

## WALPOLE PLANNING BOARD MINUTES OF JUNE 21, 2018

A regular meeting of the Walpole Planning Board was held on Thursday, June 21, 2018 at 7:00 p.m. in the Main Meeting Room in Town Hall. The following members were present: John Conroy, Chairman; Marc Romeo, Vice Chairman; Sarah Khatib, Clerk; Catherine Turco-Abate, Joseph Moraski, Margaret Walker, Town Engineer; and, Tim Higgins, Community Development Director.

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

**Minutes:** Mr. Conroy moved to accept the minutes of June 7, 2018. Motion seconded by Mr. Moraski and voted 5-0-0.

**Canahome, (Case No. 18-01) Discussion:** The applicant, Anthony Yebba was present along with John Glossa for a discussion of the proposed chair lift, which has already been approved by the ADA. Mr. Glossa stated that plans need to be revised and they will be in the Planning office by July 5.

**Renmar Preliminary Subdivision Continued Hearing:** Mr. Godfrey, Bristol Bros. Development, stated they made some minor changes to the plan. Mr. Conroy read comments received from the Board of Health. There were no further board questions. Mr. Conroy moved to approve the a plan without waivers as submitted for a preliminary subdivision plan entitled "Preliminary Plan for Bristol Bros. Development Corp, Renmar Avenue & West Street, Walpole, MA" dated April 25, 2018 for property shown as Map 32, Lots 9, 85, 86; Map 40, Lot 6; and Map 39, Lots 55, 56, 57, 58, 59, 60 and prepared by CHA, 101 Accord Park Drive, Norwell, MA and Crocker Design Group, 11 Three Ring Road, Scituate, MA. The Owner/Applicant is Bristol Bros. Development Corp., 190 Old Derby Street, Suite 311, Hingham, MA. Tentative approval does not constitute approval of the Definitive Plan, nor obligate the Planning Board to grant such approval at a subsequent time. Motion seconded by Mr. Romeo and voted 5-0-0.

**7:26 p.m. Southside, 505 South Street, Case No. 18-06 Site Plan Approval and Case No. 18-06 Special Permit Continued Hearing:** Mr. Conroy read revised comments received from Board of Health and Walpole Fire Department. Ms. Walker and Mr. Higgins addressed their own comments. There were no further board comments or public comments. Mr. Conroy moved to close the hearings for site plan approval and a special permit. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy moved to waive the traffic impact assessment and fiscal impact assessment. Motion seconded by Mr. Moraski and voted 5-0-0.

Mr. Conroy moved to approve the site plan for Southside, LLC, Case No. 18-06, 505 South Street with standard conditions. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy moved to approve the special permit for Southside, LLC, Case No. 18-07, 505 South Street. Motion seconded by Mr. Moraski and voted 5-0-0.

**7:35 p.m. 173 Pemberton Street Subdivision:** Robert Truax, GLM Engineering, Holliston, MA represented Walsh Home Building, 11 Saddle Way, Walpole. He stated that this property has been taxed for years as two lots. Further, about a year ago, the Zoning Board of Appeals denied their request for a variance. They are proposing access from Pemberton Street and proposing a 12' wide paved driveway. Mr. Truax stated they are requesting the following waivers: roadway to remain private; pavement width to be 12'; curbs and gutters, sidewalks, dimensional standards for the roadway; data impact analysis; street trees; from 30' roundings at the intersection; no bond for construction of private way; no Mutual Maintenance Agreement between the two owners as Lot 2 will be the responsible party. Ms. Khatib asked if there was a reason not to keep a Pemberton Street address on the new house and Mr. Truax stated no, they could have a Pemberton Street address with no problem. Ms. Walker agreed as long as there is a Pemberton Street number available. Ms. Khatib asked that a special condition be that the shed on the property be removed or relocated. Mr. Truax stated that is on the plan. Mr. Moraski stated he would like the roundings spelled out better and Mr. Truax stated he will show the angle on the plan. The rounding waiver they are requesting is on the pavement rounding.

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Mr. Conroy read the comments received. The street name, Julia Way, was rejected by Fire, Police and E911. Ms. Walker questioned why they need a street name and Mr. Conroy stated they need one in order to get the plan recorded. Mr. Truax will resubmit a street name. Mr. Conroy read comments from town boards and commissions. Mr. Truax stated he will be doing an O&M agreement for Lot 2 only. Mr. Conroy also stated that they need an easement and Mr. Truax asked why. Mr. Conroy responded that without one there won't be a subdivision. Mr. Truax agreed. Ms. Walker stated that in lieu of street trees, they can make a donation to the Street Tree Fund. Mr. Higgins went over his comments.

Tom Mulrey, 161 Pemberton Street stated that twenty years ago they were told this would not be built, which is basically in his backyard and will put him on a corner lot. He doesn't understand how this would be beneficial to the neighborhood or him and will create a financial hardship for him. He doesn't want this to be built. Mr. Mulrey feels they are paying the price for a zoning change and Mr. Conroy agreed. Mr. Mulrey asked if this could be conditioned with screening. Mr. Conroy responded not for a subdivision; however, the applicant might be amendable. John Walsh stated there will be evergreens along the driveway. Mr. Conroy asked that he speak with Bob Leblanc, Tree Warden and let us know what would not be "deer friendly". Ms. Khatib questioned the frontage for Lot 1 and asked why it wasn't shown on the new road. Mr. Truax stated he will add that to the plan.

Mr. Conroy moved to accept an extension of time up to and including August 31, 2018. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy continued this hearing to August 16, 2018 at 7:15 p.m.

**8:12 p.m. 100 Rustic Road Subdivision Continued Hearing:** Mr. Conroy moved to accept and extension of time up to and including September 30, 2018 as requested by Frank Gallagher, Gallagher Engineering, Foxboro. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy moved to continue this hearing without testimony to August 16, 2018 at 7:01 p.m. Motion seconded by Mr. Moraski and voted 5-0-0.

**8:14 p.m. 1350 North Street, Case No. 18-05:** Mr. Conroy opened the hearing and read the public hearing notice. The applicant was represented by Atty. Peter Brooks who introduced himself and his team. He stated they want to keep the focus on the site plan tonight, not the historical aspect. He stated this use is exempt under the Dover Amendment; therefore, the site plan cannot be denied by this board, but can be reasonably conditioned. The applicant, Maureen Mazzola, stated she has been in early education since 1996 and provides tutoring and also new born care. She is LED and State of Massachusetts certified. She explained her curriculum and why she chose this site. She researched the need of Walpole families and early education and care. The name will be "Little Things Academy" as she feels it is little things that matter.

John Glossa, Glossa Engineering stated there will be no sidewalk on North Street in this area because there is one on Bubbling Brook Road. There will be municipal water from North Street and other utilities will also be available at this site. There will be parking for 36 vehicles, two curb cuts from North Street only. There will be a 125' x 55' play area in the back, the entire site will be professionally landscaped and they will comply with all the requirements of Title V. Mr. Glossa stated that the electric will be underground and there will be no outflow of water at all up to the 25 year storm. Mr. Conroy read comments from Board of Health, Water and Sewer, Conservation, Zoning Board, Police Department and Fire Department. Mr. Conroy stated it is up to the applicant to get Board of Health approval and present it to us. Ms. Walker and Mr. Higgins reviewed their own comments. Ms. Walker questioned the parking. She also stated that North Street is scheduled to be repaved after July 4 and then there will be a five year moratorium on street openings. She suggested they do the water line as soon as possible. Mr. Glossa stated they would prefer to do the digging in the road before it is paved. Ms. Khatib stated she will not vote on anything until she hears from the Board of Health and she also doesn't like the leach field being under the playground. Mr. Glossa stated there is no public health issue with a working septic system under the lawn. There is no vent and no odor. Ms. Khatib stated that fire access needs to know they can access the daycare. She is also in favor of having

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the traffic study peer reviewed. She questioned how the property values would increase as per the DIS and would like to know how they came up with that. Mr. Conroy asked them to document that and Mr. Glossa agreed. Ms. Khatib stated that the May plans show several exists around the building, but the new plan doesn't show them. She asked if they still exist and Mr. Glossa stated yes. Ms. Khatib questioned the number of bathrooms and doesn't see one specifically for staff. She also questioned the play area, the fence, access to the play yard from the building, snow removal, lighting, screening, entrance and exits, and on site tree locations.

Mr. Romeo asked if the building will have sprinklers. The architect responded no as it wouldn't be adequate per John Glossa because of the 1" water main. He also questioned the increase in cars in the morning and evening and asked that there be a more defined pick up time as he thinks there will be traffic issues. He feels the area will look like Bubbling Brook on a Friday night. Mr. Glossa stated he will put together a narrative to address this and will also talk to the safety officer.

Ms. Abate questioned the DIS, the traffic impact in a Rural zone, and delivery trucks pulling in and out. She feels that celebrations and special events that will take place at the school will create additional traffic issues.

Mr. Moraski questioned the public hearing notice and asked if they are a daycare or an educational facility. He asked the dominant purpose of Little Things Academy. Mr. Allen, the applicant, stated it is a child care center and it is educational. Mr. Moraski questioned what is on file with the State and asked to see a curriculum so he can submit the documents to our town counsel to make sure we know who you are and that you have a right to these exemptions. Mr. Conroy read from MGL and asked them to respond.

Bob Runci, 454 Fisher Street stated he has been here for 44 years. There are heavy trucks on North Street now and traffic will get backed up. There is also a 100 house subdivision going in on Fisher Street. This is not a good situation and the road is narrow.

Atty. Dillon Sanders, Sugarmen & Rogers stated he represents a group of people known as Walpole Preservation Alliance (WPA) and he agrees we need proof of a licensed business and he doesn't accept that this comes under the Dover Amendment as new construction is not subject to the Dover Act. Mr. Moraski asked Atty. Sanders to provide a brief and he agreed.

Susan Shockett, 1340 North Street and president of the WPA asked for a show of hands as to who is against this.

Charles Hayes, 1354 North Street stated all their basements flood and now there will be septic issues due to the water.

Tricia Barajas, 1400 North Street questioned the traffic study. Jack Gillam, Traffic Consultant, stated he looked at the traffic counts and he explained the process of how he did the traffic study. He will recheck his study. Mr. Conroy stated we will be discussing traffic at our next meeting. Ms. Barajas asked if there will be a traffic peer review done before the Planning Board moves forward. Ms. Walker and Ms. Khatib would like that and Mr. Conroy stated we will request that.

Ann Zawistowski, 49 Woodruff Road stated this area is zoned Rural and thinks this proposal is not realistic. You have babies in there so how is this is a school. It is a daycare.

Ray \_\_\_\_\_, president of Friends of Adams Farm and speaking as a resident of Norwood stated he is representing the Norwood residents who travel on North Street and would like the house placed elsewhere in Walpole.

Rudy Barajas, 1400 North Street questioned the plans for the septic and drainage systems on this site. When they bought their house in the late 1990's they were told his septic was one of the most expensive in the State. He

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questioned their parking lot and the two drainage swales. He feels the oil will go into the ground before it gets to a structure, which will lead to contamination. He also questioned the removal of the stone wall. Mr. Conroy stated they will need to have a scenic road hearing.

Olivia Cullen, 27 Bubbling Brook Road questioned Mr. Glossa stating this is not a school. Kate Cullen, same address, questioned the financing which they heard was coming from Ms. Mazzola's dad and they would like to verify that. Daycares in the area are not at capacity. She also questioned coming out of Bubbling Brook Road and taking a left turn toward town.

Mr. Conroy moved to request a peer review of the traffic. Motion seconded by Mr. Moraski and voted 5-0-0. Ms. Walker asked how much the board would like the applicant to spend and Mr. Conroy asked her to get some quotes and then pass them on to the applicants. Ms. Khatib asked if we can use current counts. Ms. Abate stated any study now will have to cut the rate of cars in half. Atty. Sanders suggested the report get updated first. Ms. Walker stated she will need the plans and report electronically. Mr. Moraski would like the applicant to also find out about the town of Westwood. Mr. Conroy informed the applicant they will only have a four member board on July 19<sup>th</sup>. The applicant wanted to move ahead and granted the board an extension of time up to and including August 31, 2018.

Mr. Conroy moved to accept an extension of time up to and including August 31, 2018 as granted by the applicant. Motion seconded by Mr. Moraski and voted 5-0-0. Mr. Conroy continued this hearing to August 16, 2018 at 7:16 p.m. in order to receive an amended traffic report.

**10:20 p.m. Bristol Brothers, West Street, Site Plan Approval, Case No. 18-8 and Special Permit, Case No. 18-9:** Mr. Conroy read the public hearing notice. The applicant was represented by Atty. Jeffrey Tocchio, Hingham, MA, Tom Godfrey, and Jim Bristol, Bristol Bros. Atty. Tocchio stated they have gone over Ms. Walker's comments. She suggested a storm water management peer review and traffic per review. He would like the board to vote to proceed with these as they are already working with the Sewer and Water Commission and will be filing with the Conservation Commission in the next week. He stated this is a 55 +/- acre parcel and they are proposing detached condo AQV unit. Mr. Conroy asked if ConCom does stormwater and Ms. Walker stated either the Planning Board or ConCom does. Mr. Conroy moved to have a peer review done for both traffic and stormwater management. Motion seconded by Mr. Conroy and voted 5-0-0.

Jim Bristol, Bristol Bros., gave a brief overlay of the property and the project. Mr. Moraski questioned the filing fee that Mr. Bristol submitted with his application. It was decided that it wasn't figured correctly and an addition \$1500 is due. Ms. Khatib questioned the areas used for calculation purposes and also the zoning district advertised. Mr. Bristol stated he will recheck that.

Mr. Conroy moved to accept an extension of time up to and including September 30, 2018 as granted by the applicant's attorney. Motion seconded by Mr. Moraski and voted 5-0-0.

Mr. Conroy asked for public comments.

John Lee, 235 Lincoln Road stated this project looks like a subdivision and he questioned the length of the roads being more than the allowed 750'. He also questioned the access coming in off West Street by the bridge and feels the sight lines need to be checked.

There were no further questions. Mr. Conroy continued this hearing to September 6, 2018 at 7:15 p.m. and 7:16 p.m.

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Mr. Conroy moved to adjourn. Motion seconded by Ms. Abate and voted 5-0-0. The meeting adjourned at 10:40 p.m.

Respectfully submitted,

Sarah Khatib, Clerk

Accepted 8/16/18