

WALPOLE PLANNING BOARD MINUTES OF DECEMBER 2, 2021

A regular meeting of the Walpole Planning Board was held on Thursday, December 2, 2021 at 7:00 p.m. in the Town Hall Main Meeting Room. 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 7:03 p.m.

Minutes: Ms. Khatib asked to hold the minutes of November 18, 2021.

Pine Acres Subdivision Update: The developer, Joe Verderber, stated there are supply issues and he still can't get the required granite to install. He submitted ordering information and stated it should be available in the Spring. Ms. Khatib feels there are more issues than just the granite. Mr. Verderber stated the light poles are in. Ms. Khatib asked how long of an extension is he requesting and she would also like to hear from the neighbors. Mr. Verderber stated he doesn't control the delivery schedule and the installation of the granite is not the issue. Mr. Conroy stated this subdivision has been sitting around for quite a while. He asked if the dozer is off the street. Mr. Verderber stated no because they were waiting for Eversource. He stated he will get it out. It is not on the road but on the far right side in the gutter with a pile of stone in front of it. He will have it pulled out into the last lot.

Megan Morash, 8 Portland Way stated she would like updates every month. Regarding the bulldozer, she would like it removed as it has been there for three years. The subdivision is more of a mess now because of Eversource.

Mr. Morash, 8 Portland Way stated the pole light base got put in two days ago. The bulldozer has not moved. He stated he will go get the granite. There is dirt in the street and now it is in his house. Mr. Conroy stated he is in the business and there is no issue with supply. He told the developer to get the tractor out. Mr. Verderber stated it is on his own property and asked if he could leave it there. Mr. Conroy stated he could put it behind the house and also asked him to sweep the street and clean up the road.

Mr. Conroy moved to give an extension through January 20, 2022. Motion seconded by Mr. Czachorowski and voted 5-0-0. Mr. Conroy reminded the developer he wants the street cleaned, tractor moved and the supplier called to see where they stand with delivery. Mr. Balduf stated he will look into following up to make sure the street is clean and will also follow up with Eversource.

Abutter, 23 Gould Street stated he has a lot of flooding issues which he feels were caused by the subdivision. Mr. Conroy suggested he talk to the town engineer. Mr. Verderber stated that Landis Hershey was out there every step of the way and there was never any witnessing of rain going from him to them. Mr. Conroy stated Mr. Balduf can determine if it is run off from the subdivision. The abutter asked about a retaining wall. Mr. Verderber stated they are not sending any water that way. Mr. Balduf stated if this is built in conformance with the actual design, he is not sure what they can do with it, but they can look at it.

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7:20 p.m. Ironwood Neponset Solar, 455 Solar South Street Continued Hearing, Case No. 21-07: Mr. Conroy moved to accept an extension of time up to and including January 31, 2022 as granted by the applicant's attorney, Philip Macchi, Norwood, MA. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy continued this hearing without testimony as requested by the applicant's attorney to January 20, 2022 at 7:15 p.m.

7:27 p.m. Stigmatine Fathers, 605 Elm Street, Site Plan Approval Case No. 21-08: Mr. Conroy read the public hearing notice. The applicant was represented by Amanda Cavaliere, Guerriere & Halnon, Inc., Engineering & Land Surveying, 55 West Central Street, Franklin, MA. She stated the applicant has purchased a two story house on 9+ acres. The house is in disrepair and the priests plan on renovating it. There will be town water and the Board of Health has approved a septic update. The water line will be updated from a 2" to an 8" line. Each of the rooms will have a sitting room and there will be a community kitchen. The existing carriage house with an existing septic system has passed inspection. This is an existing residential property and will remain as a residential use; however, they do want to relocate the driveway. Mr. Conroy stated this project is allowed by right because they are a church.

Mr. Conroy read comments from Sewer and Water, Board of Health and Fire Department. Ms. Cavaliere stated they met with the Sewer and Water Commissioners on November 22. She stated the proposed driveway is 16' which is what is currently there and there will be a truck turnaround. Mr. Conroy stated the Fire Department would like to see that shown on the plan. Further, 20' is standard for access even though 16' is there. Ms. Cavaliere stated the proposed driveway will be totally paved.

Mr. Balduf discussed his comments.

Mr. Conroy asked if they will be working in Medfield at all and Ms. Cavaliere stated no.

Ms. Khatib stated she would like to see the use of the building as it was stated it was a residence not a boarding house. Ms. Cavaliere stated it will be for retired priests. There will be no individual kitchen areas, just a common kitchen and a chapel. Ms. Khatib asked if people will live in the carriage house and the priest in attendance tonight stated it will be used for storage for archived materials. Ms. Khatib asked if they will need a special permit from the Zoning Board and Ms. Cavaliere stated no. Ms. Khatib asked that the plan cover sheet conform to Section 13.8 of the Zoning Bylaw and show such items as legal description, assessors map, address of applicant, lot line and locus plan. She asked what is the existing parking and what will be proposed. Ms. Cavaliere stated there are no designated spaces, but there will be enough provided for nine residents. Ms. Khatib asked if there will be eight spaces near the carriage house and two near the big house. Ms. Cavaliere stated they will be providing 14 spaces. Ms. Khatib stated it would be helpful to have a parking chart to outline what you are providing. She asked if they are proposing any signage. The priest in attendance stated just an address sign on the street. Ms. Khatib stated she would like a separate landscaping plan showing the location of natural features or waterways or streams as this property is in Area 1 and she would like the percentage of impervious cover information.

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Mr. Czachorowski questioned the entrance as shown on Sheet 2. Ms. Cavaliere stated it will be brick work. Further, they are trying to keep the utilities in the existing driveway. Mr. Czachorowski questioned the frontage and Ms. Cavaliere stated it is over 150', more like 180'. There is a zoning table on the plan but the frontage is not on it.

Ms. Abate asked if they bought the whole property and Ms. Cavaliere stated yes. Mr. O'Leary stated he would like a locus map showing the other properties. Mr. O'Leary questioned the open fields and asked if the easements will be going through there and Ms. Cavaliere stated yes. Mr. O'Leary asked the location of the nearest house and Ms. Cavaliere stated she will put that on the next plan. Mr. O'Leary asked the sequence of work and George Lamore, architect, explained it. Mr. O'Leary asked if the old driveway will be taken out and the utilities relocated to the new driveway and then the construction of the new additions started. Ms. Cavaliere stated it will be done at the same time. Mr. O'Leary asked where will all the construction traffic be coming in and out of the site and Mr. Lamore stated over the new road. Mr. O'Leary questioned the change in the garden and Mr. Lamore stated it will be cleaned up. Mr. O'Leary questioned the carriage house and Mr. Lamore stated the footprint will not change, but they will renovate it. Mr. Conroy asked if they will be moving the electrical utilities and Mr. Lamore stated they will be moving the water, gas and electric lines and all will be underground. The service coming to the house is not adequate now.

An abutter from Jorie Lane stated there are recorded easements on his property and he asked if they will be moving closer to him. He stated that three abutters are not in agreement with what is being proposed. Ms. Khatib questioned the easements. The Jorie Lane abutter stated the easements are currently driveway easements and utility easements. He was told they are going to abandon the utility easement and put it into the new driveway.

Mr. Conroy stated that looking at the entrance, he feels it will be hard to swing it with a truck when coming from Walpole. Ms. Cavaliere stated they will look at that.

Paul Schneider, 3 Jorie Lane stated he is concerned because his yard sits below 7 Jorie Lane and the new driveway. He is worried about the water consequences of moving this. He has mitigated with French drains in the past. His second issue is privacy. Mr. Conroy stated there are trees along the corner that should screen 3 Jorie Lane. Mr. Schneider stated yes they do. Ms. Cavaliere explained the driveway drainage. Mr. Balduf stated we don't have a standard for that, but it could be done. He stated that Comment #6 in his review does require drainage requirements.

Tom Fischel, 19 Jorie Lane stated he is the closest abutter and moved in two years ago. There are a lot of trees between this property and his. A lot of the trees are dead and he has been cleaning them up. Ms. Cavaliere stated the plans show the existing tree line which will remain. Mr. Conroy asked the applicant to meet with the deputy fire chief and Mr. Balduf to show the turning radius.

Ms. Cavaliere granted the board an extension up to and including January 31, 2022. Mr. Conroy moved to accept an extension up to and including January 31, 2022. Motion seconded by Mr. Czachorowski and voted 5-0-0. Mr. Conroy continued this hearing to January 20, 2022 at 7:20 p.m.

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8:14 p.m. Paragon, 130 West Street and 25 Spring Street, Continued Hearing: Mr. Conroy read a letter requesting this hearing be continued without testimony and also granted the board an extension of time. Mr. Conroy moved to accept an extension of time up to and including January 31, 2022. Motion seconded by Mr. Czachorowski and voted 5-0-0. Mr. Conroy continued this hearing to January 20, 2022 at 7:25 p.m.

8:16 p.m. Garden Path Estates Definitive, 585 Washington Street: Mr. Conroy read the public hearing notice. The applicant was represented by Atty. Philip Macchi and Dan Merrikin, Legacy Engineering. Mr. Macchi stated this is a straight forward subdivision consisting of six lots. It is a conventional subdivision that will be public with no waivers, except catch basin bottoms. They can build this subdivision with or without the waiver. There will be a standard drainage system with a standard covenant to the town.

Mr. Conroy stated that all green cards have been returned.

Mr. Merrikin stated this is a four-acre parcel located between Grace Memorial Drive and Mikayla Way. The house that was on this lot had burned down. The property is all wooded and they will be connecting some of the neighbors to the new road which has already been discussed with them. They are proposing to build six single-family homes on a 750' road. They are giving Parcel A to the Mawn family with access to the new road. The soil is very good here. They have done test pits and there will be a flat bottom to the drainage basins, which is consistent with modern standards. He has seen comments from the fire department and town engineer. They will do this according to DEP standards.

Mr. Conroy read letter from the Board of Health and fire department. Mr. Merrikin would like to discuss the looping of the water main with Mr. Balduf and stated they will be putting in a stub so the town can tie in. Mr. Conroy stated that hydrants should be up and running before occupancy. The street name of Lippolis Way has been approved by the fire and police. Mr. Balduf agrees with the waiver as stated by Mr. Merrikin. He agrees this is a straight forward subdivision and asked that the parcel on the Mawn property be labeled Parcel B. He also stated that the sewer services will be by private injector pumps.

Mr. O'Leary asked if we have a plan more recent than August 23, 2021 and Mr. Merrikin stated no. Mr. O'Leary questioned that there are dimensions missing along the outskirts of Lot 2 and Mr. Merrikin stated it is a rectangle. Mr. O'Leary stated the frontage on Lot 5 is missing from the table, the square footage of the roadway should be shown and also the extension on the Washington Street rounding easement for the existing right of way. Mr. Merrikin stated he will clarify those issues. Mr. O'Leary suggested that the town should pursue the purchase Lot 6 to be used as access for the school.

Ms. Abate stated that Form C it says the house burned down; however, it was knocked down by the owner as it was too expensive to bring it up to code after the fire. She feels the record should show it burned, but not burned down. She also questioned if there will be extra security because the kids will be walking in that area during construction and there could be an issue liability-wise. Mr. Merrikin stated they could put construction fencing around the rear of the property and he will add notes to the plan with regard to liability issues. Ms. Abate stated that most of the lots are over an acre, except the one in the back. She questioned if that is because of drainage and Mr. Merrikin stated yes. Ms. Abate asked why

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they are giving Parcel A to the Mawn's and Mr. Merrikin stated the new plan will show more details about that. Mr. Czachorowski asked if the roadway will be public and Mr. Merrikin stated yes. Mr. Czachorowski asked if there will be a sidewalk on both sides and if not, did you need a waiver. Mr. Conroy stated we got rid of that requirement about twenty years ago. Mr. Czachorowski said that it is still in the rules and Regulations in Section V.8. You would need a waiver, but it would be reasonable for the project. Mr. Merrikin said he will take a look. Mr. Czachorowski asked if there is street lighting shown on the plan and Mr. Merrikin stated yes. There will be a pole light at the beginning, middle and end of the street which is adequate for a 750' road. Mr. Czachorowski stated that Sheet 3 references Peach Street. Mr. Merrikin stated he will review that. Mr. Czachorowski questioned the zoning and frontage table on Sheet C-5 and Mr. Merrikin stated it will be measured by the setback line. This is a unique part of the town's zoning bylaw and he has never seen it anywhere else. He stated the existing driveway will remain active. Ms. Khatib stated that one of her main concerns is to protect the rights of the abutters and feels they should be a co-applicant. Mr. Merrikin stated nothing will change the abutter's rights as they will be granted the right of way from 35' to the entire road. Ms. Khatib stated she doesn't want the abutters to lose any right to their property and asked if there is a reason he doesn't want to make them co-applicants. Mr. Merrikin stated they are abutters, not applicants. Ms. Khatib asked that with regard to Parcel A, what happens if the abutter doesn't accept it. Mr. Merrikin stated the abutter has already told the applicant they wanted it.

Mr. Walsh, 587 Washington Street, asked if his taxes will change. Mr. Merrikin stated none of this will change the Walsh property. What the Assessors have now is what it will be. Mr. Conroy stated that the Walsh lot won't change at all. Ms. Khatib asked if those two abutters will have a Washington Street address even though now they will be accessed from the new road and did the fire department raise any concerns. Mr. Merrikin stated there is no issue with the Mawn property, but maybe with Walsh. Mr. Merrikin stated that everyone along the right of way has rights to that right of way. Mr. Conroy stated an easement doesn't go away. Ms. Khatib asked the difference between Sheet 3 and 4. Mr. Merrikin stated one is the road construction phase and the other is the lot construction phase.

Mr. Conroy questioned the grades and Mr. Merrikin stated the grades are pretty modest.

Lillias Benson, 6 Grace Memorial Drive stated her property abuts the infiltration basin and it gets muddy at times without the trees being taken down. When you take all the trees away, all that water will have to go somewhere and what guarantees does she have that there will not be a swamp that breeds mosquitoes in her backyard. What guarantee does she have that this will be finished properly because of the previous person who couldn't get supplies. Mr. Balduf stated he did observe all the test pits on the property and there was no problem anywhere. They didn't see ground water in any of the pits, so there is no reason to think it won't perform as designed. Ms. Benson questioned the basin and Mr. Merrikin stated it has to follow the grades of the land. Ms. Benson stated she is concerned about the delivery of supplies and appliances. Mr. Conroy asked if the basin will help her yard and Mr. Merrikin stated all the water that comes off her property will go into stormwater basins.

Jim Carr, Washington Street stated he has some history with this area as he took care of both Ms. Benson's property and also the Lippolis property. It does get wet back there as it is in a natural retention area. There could be a problem in the future. Ms. Benson asked if they will be cutting down all the trees.

Mr. Merrikin stated they could add a fence or some evergreen trees. Ms. Benson stated she would like evergreen trees.

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Abutter, 8 Grace Memorial Drive stated he would like that offer extended to him also.

Jeff _____, 12 Grace Memorial Drive stated he has no problem with the subdivision or the houses to be built, but he feels there may not be enough drainage. He doesn't want his lot to flood out. He is concerned with the back of the property and not sure what will be done there. Mr. Merrikin stated he can put a restriction on it so it stays there.

Dave Walsh, 587 Washington Street stated he has heard there is a possibility of the new school using the property behind him and also of school buses going down their road. Mr. Conroy stated that is not going to happen. Mr. Balduf stated there is no intention to put any access or right of way in that corner. The school already has access to Washington Street and East Street. Ms. Abate stated every person that abuts this property claims their property is wet. If so, how did it perk? Mr. Merrikin explained it and stated it is surface run off waiting to run into the ground. The water will be held in a very confined space.

There were no further comments.

Mr. Conroy moved to accept an extension of time up to and including January 31, 2022 as granted by Mr. Merrikin, Legacy Engineering, on behalf of the applicant. Motion seconded by Ms. Abate and voted 5-0-0. Mr. Conroy continued this hearing to January 20, 2022 at 7:30 p.m.

Master Plan Update: Ms. Abate requested this be added to the January 20th agenda.

Mr. Conroy moved to adjourn. Motion seconded by Mr. Czachorowski and voted 5-0-0. The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Catherine Turco-Abate, Clerk

Accepted 1/20/22