

WALPOLE PLANNING BOARD MINUTES OF JULY 19, 2012

A regular meeting of the Walpole Planning Board was held on Thursday, July 19, 2012 at 7:00 p.m. in the Town Hall Main Meeting Room. The following members were present: Edward Forsberg, Vice Chairman, John Murtagh, Clerk, John Conroy (7:20 p.m.), Richard Mazzocca, and Richard Nottebart.

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

Minutes: Mr. Forsberg moved to accept the minutes of May 17, 2012, June 7, 2012 and June 21, 2012. Motion seconded by Mr. Murtagh and voted 4-0-0.

Hunter Lane Subdivision (576 Common Street) Endorsement of Subdivision Plans and Acceptance of Documents: Mr. Forsberg moved to endorse the mylars for Hunter Lane as submitted and reviewed by Margaret Walker.

Motion seconded by Mr. Murtagh and voted 4-0-0.

Mr. Forsberg moved to accept the Form F Covenant, Covenant with the Town of Walpole, Mutual Maintenance Agreement and Declaration of Roundings as submitted and reviewed by Margaret Walker, Town Engineer. Motion seconded by Mr. Nottebart and voted 4-0-0.

Toll Bros: Mr. Forsberg moved to accept Bond No. 0445047 issued by International Fidelity Insurance Company dated January 2, 2008 in the amount of \$476,380.80 and Bond No. 08934916 issued by Fidelity and Deposit Company of Maryland dated November 10, 2008 in the amount of \$1,283,540.00. Both bonds were reviewed and acceptable to Mark Good, Walpole Finance Director. Motion seconded by Mr. Mazzocca and voted 4-0-0.

Mr. Conroy arrived at 7:20 p.m.

Mr. Forsberg moved to reduce the Phase III bond for the Bird Estates by \$355,970.00 as per request of the applicant's attorney, Philip Macchi and as recommended by Margaret Walker, Town Engineer. Motion seconded by Mr. Nottebart and voted 5-0-0.

Mr. Forsberg moved to reduce the Phase IV bond for the Bird Estates by \$391,000.00 as per request of the applicant's attorney, Philip Macchi and as recommended by Margaret Walker, Town Engineer. Motion seconded by Mr. Nottebart and voted 5-0-0.

Mr. Forsberg moved to reduce the Phase V bond for the Bird Estates by \$90,300.00 as per request of the applicant's attorney, Philip Macchi and as recommended by Margaret Walker, Town Engineer. Motion seconded by Mr. Mazzocca and voted 5-0-0.

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7:30 p.m. Swan Meadow Definitive Subdivision Continued Hearing: The applicant's engineer, John Glossa, 46 East Street, stated he made some changes as requested by Margaret Walker, Town Engineer. He stated they basically changed the sheet order of the plans so that all the proof plans are at the end making them easier to follow. He stated that Ms. Walker had questioned whether or not there would be wells or a water connection. The applicants have chosen to connect to town water. Mr. Forsberg read correspondence dated July 13, 2012 from Ms. Walker, correspondence dated July 19, 2012 from the Sewer and Water Commission and a letter dated July 16, 2012 from Landis Hershey, Conservation Agent. Mr. Glossa stated they will show these comments on the final plan. Mr. Forsberg stated that any work inside the buffer would require approval from the Conservation Commission. Mr. Mattson had stated that should the developer choose to connect to Town water, the water main shall be constructed in the conventional manner as per sheet #4 of the plans dated May 7, 2012. All services shall be installed at right angles to each lot. Meter pits shall be installed for any house in excess of 100' from the street line. On behalf of the Sewer and Water Commission relative to this subdivision, Mr. Mattson stated the developer shall investigate the feasibility of "looping the water main to Lakeview Drive and security of the easements to do so". Mr. Glossa feels it would be impossible to do what the Sewer and Water Commission is requesting, but he will look into this. Mr. Macchi stated he will check to see if the people affected have a mortgage on their property. If they do, it would be an issue. Mr. Nottebart asked how much it would cost to do the work and Mr. Glossa stated about \$100,000, but Mr. Conroy disagreed with that figure. Mr. Murtagh stated it would be \$70,000 at the least. Mr. Glossa stated that Lakeview Drive is already looped. Mr. Forsberg asked how the town could flush a hydrant when it is on private property and Mr. Macchi stated the town has an obligation to flush. Mr. Murtagh stated it doesn't make sense to him to loop the water line as it would be too expensive and it would have to go across private property. Mr. Glossa stated that there are circumstances that make looping extremely difficult to do. Mr. Forsberg stated that regardless of the outcome, the Sewer and Water Commission have asked them to investigate this and report their findings back to them. Mr. Nottebart asked how long it will take to do this as it will add a burden to the homeowner. Mr. Forsberg stated the main reason for looping is for fire protection. Mr. Murtagh stated he had a water main installed on Nottingham Way and has never seen it flushed out. Mr. Macchi stated it would make more sense if they owned the land up to another road.

Mr. Conroy stated this is not the first time that looping has been done. Mr. Hasenjaeger had to do it at Walpole Estates and Jasons Path. The Sewer and Water Commission has asked the developer to check it out and is most likely expecting a letter back from them. It should be investigated. The only reason no one wants to install sewer is because of money. Mr. Glossa pointed out that the roads Mr. Conroy mentioned are more than 700' in length. Mr. Hasenjaeger stated that the beginning of Jasons Path was the parking lot. Mr. Conroy stated that Sharon Wason stated that many years ago.

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Mr. Glossa stated they will contact the two people in question to see if they will convey an easement. Mr. Conroy asked if the big plans have been stamped and Mr. Glossa stated yes. Mr. Conroy questioned whether or not there is a note on the plans with regard to Parcel B and Mr. Glossa stated yes.

Mr. Forsberg moved to close the public hearing as requested by the applicant's attorney, Philip Macchi II. Motion seconded by Mr. Mazzocca.

Mr. Conroy stated he feels the hearing should be left open until the applicant has addressed the concerns of the Sewer and Water Commission. He stated that once it is closed, the applicant doesn't have to approach the abutters regarding the water loop. Mr. Macchi agreed with Mr. Conroy that once the hearing is closed and the application approved, there is no reason for them to approach the homeowners of the two abutting lots with regard to a water line easement.

The motion was voted 4-0-1 to close the hearing. Mr. Conroy abstained.

Waivers: The Planning Board discussed the waivers as presented. Mr. Forsberg moved to grant thirteen waivers as requested. Motion seconded by Mr. Nottebart and voted 5-0-0.

The Planning Board discussed the five (5) standard conditions and seven (7) special conditions and also five things to be added to the plan before it is endorsed: 1) language regarding ownership of Parcel B; 2) drainage comments from Ms. Walker; 3) placement of the curb cut; 4) comments per a letter from the Sewer and Water Commission; 5) conduct an investigation regarding the feasibility of looping the water line.

Mr. Conroy stated there is nothing we can take back after the results of the investigation of the water line looping. Approving this now makes the looping issue go away. Mr. Macchi agreed. He also stated they will put the request from the Sewer and Water in writing prior to endorsement. He stated we can pretty much understand that the answer will be no.

Mr. Murtagh moved to approve Swan Meadow as per the standard and special conditions and waivers as voted. Motion seconded by Mr. Nottebart and voted 4-0-1 (Mr. Conroy abstained).

Mr. Conroy informed the applicant that they will not be whacked by this board, but will be by Sewer and Water.

Phasing: Mr. Forsberg moved it be determined that the entire subdivision to be constructed only has two buildable lots both of which are allowed to be constructed with zero points awarded. Therefore, a point schedule is not applicable and no points are granted under Section 2.7.

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The Certificate of Approval will serve as the approved developmental schedule and the applicant will record the certificate of approval at the Norfolk County Registry of Deeds. Proof of Recording will be shown to the Planning Board. Motion seconded Mr. Nottebart and voted 5-0-0.

7:55 p.m. Solar Presentation: Stephanie Mercandetti, Economic and Grants Officer stated she had a 7:45 p.m. appointment with the Planning Board to discuss a solar article. However, she has to leave at this time to be at another meeting in Framingham and asked the board to reschedule this appointment. The board said they will let her know what the continued date will be.

9:05 p.m. Solar Discussion: The board agreed to put this on their August 16th agenda. Mr. Mazzocca stated he will be on vacation at that time and will be unable to attend. After a short discussion, the board agreed to hold a special meeting on Tuesday, August 7, 2012 at 7:00 p.m. in a room to be determined. Mr. Conroy stated he was not sure if he could attend that night, but would check. The secretary informed the board she would be unable to attend as she will be on vacation.

9:10 p.m. Southridge Farm, Case No. 12-8, Site Plan Approval Continued Hearing and Southridge Farm, Case No. 12-9, Special Permit Continued Hearing:

Mr. Forsberg read an email dated July 19, 2012 from Rob Truax, GLM Engineering, Holliston, MA requesting both hearings be continued to the board's next meeting. He also granted the board an extension of time upon which to take action up to and including August 30, 2012.

Mr. Forsberg continued the two hearings to August 16, 2012 at 7:45 p.m. and 7:46 p.m. as requested. Mr. Nottebart moved to accept an extension of time upon which to take action for both the site plan approval and special permit up to and including August 30, 2012. Motion seconded by Mr. Murtagh and voted 5-0-0.

Legacy Lane Subdivision: Mr. Forsberg moved to grant an extension of time up to and including October 31, 2014 as per request of Rose Marie McPhee, 22 Lancelot Court, Norwood, MA. Motion seconded by Mr. Nottebart and voted 5-0-0.

Reorganization: Mr. Mazzocca moved to nominate Mr. Forsberg as Chairman, Mr. Nottebart as Vice Chairman and Mr. Murtagh as Clerk. Motion seconded by Mr. Murtagh and voted 5-0-0.

Northridge Farm Subdivision: Mr. Conroy asked that we check on a letter received from Joyce Frank, Town Counsel, and to find out if we can move forward with the hearing process on August 16, 2012.

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Beatty Appeal: Mr. Conroy stated that town counsel should be at our next meeting to tell us how this appeal is going to be handled.

It was moved, seconded and voted to adjourn. The meeting adjourned at 9:50 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted 8/16/12