

## WALPOLE PLANNING BOARD MINUTES OF JUNE 16, 2022

A regular meeting of the Walpole Planning Board was held on Thursday, June 16, 2022 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 (7:05 p.m.); Catherine Turco-Abate, Clerk; Philip Czachorowski and Carl Balduf, Town Engineer.

Mr. Conroy opened the meeting at 7:01 p.m.

**Dry-Ex, 2220 Boston-Providence Highway, Case No. 21-11:** Mr. Conroy moved to endorse the Dry-Ex site plans as submitted and reviewed by Carl Balduf, Town Engineer. Motion seconded by Ms. Abate and voted 3-0-0.

**Boyden Estates Bond Reduction Request:** Mr. Petrozzi, Wall Street Development was present. The board was in receipt of a letter date May 18, 2022 and received on May 24, 2022 via certified mail and also a memo from Mr. Balduf, Town Engineer dated June 16, 2022 regarding the requested bond reduction. Mr. Balduf stated he added the milling and pavement back into the bond and also stated he is awaiting as-built plans. He stated that currently the bond amount is \$52,981 and he recommended it remain at that amount, which amount includes a 25% retainage. Mr. Petrozzi stated there is no rule in the board's regulations regarding the 25% retainage. Mr. Conroy stated yes there is. Mr. Petrozzi requested that the bond be reduced to \$12,712 as the town engineer had previously stated that amount was sufficient. He again stated there is nothing in the board's rules about the 25% retainage fee.

Mr. Conroy stated that M.G.L. states you have two years to complete the bonded work in a subdivision. Mr. Petrozzi stated that an extension of time is beneficial to the town.

Mr. Conroy moved to leave the bond at \$62,981 as per recommendation from Mr. Balduf. Motion seconded by Mr. O'Leary.

Mr. O'Leary stated the 25% retainage is the board's policy. Mr. Petrozzi stated a policy is not a rule. There would be \$12,000 remaining in the bond for completion of the subdivision. Mr. Balduf stated there is still work to be done. Mr. Petrozzi stated "We are going to court".

Ms. Abate stated we just went through this with another subdivision and town counsel had weighed in on that.

Mr. Czachorowski stated he finds this policy to be ambiguous.

Motion voted 4-0-0.

**7:30 p.m. East Walpole Clock Tower Continued Hearing, Case No. 22-02:** Mr. Conroy moved to accept an extension of time on which to take action up to and including August 31, 2022 as requested by the applicant's engineer, Daniel Merrikin. Motion seconded by Ms. Abate and voted 4-0-0. Mr. Conroy continued this hearing without testimony to August 18, 2022 at 7:15 p.m. as requested by Mr. Merrikin.

**7:32 p.m. 173 High Plain Holdings, Case No. 22-01 Continued Hearing:** Mr. Conroy moved to accept an extension of time on which to take action up through and including August 22, 2022 as requested by the applicant's engineer, Daniel Merrikin. Motion seconded by Mr. Czachorowski and voted 4-0-0. Mr. Conroy continued the hearing to August 18, 2022 at 7:20 p.m. without testimony as requested by Mr. Merrikin.

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**7:40 p.m. 24 Heidi Street Definitive Subdivision:** The applicant was represented by Atty. Lou Caccavaro, Norwood. Mr. Conroy stated that the board didn't receive the notification cards that were to be sent to the abutters by the applicant. Atty. Caccavaro stated he didn't realize it was his responsibility to send them; therefore, he requested to continue this hearing without testimony. Mr. Conroy moved to continue this hearing without testimony and to accept an extension of time up to and including September 30, 2022 as per the applicant's attorney. Motion seconded by Mr. Czachorowski and voted 4-0-0. Mr. Conroy stated this hearing will be readvertised and abutters will be noticed for an August 18, 2022 at 7:30 p.m. meeting.

**7:45 p.m. Dunkin, 51 Boston Providence Highway, Site Plan Approval, Case No. 22-03:** Mr. Conroy read the public hearing notice. The applicant was represented by Dan Merrikin, Legacy Engineering. He stated there will be two drive through windows which should mean shorter queueing. They will be adding an open basin and proposing to add two infiltration basins. There will not be a change of use. Mr. Merrikin stated they are going to the ConCom for a negative determination.

Mr. Conroy read letters from the Fire Department and Board of Health. Mr. Balduf addressed the Engineering comments. Mr. Merrikin stated the applicant would prefer as much parking on site as possible for his employees and there will still be a sidewalk there. Mr. Conroy asked if that could be eliminated and Mr. Merrikin stated it could be but would prefer not to. Mr. Balduf asked for a clarification on the height of the proposed wall and would like that as a condition of approval. Mr. Balduf questioned MA Dot and also the Norwood portion of the project. Mr. Merrikin stated the applicant has agreed to retain him to submit a plan to MA Dot. Mr. O'Leary questioned the snow storage area on the south side of the project and asked if a truck can make that turn. Mr. Merrikin stated yes and they will also be removing two large trees. Ms. Abate asked if the snow that is being dumped on site will drain onto the neighbors' property. Mr. Merrikin explained the drainage and run-off. Mr. O'Leary asked if there will be any change to the existing parking out front and Mr. Merrikin stated no.

8:03 p.m. Cable went off for about 5-10 minutes.

Ms. Abate questioned the proposed outdoor seating. Mr. Merrikin stated there will be a curb and a fence on top of it and also bollards in place.

Mr. Czachorowski asked for clarification of filing with the Zoning Board. Mr. Merrikin stated they issued the original drive through special permit and this is a modification to that original existing special permit. Mr. Czachorowski questioned the slope in the snow removal area and also would like the applicant to keep one of the two trees. Mr. Merrikin stated they can't leave the trees, but the Zoning Board would like more added in their place. Mr. Czachorowski stated it looks as if there will be no change to the lights and signs and Mr. Merrikin stated that is correct. Further, all the work they are doing will be in Walpole, not Norwood. Mr. Conroy stated that the queueing will be off Union Street in Norwood. Mr. Merrikin stated he will get something from them in writing stating they are okay with what is being done. He will also talk to the Norwood Building Inspector and the Planner. Mr. Czachorowski stated the fire alarm system will need to be monitored and also questioned the pavement markings. Mr. Merrikin stated those markings will be reconfigured. Mr. Czachorowski feels that will be an improvement. Mr. Merrikin stated when it is busy, you will pay at the first window and pick up your food at the second one.

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Mr. Conroy asked the percentage of the grade change and Mr. Merrikin stated they are raising the grade on the corner by 3'. Mr. Conroy questioned the location of the handicap parking spaces. Mr. Merrikin stated the slope is too steep to move the spaces, but they will put in a ramp and railing. Mr. Conroy asked him to verify that with the Building Inspector. Mr. Merrikin stated he did and nothing was mentioned. Mr. Conroy questioned the parking along Route 1 and Mr. Merrikin stated they are going to leave it as is. Mr. Conroy asked if they are shutting down the drive through during construction and Mr. Merrikin stated they will be closing the store for a while as there will be a lot of inside work. Mr. Glaropoulos stated they would like to stay open for as much as they can. Mr. Merrikin asked the height of the wall and Mr. Merrikin state it would be 0-2' blocks. Mr. Czachorowski questioned the total amount of s.f. of everything on the lot and Mr. Merrikin showed him on the plan that it will be around 3400 s.f. Mr. Czachorowski asked for more of a landscape plan. Mr. Merrikin stated they are adding some trees, but other than that there will not be much landscaping. Mr. Conroy questioned the site plan for the store at Rocky's plaza. Mr. Merrikin stated that was done by a Limited Site Plan. Mr. Conroy questioned the wetlands being filled in by the Main Street Dunkin. Mr. Glaropoulos stated that work is being done by the State.

Mr. Merrikin stated they have the ConCom next week and then back to the Zoning Board on July 20<sup>th</sup>. He can get a new plan done in two weeks.

Mr. Conroy moved to accept an extension of time up to and including July 31, 2022 as requested by Mr. Merrikin on behalf of the applicant. Motion seconded by Ms. Abate and voted 4-0-0. Mr. Conroy continued this hearing to July 21, 2022 at 7:30 p.m.

**Board Reorganization:** Mr. Conroy asked this be added to the July 21, 2022 agenda as there is not a full board tonight.

Mr. Conroy stated that the board will do a Lincoln Road site walk on July 18, 2022.

Mr. Conroy moved to adjourn. Motion seconded by Ms. Abate and voted 4-0-0. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Catherine Turco-Abate, Clerk

Accepted 7/21/22