

WALPOLE PLANNING BOARD MINUTES OF MAY 30, 2019

SPECIAL MEETING

A special meeting of the Walpole Planning Board was held in Room 112 at the Town Hall on Thursday, May 30, 2019. The following members were present: John Conroy, Chairman; Marc Romeo, Vice Chairman; Sarah Khatib, Clerk (7:11 p.m.); Catherine Turco-Abate, Joseph Moraski, and Margaret Walker, Town Engineer.

Mr. Conroy opened the meeting at 7:12 p.m.

Minutes: Mr. Conroy moved to accept the minutes of May 2, 2019. Motion seconded by Mr. Moraski and voted 5-0-0.

1350 North Street: Mr. Conroy moved to approve the corrected decision as presented which reflects the conditions as voted at the board's April 4, 2019 meeting and to also reword Special Condition #11 as requested by Marc Romeo. Motion seconded by Mr. Romeo and voted 5-0-0. Mr. Conroy requested that Mr. Glossa correct the mylars, so they can be endorsed at our next meeting scheduled for June 20, 2019.

7:18 p.m. Bristol Bros. AQV Site Plan Approval, Case No. 18-12; Special Permit, Case No 18-13; WRPOD Special Permit, Case No. 19-02 and Industrial Subdivision Continued Hearings: The applicant was represented by Atty. Jeffrey Tocchio, Drohan Tocchio & Morgan, 175 Derby Street, Suite 30, Hingham, MA. He stated that the latest plans are dated May 15, 2019 and that Deputy Chief Barry is satisfied with the new plan which shows they added a key lock box. They have also added an erosion control sheet and a sidewalk along West Street that connects to the existing sidewalk. Atty. Tocchio stated that all the changes are listed in a letter dated May 16th and also the applicant's responses to comments from the town engineer, community development director and Eversource. He stated there appears to be problems with Phases 2 and 3 that need to be resolved and the issues with CHA have not been resolved yet. They could move forward and construct Phase I. They would like an approval with the condition that they will come back in with a substantial modification request. They have met with Denise Landry to discuss the housing plans and also Audrey Grace from the WHP as they are looking for ideas and opportunities to help with their agendas.

Phil Paradis, BETA Group stated he has reviewed the Stormwater Management issues with the Conservation Commission and received approval from them. They received an updated set of plans outlining the changes that were reiterated and he feels the majority of changes don't change the project significantly. There was, however, an issue with a basin on Road C and also reconfigured Basins 3 and 7, but again nothing substantially changed. The overall SWM plan did not change, but there were some changes to the O&M plan. He stated there is a summary letter dated May 23, 2019.

Mr. Conroy stated there is an issue with building in the Eversource easement. Gabe Crocker, Crocker Design Group, showed the board a plan which showed the Eversource easement which will cut through Units 15-23. This has to be resolved. Mr. Moraski stated he called Eversource to find out where we are

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in this process. He read a letter dated May 29, 2019 from Eversource and is unsure how to proceed from here. Atty. Tocchio stated the first phase to go in doesn't require anything from Eversource and asks that the pieces with the Eversource issues be omitted from the approval. Ms. Abate stated if we do that there won't be a plan showing that. Mr. Moraski agreed with her. He stated he has tried to come up with a resolution. He stated they could hope that Marc Romeo gets re-elected so you would have four voting members. Atty. Tocchio asked if he could poll the board. Ms. Abate stated if the only plan before us shows the Eversource property phase, she is not sure how we can vote on it. Mr. Romeo feels we should do what we can to move this forward. He asked if this Eversource issue just came into the game. Mr. Crocker and Atty. Tocchio stated they just found out today between 3:00-3:15 p.m. Mr. Romeo asked who Eversource contacted when they found the problem and Mr. Crocker stated them. Mr. Romeo asked if Mr. Moraski didn't check with Eversource would we have known about this. Atty. Tocchio stated any issue like this would show up at the Registry of Deeds eventually. Any decision would be very explicit, but it would allow them to lock in the first phase, get the water lines put in, which would be helpful to the applicant and the town of Walpole. He stated they are willing to write the language in the decision. Mr. Romeo stated he is inclined to move forward tonight and doesn't want to slow this down. They could be approval based on the conditions that the applicant would come back for a modification because of Eversource.

Ms. Abate asked how we can possibly vote on this knowing it is wrong. Atty. Tocchio stated we don't know it is wrong at this point. Ms. Abate stated there is a possibility and we would be approving this knowing that. Mr. Moraski stated there is a possibility that nine buildings would have to go. Therefore, wouldn't it be easier to continue as there would be a brand new plan. It could be redrawn into a better plan. Atty. Tocchio stated there could be two new members and they would then have to start from square one. Ms. Abate feels we are rushing with an unknown. Ms. Khatib asked if they know for sure that the potential revised plans would have an impact on the clubhouse. Atty. Tocchio stated it will all be pulled away from there. Ms. Khatib asked if they had to eliminate nine buildings, would you move forward with this project. Mr. Bristol stated yes. They would do a major modification and reshape the plan. Mr. Conroy stated they could still have upwards of 100 units. Ms. Khatib stated we don't like major flawed documents that could potentially change down the road. She does see what Mr. Romeo is saying, but the drawings we have are not potentially correct. In any other case we would say fix it and come back to us. Atty. Tocchio stated this application is not flawed. It can be resolved and be okay. Ms. Khatib stated that parking, density, and number of units could be different. The project is the project. Mr. Conroy mentioned the recorded easement. He stated we can't modify or condition a special permit. It has to be all or nothing. This was advertised as 100 units. Mr. Conroy discussed the email received from town counsel regarding applying for a special permit, questions on the triangular piece of land being part of 534 West Street, Forest Road ownership and proper notification of abutters. Regarding the house on West Street, you would need to get a variance from the Zoning Board or mow it down.

Atty. Tocchio granted the board an extension of time up to and including July 31, 2019 for all four applications before the board. Mr. Conroy moved to accept an extension of time up to and including July 31, 2019 for the site plan, special permit, WRPOD special permit and the industrial subdivision as

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granted by the applicant's attorney. Motion seconded by Mr. Moraski and voted 5-0-0.

Mr. Conroy continued the four public hearings to July 18, 2019 as follows: Site Plan Approval, Case No. 18-12 at 7:30 p.m.; Special Permit, Case No. 18-13 at 7:31 p.m.; WRPOD Special Permit, Case No. 19-02 at 7:32 p.m. and, the Industrial Subdivision at 7:33 p.m.

Mr. Conroy moved to adjourn. Motion seconded by Ms. Abate. Mr. Conroy wished Mr. Romeo good luck with being re-elected on Saturday and wished Mr. Moraski well as he is not running for re-election. Motion voted 5-0-0. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Sarah Khatib, Clerk

Approved 6/20/19