

WALPOLE PLANNING BOARD MINUTES OF APRIL 20, 2023

The Walpole Planning Board held a regular meeting at 7:00 p.m. on Thursday, April 20, 2023 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: John Conroy, Chair; John O'Leary, Vice Chair; Catherine Turco-Abate, Clerk; Philip Czachorowski, Sarah Khatib, and Carl Balduf, Town Engineer.

Mr. Conroy opened the meeting at 7:14 p.m.

Minutes: Mr. Conroy moved to accept the minutes of March 16, 2023. Motion seconded by Mr. O'Leary and voted 5-0-0.

7:16 p.m. Portland Way Update: Joe Verderber, Builder, stated he will put the street trees where the neighbors want them. Mr. Balduf stated the overhead street light has been installed. Mr. Balduf will let the board know when this bond is ready for release and street acceptance.

2250 Route 1 Plan Endorsement, Case No. 22-07 and 22-08: Mr. Conroy moved to endorse the Neuro Vet, 2250 Route 1 site plan as submitted by Glossa Engineering and reviewed Carl Balduf, Town Engineer. Motion seconded by Ms. Abate and voted 5-0-0.

7:20 p.m. North Street Pull-Off Scenic Road Hearing: Mr. Conroy opened the hearing and read the public hearing notice. He stated that we received this application from the Select Board, which is the way a scenic road request is filed. Joe Conran, Assistant Town Engineer, explained this is a 20'x40' piece of property on the side North Street. He stated there will be a 5' walkway to access the Conservation land. This property is deed restricted so there will be no actual parking at this site.

Mr. Conroy read comments from Justin Monta, Walpole Tree Warden and Patrick Shield, Assistant Town Engineer.

Ms. Khatib questioned the restrictive parking and asked if there will be signage. Mr. Conran stated yes there will be. Ms. Khatib asked if there will be signage approaching from both directions or just in the pull off area. Mr. Conran stated he wasn't sure.

Landis Hershey, Conservation Agent, stated that regarding the safety issues with North Street, the Conservation Commission realizes this is a dangerous street and knows there are issues that need to be addressed. She stated safety is not part of the Scenic Road process, but does know that North Street is extremely busy right now. Ms. Khatib asked what would be the mechanism to address safety issues and will safety be discussed during within the Conservation Commission's hearings. Ms. Hershey stated they will talk to the other people in town and come up with a solution. Ms. Khatib stated a chain link fence and also the relocation of the pull-out would help. Ms. Hershey stated the property has been surveyed. Ms. Khatib stated she looked at the trees and stone walls and feels this to be a reasonable request. Putting aside the safety concerns that Ms. Khatib expressed should be addressed elsewhere, she is okay with the proposed removal and relocation of a section of the stone wall.

Ms. Czachorowski asked if the turn off will be paved and Mr. Conran stated no, it will be a dense gravel.

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Ms. Abate feels a 37' opening would be a lot. Typically, we would remove just enough trees and stone wall to get a car in there. Is there a way you can make it smaller as we don't want to set a precedent by allowing that much of an opening? Ms. Hershey stated it doesn't say anywhere in the Rules and Regulations that it has to be smaller.

Mr. O'Leary questioned the slope off the road and Mr. Conran stated it will be graded toward the stone wall. Mr. O'Leary asked if this was for drop off only and Mr. Conran stated yes. Ms. Hershey stated this property was owned by the New England Forestry Foundation, they decided to sell it and the Conservation Commission stepped up and purchased it a year ago. The pull-off is to allow people to unload a canoe or kayak. Mr. O'Leary asked about people walking in the street. Ms. Hershey stated you can walk through the field areas, but she doesn't think that Mr. O'Leary's question is pertinent to the Scenic Road hearing. Mr. Conroy stated part of the process is with regard to public safety. He wants to know if you are allowed to do this according to the deed or are there restrictions. Ms. Hershey stated she doesn't know of any restrictions. Mr. Conroy asked if there is a path there already that can be used now. Ms. Hershey stated yes you can walk there now. Mr. Conroy stated you are not asking for access for cars, but asking for access to allow people to walk there. He asked if the center line of 50' is the center line of North Street and Mr. Conran stated no. Mr. Conroy asked if the centerline is more toward the edge of the pond. Jack Wiley, Chair of the Conservation Commission and Adams Farm Committee stated yes. Mr. Conroy feels it would be better to park across the street and walk across to this location. Mr. Wiley stated the property across the street is not ours. Mr. Conroy asked if this plan has been before the Select Board and Mr. Wiley stated no. Mr. Conroy stated this will need to go before the Select Board, Fire and Police for safety and signage. He asked if that has been scheduled yet and Mr. Wiley stated no. Mr. Conroy stated this is a town project. He asked if it is 12' deep from the side of the road and Mr. Conran stated no it is bigger. Mr. Conroy asked if the stone wall is the property line and Mr. Conran stated yes.

Mr. Conroy asked for public comments.

Katie Cissell, 536 Fisher Street stated she is looking forward to the trail access, but wants to keep it within the scenic road and safety aspects. We already have Adams Farm. If the pull-out goes there she would like to know about the enforcement plan. It would be a shorter walk from Adams Farm than from what is being proposed. Mr. Conroy stated they have a right to do this and enforcement doesn't come under the Planning Board. It would be the Select Board and they would have to do a public hearing.

Mr. Barajas, 1400 North Street feels it is a good idea to have this access. He does have a background in civil construction. He feels the pull off angles are very sharp and the entrance to this is at the intersection of North and Fisher, which is already dicey. He asked if there will be a cross walk there and how will it be managed. He knows those aspects cannot be resolved here. Mr. Conroy stated we only deal with the stone walls and the Select Board should answer to his other questions.

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Melissa Schwarz, 15 Lakeview Drive stated she feels that Kate Cissell made all the necessary points.

Kathy Campbell, speaking on behalf of Flora _____, North Street, questioned the purview of the safety as it pertains to the scenic road hearing. She stated that Flora's house is 75' from the property line and the pull-out is close to her house.

Mr. Small, 262 North Street stated he and Mrs. Warren purchased this property back in 1996 and they both wanted to preserve it exactly as it was in 1936. Mr. Warren was an outstanding citizen. They trusted that the NEFF would leave it as it was. To find out that they sold this to the town for a tenth of what he paid for it is outrageous. He strongly objects to this, but they are not opposed to conservation. Mrs. Warren would not be opposed to the hiking trail, but would be opposed to what will be violated. Some people park here now and he is strongly against this and wants to prevent this from happening. He wished the NEFF had let him now they were selling because he would have bought it.

Mr. Conroy read letters from two abutters, one being a petition with 124 signatures. He suggested they find out from the Select Board when they will be holding a hearing on this. Mr. Balduf, Town Engineer, stated he is not sure why they would be going to the Select Board. Mr. Conroy stated they are the Road Commissioners and they should ask for comments from the fire and police departments; and, sight distance needs to be done.

Ms. Khatib stated she would like the Select Board to comment on this if we are going forward. We shouldn't just hope they are going to hold a hearing. Ms. Abate agreed we need to know if the Select Board will hold a hearing. Ms. Hershey stated that going before the Select Board, town meeting, or town engineer has never come up prior to tonight. Ms. Abate stated yes it has when this was purchased. She feels we should continue this hearing, even though this is not a driveway, public safety is involved. Ms. Hershey asked if the board has required public safety information previously for a scenic road hearing. Mr. Conroy stated if the Select Board doesn't do it, we will. You heard the public tonight. What if we say this is approved, how do we know it will go before the Select Board? Ms. Hershey stated she has an email from the Walpole Fire Department. Mr. Conroy asked if they want to continue this hearing. Mr. Wiley feels we should continue this hearing to allow these questions to be answered. He requested they be continued to May 18 and gave the board an extension of time up to and including May 31, 2023.

Mr. Conroy moved to accept an extension of time through May 31, 2023. Motion seconded by Mr. Czachorowski and voted 5-0-0. Mr. Conroy continued this hearing to May 18, 2023 at 7:05 p.m. He stated the board will contact the Select Board to see what they want to do. Mr. Wiley asked if the board is looking for what the signs will say and the placement of the signs from the Select Board. Mr. Conroy stated we just want them to comment. Ms. Hershey asked if it is okay to revise the plan as the hearing is still open. Mr. Conroy stated it will be whose court this is in, Planning Board or Select Board. When you get the comments from fire and police, then put them on the plan. Mr. Wiley asked if the actual verbiage should be put on the plan and Mr. Conroy stated no, just revise what they are asking for.

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Ms. Hershey asked when the board needs this by and Mr. Conroy stated 14 days prior to the May 18th meeting.

Kathy Campbell, Burns Avenue asked how will they know if the Select Board will be holding a public hearing and Mr. Conroy stated if she calls our office, we can tell her.

Mr. Barajas, 1400 North Street asked if this goes to the Select Board, he thinks it should be a hearing, not just a letter from fire and police. Mr. Conroy stated that if on the 18th we have information from the Select Board, we will write a letter that we strongly urge them to address the safety issues. Ms. Khatib asked if the applicant has investigated both the entry and exit being like a circle drive. Ms. Hershey stated they were trying to disturb the least amount of land possible. The only disturbance they are attempting to do is allow for a car to pull in. What Ms. Khatib is describing would require more fill. Ms. Khatib stated that the wall between the in and out areas would remain. Mr. Conran doesn't think we have the space required to do that. Ms. Khatib asked if it could be moved farther north and Mr. Conran stated no because they would then be in the 25' buffer.

Mr. Conroy continued this hearing to May 18, 2023 at 7:05 p.m.

8:29 p.m. East Walpole Clocktower, No. 22-02 Continued Hearing: Mr. Conroy read a letter dated April 13, 2023 from Legacy Engineering requesting to continue this hearing without testimony and granting the board an extension of time on which to take action through May 31, 2023.

Mr. Conroy moved to accept an extension of time up to and including May 31, 2023. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy continued this hearing to May 18, 2023 at 7:20 p.m.

8:30 p.m. Bristol Bros. Modification to Site Plan Approval, Case No. 19-08 and Modification to Special Permits, Case No. 19-09: Mr. Conroy read a letter from Atty. Jeffrey Tocchio dated March 29, 2023 requesting an extension of time for an additional two years. Mr. Conroy moved to accept an extension of time up to and including April 30, 2025 for Case No. 19-08 and 19-09 as requested. Motion seconded by Mr. Czachorowski and voted 5-0-0.

8:31 p.m. Bristol Bros. Site Plan Approval, Case No. 23-01 and Special Permits, Case No. 23-02: Mr. Conroy read a letter from Atty. Jeffrey Tocchio dated April 12, 2023 requesting these hearings be continued without testimony tonight and also granted an extension of time on which to take action up to and including June 30, 2023 for both hearings. Mr. Conroy moved to accept an extension of time up to and including June 30, 2023 as requested. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy continued these hearings to May 18, 2023 at 7:25 p.m. and 7:26 p.m.

8:33 p.m. Warwick Subdivision Continued Hearing: Mr. Conroy read an email from Lou Petrozzi requesting tonight's hearing be continued without testimony and also granted the board an extension of time up to and including May 31, 2023. Mr. Conroy moved to accept an

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extension up to and including May 31, 2023 as requested. Motion seconded by Mr. Czachorowski and voted 5-0-0. Mr. Conroy continued this hearing to May 18, 2023 at 7:30 p.m.

8:36 p.m. Frieberger, 965 West Street Continued Subdivision Hearing: The applicant was represented by Atty. Philip Macchi, Norwood, MA and Scott Henderson, Henderson Engineering. Atty. Macchi stated he has submitted the required documents to Carl Balduf, Town Engineer. Mr. Conroy read a memo from Mr. Balduf dated April 13, 2023. Atty. Macchi stated this subdivision is the same as a previous subdivision, Rail Way, which was located off Bullard Street.

Ms. Khatib stated she is comfortable with what has been proposed. Regarding hammerhead, she asked if it would be possible to have one that would allow the applicant to put in a driveway if he was to develop the other lot. Mr. Henderson stated that is basically what they did.

Mr. Conroy read a letter from the Fire Chief approving the street name of Bruins Way.

The board discussed the conditions of approval. Mr. Conroy moved to approve the special conditions as discussed. Motion seconded by Ms. Abate and voted 5-0-0.

Mr. Conroy moved to approve the waivers requested. Motion seconded by Ms. Abate and voted 5-0-0.

Mr. Conroy moved to approve the subdivision with standard conditions, special conditions and waivers. Motion seconded by Ms. Abate and voted 5-0-0.

Mr. Conroy moved to close the public hearing. Motion seconded by Mr. O'Leary and voted 5-0-0.

Email Address Discussion: Mr. Czachorowski feels the town should issue the board members their own email addresses so board members wouldn't need to use their personal ones. Ms. Khatib agrees. Mr. Czachorowski stated he had talked with Patrick Shield about this change. Mr. Conroy feels this is an unnecessary change as the board members should be sending everything to the board secretary and she will in turn distribute it to whomever.

Master Plan Update: Mr. Czachorowski stated they are at the end stage for this committee. The final meeting will be held on April 24th at which time there will be a complete draft as most members have submitted their changes. Ms. Abate stated they were supposed to have received the complete draft on April 18th, but they didn't; therefore, she is not sure if Monday is a logical meeting date and feels this should be bumped out so everyone will have time to review it. Mr. Czachorowski stated he will discuss that with Judy Barrett. Ms. Abate feels there are a lot of typos that need to be addressed. Mr. Czachorowski stated the original plan was to present this to the Planning Board on May 4. However, Judy Barrett is not available on the third Thursday of any month so Mr. Czachorowski asked if the board would be willing to meet on another night. Mr. O'Leary asked if the Master Plan meetings are on the town website and are they open to the public. Mr. Czachorowski stated yes. He asked if the board would be open to a non-scheduled meeting night.

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Ms. Khatib stated she is open to that but it doesn't seem like it is going to work. She asked if this could be a discussion item for May 18.

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

Respectfully submitted,

Catherine Turco-Abate, Clerk

Accepted 5/18/23