows Ms. Johnson and he stated yes, but has not shown her the plans. Mr. Conroy read a letter dated August 17, 2015 from Sean and Rachel O'Reilly, 61 Blair Circle, Sharon, MA.

Atty. Seigenberg stated they have tried to address all the comments from the board. They are prepared to go forward tonight. Regarding passive recreation, there are plans for a gazebo and a path. Rob Truax, GLM Engineering stated they have submitted the landscape plan and will send a PDF of it to the neighbors if they want it. There will be spruce trees along the property line and they will have to file a Scenic Road hearing because of the sewer line. The road and the houses would not move, but wants the board to know that the landscape plan and traffic report are both done. Mr. Conroy asked if they anticipate issues with the curb cut or will nothing change. Mr. Truax stated he doesn't know yet. Mr. Conroy stated we will all come to the finish line together. Mr. Mazzocca questioned the impervious cover. Mr. Truax stated they will recharge the run off and nothing will go into the wetlands. Ms. Gaffey is concerned with the odor issues and stated that Rick Mattson said they would have to conduct flow tests. Mr. Truax stated that is not done yet. Ms. Gaffey asked if they are adding a pump station and Mr. Truax stated no, but plan to hook to the Ganawatte Drive one. That pump station was sized for an additional thirty homes above and beyond Ganawatte Farm. He designed that.

Mr. Nottebart stated his question is the same as Ms. Gaffey's. What is the town doing to get rid of the odor there? Ms. Walker stated Iorio, Ganawatte Farm and the Preserve are all involved. The town has done a lot in different neighborhoods for odor control. Mr. Truax asked if there was an odor problem prior to the Preserve being built. Mr. Walker stated she doesn't know. Mr. Truax asked if it has been identified where it is coming from and Ms. Walker stated she doesn't know. Mr. Truax stated he will talk to Rick Mattson. Mr. Nottebart stated he doesn't think it is

fair to hold up this applicant because of an existing problem. They could add another station. Mr. Truax stated that would not be an ideal situation. Mr. Nottebart stated he feels for the neighbors and asked if we can take some action here. Mr. Conroy stated no as this is under the Sewer and Water Commission.

Joe Verderber, 164 Pine Street stated he thinks the pond has a lot to do with these odors because when the sediment turns up there is a problem. He doesn't smell it every day and thinks it is just not a sewer and water problem, but also the pond plays into it. Mr. Nottebart asked if they would investigate a driveway closer to Route 1. Mr. Truax stated they did look at it but it would be within 100' of a river. You would have to prove there is no other alternative. They have one that takes them out of the 100' river and that is where it is proposed to be now. He stated this will all be discussed at the Conservation Commission level. Mr. Nottebart stated it would probably cost the applicant more money to go out that way. Mr. Truax stated no, the issue is the river front. Mr. Murtagh asked if the development will help or hurt the odor issue and Ms. Walker stated that needs to be addressed by Sewer and Water.

Mr. Murtagh likes the fact that they hired a landscape architect and feels that is a good start. He is also concerned about parking spaces and would like a fence all the way around the property if that is what everyone wants. Mr. Truax stated he would prefer to use vegetation as a screen.

Jim Gamerman, 10 Montaup Road stated there will be no decision tonight and Mr. Conroy stated that is correct. He stated he is concerned about the entrance because where the driveway is now impacts 162 and 160 Blair Circle. He questioned lighting and moving the project from being so close to the neighbors. He doesn't want any stone walls to be disturbed. Also,

Karin Johnson, 162 Pine Street stated she has such lush tremendous vegetation and asked if all the trees are going to be cut down behind her house or can they leave the trees that are there now alone. She is concerned about the noise and would like the entire project moved back and would like the building behind 164 Pine Street moved back also as she doesn't feel this will look right. Mr. Conroy asked the applicant to walk the area and see what can stay and what can't. Atty. Seigenberg agreed to do so.

Karen Rosenblum, 49 Blair Circle, Sharon, MA stated she is concerned about the safety as that corner is very dangerous. She feels this project should be elsewhere. The traffic study was done in the summer so it is not accurate.

Bonnie Gameron, 10 Montaup Road: she is an abutter and stated this road is used as a cut through. They get trucks from Route 1 and other trucks and buses. She asked that the board come look at this spot.

Bill Hamilton, South Walpole stated Sewer and Water is out of ideas. He was also at the Sewer and Water meeting when the odor problem was addressed. He would like to speak against the special permit as it would allow more coverage than what is allowed by right.

There were no further questions or comments. Mr. Conroy moved to accept an extension of time up to and including October 31, 2015 as granted by Atty. Seigenberg. Motion seconded by Mr. Nottebart and voted 5-0-0. Mr. Conroy continued this hearing to October 15, 2015 to 7:30 p.m., 7:31 p.m. and 7:32 p.m.

**Commerford's Corner:** Ms. Walker stated that Peter Commerford has requested a bond release and as of right now he's not ready. She emailed him a punch list, but has not heard anything from him.

**ANR – Lewis Park Trust:** Mr. Conroy moved to endorse an ANR plan of land as prepared by GLM Engineering, 19 Exchange Street, Holliston, MA dated July 23, 2015 finding Form A in order and subdivision control not required. Motion seconded by Mr. Mazzocca and voted 5-0-0.

The owner's title to the land is derived under deed from David Wakefield, dated May 12, 2005 and recorded in Norfolk Registry of Deeds, Book 22395, Page 222. Said property is shown as Assessors' Map 27, Parcel 381, Zoning District RA. Parcel A consists of 538,190 s.f. +/- and is not to be considered a buildable lot; Parcel B consists of 36,450 s.f. +/- and is not to be considered a buildable lot; Lot 1 has 35,153 s.f. +/-; Lot 2 has 30,027 s.f. +/-; Lot 3 has 30,056 s.f. +/- . Approval of this ANR does not constitute a determination of compliance with the Zoning Bylaw.

**Olmsted Form F Covenant:** Mr. Conroy referenced an email dated August 20, 2015 that was received from Town Counsel, Ilana Quirk dated August 20, 2015, which he gave to Atty. O'Brien. He stated he will get back the board's secretary.

Mr. Nottebart moved to adjourn. Motion seconded by Mr. Conroy and voted 5-0-0. The meeting adjourned at 9:20 p.m.

Respectfully submitted,

John Murtagh, Clerk

Approved 9/17/15