

WALPOLE PLANNING BOARD MINUTES OF FEBRUARY 1, 2018

A regular meeting of the Walpole Planning Board held was held on Thursday, February 1, 2018 at 7:00 p.m. in the Town Hall Main Meeting Room. The following members were present: John Conroy, Chairman; Sarah Khatib, Clerk; Catherine Turco-Abate, Joseph Moraski and Margaret Walker, Town Engineer.

Mr. Conroy opened the meeting at 7:05 p.m.

Minutes: Mr. Conroy moved to accept the minutes of January 18, 2018. Motion seconded by Ms. Abate and voted 4-0-0.

Pine Acres Subdivision: Mr. Moraski moved to accept the name "Painters Way" as approved by the Fire Department, Police Department and E911. Motion seconded by Ms. Khatib and voted 4-0-0.

Atlantic Court Extension Subdivision: Mr. Conroy moved to grant an extension of time up to and including June 30, 2018 as requested by Larry Stern. Motion seconded by Ms. Abate and voted 4-0-0. It was agreed to send an email to Mr. Stern to let him know that if he finishes outstanding items, this subdivision could be accepted at the Fall 2018 town meeting.

Zoning Articles:

- Article 33 (our Article II): Ms. Khatib stated she doesn't see any Note 2 in the table and suggested we remove it. It was agreed to keep Note 2 as is. Ms. Khatib also asked that the half quotes in the chart next to LM and Industrial be deleted. Mr. Conroy moved to go forward with this article. Motion seconded by Mr. Moraski and voted 4-0-0.
- Article 34 (our Article III): Mr. Conroy moved to go forward with the language recommended by Town Counsel. Motion seconded by Mr. Moraski and voted 4-0-0.
- Article 35 (our Article IV): It was agreed to send a copy of changes submitted tonight by Mr. Moraski to Town Counsel and to ask that this article be put on the warrant. Motion seconded by Ms. Abate and voted 3-1-0.
- Article 36 (our Article V): The board agreed to send this article back to Town Counsel. Mr. Conroy moved to place this on the warrant, but prior to that we will find out from Town Counsel if this article is legal. If not we will pull it. Motion seconded by Ms. Abate and voted 4-0-0.
- Article 37 (our Article VI): It was agreed to delete this article as we received no further information from David Norton. Mr. Moraski stated we will do this article in the Fall.

WALPOLE PLANNING BOARD MINUTES OF FEBRUARY 1, 2018 (2)

7:25 p.m. 173 Pemberton Preliminary: Mr. Conroy opened the hearing. The applicants, John and Bob Walsh, were represented by Rob Truax, GLM Engineering, Holliston, MA. He stated this subdivision is directly across from Captiva Road and the owners have owned this land since 1982 with the intention of selling this lot at some point, but the zoning has changed. They filed with the Zoning Board of Appeals for a variance, but were denied. Mr. Truax stated they would like a 12' driveway and other waivers. They submitted a plan showing they could build this without waivers. He stated this is similar to 26 Baker Street. They are proposing to reduce the length of the roadway to 149' so as not to be required to build a turnaround; however, they are not in favor of a hammerhead. The existing house has legal frontage on both Pemberton Street and the new street. Mr. Truax stated they are looking for guidance from the board regarding the width of the road, the turnaround if required, and side yard. Mr. Truax submitted a letter dated December 4, 2017 from Atty. Richard Gallogly of Rackemann, Sawyer & Brewster, Boston, MA with regard to Frontage Problem and Waivers.

Ms. Abate asked where they came up with the 12' figure for a driveway and Mr. Truax stated this will be a typical driveway between 10-12' wide and will provide access for one only home. It will be 180' long with a turnaround. If they have to do a hammerhead, they would rather do a public road way with a cul-de-sac. They would not be opposed to putting in crushed stone on each side to widen the driveway. Ms. Khatib asked about the frontage. Mr. Truax stated they have legal frontage on both Pemberton Street and on the proposed road way. The Zoning Bylaw says frontage can be declared on either; however, they want to use Pemberton Street and use the new roadway as their side yard. Ms. Truax stated ideally they should have had a variance, but the Zoning Board couldn't find a hardship.

Mr. Conroy questioned the Rackemann, Sawyer and Brewster letter that was submitted. Mr. Truax asked if he has a problem. This has legal frontage on both, but he would like town counsel to give us an opinion that this is in fact a two-lot subdivision. Mr. Conroy stated we can't spend town money to find out that answer. It will come during the definitive phase. John Walsh stated it seems like a driveway is in everyone's best interest. Mr. Conroy stated we need to follow the suggestion of the Deputy Fire Chief. Mr. Walsh asked if Paul Barry wants the hammerhead, would the board be inclined to insist on it. Mr. Conroy stated in his opinion, yes. Mr. Moraski stated he would be inclined to go with the Deputy Fire Chief's lead also.

Mr. Conroy read comments from the Board of Health and Margaret Walker. He made a motion that we are amenable at this point with what we have reviewed. Motion seconded by Mr. Moraski and voted 4-0-0.

WALPOLE PLANNING BOARD MINUTES OF FEBRUARY 1, 2018 (3)

8:00 p.m. Union Street CME, LLC, 255 Union Street, Case No. 17-5: Mr. Conroy read the public hearing notice. The applicant, Mike Connors, was represented by Dan Merrikin, Merrikin Engineering, Millis, MA. He stated that Mr. Connors acquired this property for an investment. The property has three existing structures which are a house, a barn and a cottage. The property consists of around nine acres and they would like to request an increase in units. This was Bob Foster's house and presently there are four units in the house and one in the cottage. The barn was a consignment shop. He would like to renovate the existing cottage, but there will be no expansion in the footprint in either the cottage or house. They would like a total of eight units with a mixture of one and two bedrooms. Renovations will be on the inside. They are proposing a parking area with 17 spaces with a two way in and out. Mr. Merrikin stated they have met with Ms. Walker, ConCom and the Zoning Board for initial hearings. They are ready to submit a new plan showing Ms. Walker's comments. Ms. Abate asked if they will be paving the parking area. Mr. Merrikin stated they will build some walkways and add landscape. Ms. Abate stated that they are asking for eight units total, three in the barn, four in the house and one in the cottage, but the narrative states seven units. Mr. Merrikin stated that will be corrected.

Mr. Conroy read comments from Sewer and Water, Board of Health, Zoning Board, Police, Fire and Ms. Walker's comments dated January 5, 2018. Mr. Merrikin stated he met with Ms. Walker and has a written response to her comments and revised plans that he will be bringing to the office in a few days.

Ms. Khatib questioned the wetland area as shown on Sheet 3 and the contiguous buildable lot area. Mr. Conroy stated you are not adding any buildings, no change to the footprint, adding more units, but not changing anything outside. Mr. Merrikin stated he discussed this with the Building Inspector and he is okay with this. Mr. Conroy asked him to get that in writing from Mr. Norton and Mr. Merrikin agreed. He stated they are not changing the lot. Ms. Khatib stated four units currently and four units proposed. Mr. Merrikin stated yes and that Mr. Norton stated it's a legal three unit, but it has been used historically for four units. This will rectify the historic inconsistencies. Ms. Khatib asked Mr. Merrikin to go over the plan with Sewer and Water again. He stated tying in is pending upon meeting with Ms. Walker and Sewer and Water. Ms. Khatib asked if these will be condos or apartments and Mr. Merrikin responded apartments. Ms. Khatib asked if they need to go before the Historic Commission and Mr. Merrikin that is only for demolitions, which this is not. Ms. Khatib asked if there will be a sign for the new parking lot. Mr. Merrikin stated they wouldn't normally do that, but they could. Mike Connors stated he would put a sign out that shows 255 Union Street. Ms. Khatib stated she is not saying he has to.

WALPOLE PLANNING BOARD MINUTES OF FEBRUARY 1, 2018 (4)

Ms. Khatib questioned the landscaping. Mr. Merrikin showed the board what is there today and stated they are not taking it away. Mr. Moraski questioned trash and snow storage. Mr. Merrikin pointed out on the plan where the snow storage will be. He also stated if the trash isn't collected, Mr. Connor will get a dumpster. Mr. Moraski questioned lighting and Mr. Merrikin stated it will be minimal residential style. Mr. Moraski questioned the I and I fees. Mr. Merrikin stated Mr. Connor will be assessed for the new units when they go for a permit. Mr. Conroy stated they will need dumpsters if this is over three units. He asked if the parking is in the Flood Plain and Mr. Merrikin stated no all around it.

Mr. Conroy asked for public comments.

Larry Parente, Puritan Place stated he has been there since 1962. He has looked at the drawings and agrees they will not disturb the wetlands. He was concerned with any re-routing of the water that could make the wetlands worse. Mr. Conroy stated that comes under the jurisdiction of the Conservation Commission. Mr. Merrikin stated they are not doing anything in the wetlands.

Cheryl Hayes, 8 Brook Lane stated she had spoken with Mr. Connor and he assured her he is not touching the trees, blocking the brook and is leaving the wetlands alone. The neighbors on Brook Lane are very supportive of this project. He is keeping things the same. We have other projects in town that had to come before the Planning Board for Site Plan Review. McSharry came in for Site Plan Review, but Burns Avenue didn't have to and now Mike Connor is forced to come in for Site Plan Review. She stated there are some inconsistencies as to how that is determined. She knows it's not the board's call, but someone had to determine who goes forward for Site Plan Review and who doesn't. Ms. Hayes stated there is also a moratorium. Mr. Conroy stated Mr. Norton determined that Mr. Petrozzi didn't need Site Plan Review, but Mike Connor does. He is not sure what the difference is between the two. Ms. Hayes agreed with him. Mr. Conroy stated there seems to be two separate sets of rules plus a moratorium. Mr. Merrikin stated the parking lot triggered this filing. They are not proposing any new structures. They did not file under Section 6-C because of the moratorium. Mr. Merrikin stated he went to the Building Inspector and he has done what Mr. Norton told him to do. Ms. Hayes stated she wants Mr. Connor to get this project. Everyone supports him. She doesn't want her issues to cloud this. Mr. Merrikin stated there are some trees coming down. Ms. Hayes agreed, but stated not nine acres.

There were no further comments.

WALPOLE PLANNING BOARD MINUTES OF FEBRUARY 1, 2018 (5)

Mr. Merrikin granted the board an extension of time up to and including March 31, 2018. Mr. Conroy moved to accept an extension of time on which to take action up to and including March 31, 2018. Motion seconded by Ms. Abate and voted 4-0-0. Mr. Conroy continued this hearing to March 1, 2018 at 7:29 p.m.

Mr. Conroy moved to adjourn. Motion seconded by Mr. Moraski and voted 4-0-0. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Sarah Khatib, Clerk

Accepted 2/15/18