

## WALPOLE PLANNING BOARD MINUTES OF MAY 3, 2018

A regular meeting of the Planning Board was held on Thursday, May 3, 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, Margaret Walker, Town Engineer; and, Tim Higgins, Community Development Director.

Mr. Conroy opened the meeting at 7:03 p.m.

**Minutes:** Mr. Conroy moved to accept the minutes of April 19, 2018. Motion seconded by Ms. Abate and voted 4-0-0.

**Roscommon Subdivision:** The applicant was represented by Atty. Chris Timson, Norwood, MA. Also present were Eric Dias, Strongpoint; Tom Porter, Whitman Homes and Tom from Tobar Construction. Atty. Timson stated they would like a two year extension of time as they are not done yet. Eric Dias gave the board an update on where everything stands at this time. Mr. Conroy stated that bonding and phasing are two different issues. Mr. Dias stated there is a substantial bond in place. Ms. Abate asked the time frame for the road binder and Mr. Dias stated July 1<sup>st</sup> or thereabouts. Mr. Dias stated they will do whatever they have to in order to get an occupancy permit. Atty. Timson asked for a two year extension. Mr. Conroy moved to grant a two year extension up to and including May 3, 2020 for the Roscommon Subdivision as requested. Mr. Moraski seconded the motion and it was voted 4-0-0.

**Roscommon/Olmsted Estates Field Change:** Ms. Walker stated the change from an asphalt sidewalk to a concrete sidewalk is an auto cad error. Mr. Conroy asked if the sidewalk is shown on the plan as concrete and Ms. Walker stated yes, but a standard subdivision is asphalt. It makes more sense to stop and make the change at the beginning of the bridge. Mr. Conroy stated it should be what is shown on the plan and the board agreed.

**7:30 p.m. 173 Pemberton Street:** Mr. Conroy read a letter dated April 25, 2018 from Walsh Brothers Building Company requesting to continue tonight's hearing without testimony and also granted the board an extension of time. Mr. Conroy moved to accept an extension of time on which to take action up to and including June 30, 2018. Motion seconded by Mr. Moraski and voted 4-0-0. Mr. Conroy moved to continue this hearing to June 21, 2018 at 7:30 p.m. Motion seconded by Mr. Moraski and voted 4-0-0.

**7:35 p.m. 1350 North Street, Case No. 18-05:** Mr. Conroy read a letter dated May 2, 2018 from Maureen Mazzola and David Allen requesting to continue tonight's hearing without testimony. Mr. Conroy questioned whether an extension of time was given also. Mr. Higgins stated the board can voted the extension and he will get it in writing in the morning. Mr. Conroy stated he would rather put this on our May 17<sup>th</sup> agenda for the purpose of accepting an extension of time.

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Mr. Conroy moved to place this on our May 17, 2018 agenda for the purpose of obtaining an extension of time only. Motion seconded by Mr. Moraski and voted 4-0-0. Mr. Conroy continued the public hearing to June 21, 2018 at 7:30 p.m.

**7:40 p.m. 100 Rustic Road 2-Lot Subdivision:** Mr. Conroy read the public hearing notice. Ms. Khatib stated all the green cards were submitted. The applicant was represented by Frank Gallagher, Gallagher Engineering, Foxboro, MA. Mr. Conroy stated we only have four members tonight and the applicant has the right to a full board. Mr. Gallagher stated they will go forward tonight. He stated that the owner's son, Kenny Brissette is also present.

Mr. Gallagher stated the total property is 1.7 acres and the Walpole Mall abuts the back yard. They are proposing to have the original house torn down and they will then create two lots out of that parcel. They would like to build a 20' wide 165' long driveway, rather than a road. There will be no shared expenses as the owners of Lot 2 will pay them all. They are presently before the Conservation Commission as the construction of the new house falls within the buffer zone.

Mr. Conroy read correspondence from the Conservation Commission, fire department, police department, and Board of Health. Mr. Conroy stated that if the Board of Health doesn't like this, the whole project will go down. He asked what they are proposing to do within the 100' buffer. Mr. Gallagher stated the Conservation Commission didn't have any real concerns. They asked for a 25' buffer from the edge of the wetlands. He feels they are close to an approval from them. Mr. Conroy suggested the applicant ask the Board of Health for clarification. Further, we can't approve this until you have 100% approval from the Conservation Commission. Mr. Higgins addressed his own comments and asked for the documents for a private road before the next time this is before the board. Ms. Walker read her comments. She asked the width of the proposed roadway layout and Mr. Gallagher stated 46' and one of the plans in the set shows what could be done. Ms. Walker stated she needs the subdivision documents so they can be sent to town counsel for review. She recommends they use a Rustic Road address.

Ms. Khatib questioned the square footage of Lots 1 and 2. She wants to see the frontage for both houses, as they both need 150'. Mr. Gallagher stated he can make that happen. Ms. Khatib questioned the zoning circles and the Development Impact Statement. Ms. Abate stated she would like to see the waiver and non-waiver plans. Ms. Khatib stated the board needs to see a layout of the full 46' road to ensure everything can be met. Ms. Walker stated if they have to build that roadway out, they will be in the wetlands and Mr. Gallagher agreed with that. Mr. Moraski asked if there should be a Form E with this. Mr. Conroy stated we do have all the abutters on both sides of the road.

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Mr. Moraski questioned the DIS and asked that Mr. Gallagher go over page 2 of the DIS with Tim Higgins. Mr. Moraski stated that Lot 1 was built in 1780 and they need to go before the Historical Commission before it is razed. Mr. Gallagher stated he knows he has to do that. Mr. Moraski stated he should have asked for a waiver from the Traffic Impact Statement. Mr. Gallagher agrees with Ms. Walker that sight distance calculations needs to be provided. He agrees with Mr. Higgins with regard to the drainage and swales. Mr. Moraski asked if both sheds are coming down and Mr. Gallagher stated yes. Mr. Moraski questioned a 30' rounding. He stated that the applicant needs to fully comply in order to ask for a waiver and that needs to be shown on a plan, which is totally within the requirements of the subdivision rules and regulations. He has an issue with the hammerhead on Lot 2. It will be a turnaround, used for guest parking by the owners of Lot 2 and will also be used for Lot 2 parking. He asked if there is any way of satisfying the fire chief and also giving the owner of Lot 1 their land back. Ms. Abate thought the wetland buffer was 100', but Mr. Gallagher keeps referring to 25'. Mr. Gallagher stated the 100' is subject to the Conservation Commission's approval. The Walpole Conservation Commission has a rule that regulates 25' within that 100'.

Mr. Moraski stated he wants to make sure there is a definitive plan showing you can do all the things you are requesting to waive. Mr. Conroy stated he has to do a plan showing that he can do what he is asking to waive. He told Mr. Gallagher he can't go any further until he can provide a plan showing he can do that and he also has to meet with the Board of Health for clarification of their comments.

Bill Haford, 104 Rustic Road stated he lives downhill from this site and feels it will look like he is living in Jamaica Plain. He asked if there will be a front door for the new house and Mr. Gallagher stated yes. He also wants to make sure the drainage works.

John O'Leary, 776 Washington Street questioned the 46' roadway and stated it can't be used for the requirements on the other lot. Mr. Conroy stated they have to do a plan that we can vote the waivers or vote the conventional. Mr. Gallagher stated what they want to do was filed with Conservation Commission. They don't want to build the cul-de-sac. Mr. Conroy stated the Conservation Commission should have two plans in front of them. Mr. Gallagher stated they are trying to develop a site in the least intrusive way. Mr. Conroy stated you have to prove you can do the plan without the waivers. The Conservation Commission might like the waiver plan and we don't, then you have nothing. Ms. Khatib stated that the non-waiver plan lays out the lots completely different. She asked if he can do that. Mr. Conroy stated he can ask for it. Ms. Walker stated that typically the roadway layout doesn't change, but Mr. Gallagher shows it changing. Mr. Gallagher stated he has three different plans in his folder for this subdivision. He understands where the board is coming from.

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There were no further comments. Mr. Conroy moved to continue this hearing to June 21, 2018 at 7:40 p.m. Motion seconded by Mr. Moraski and voted 4-0-0.

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

Respectfully submitted,

Sarah Khatib, Clerk

Accepted 5/17/18