

## WALPOLE PLANNING BOARD MINUTES OF JUNE 5, 2014

A regular meeting of the Walpole Planning Board was held on Thursday, June 5, 2014 at 7:00 p.m. in the Main Meeting Room at Town Hall. The following members were present: Richard Nottebart, Chairman; Edward Forsberg, Vice Chairman; John Murtagh, Clerk (7:05 p.m); John Conroy, Richard Mazzocca and Margaret Walker, Town Engineer.

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

**Minutes:** Mr. Nottebart moved to accept the minutes of May 15, 2014. Motion seconded by Mr. Forsberg and voted 4-0-0.

**O'Driscoll, 3 High Oaks Court:** Mr. Nottebart stated that the public safety people are not in favor of changing Lester Gray Drive to High Oaks Court. Mr. O'Driscoll stated not changing the street name will cost him thousands of dollars. He has spent a lot of money and everything is attached to 3 High Oaks Court. When he bought his house, it was 3 High Oaks Court and now it is being changed. He realizes this is no one's fault. Mr. Nottebart doesn't think there is anything we can do for them. Mr. Mazzocca suggested they go back to the Board of Selectmen as Road Commissioners. He feels there has to be a way to do this between the Selectmen and Town Administrator. Mr. Nottebart stated that High Oaks Court is an actual street in existence. Mr. Forsberg stated he sympathizes with the O'Driscolls. Cheryl O'Driscoll stated there have been changes made up there, such as there was a ball field that is now not going to be there. Should they talk to Mr. Walsh? Mr. Nottebart stated that Capt. Smith, E911, keeps these files. He wrote the board a memo that he feels is clearly written. When the property was transferred, there should have been some disclosure from the seller to the O'Driscoll's. Mr. Nottebart also personally talked with Jack Walsh.

Ms. O'Driscoll stated she spoke with Capt. Smith and stated he agreed with her. Via telephone, Capt. Smith stated he had told Ms. O'Driscoll he agrees it should be High Oaks IV in principal, but it has to remain Lester Gray Drive because of the previous decision. Ms. O'Driscoll agreed that was what Capt. Smith said.

Mr. Conroy suggested they go see Jack Walsh to see if there is something else that could be done. Maybe he can do a name swap with another street up there. Mr. Nottebart feels we cannot prolong what needs to be done as E911 could potentially go to the wrong address. Mr. Nottebart moved that the Planning Board has done all we can at this point and we should defer now to the Board of Selectmen. Mr. Forsberg stated there isn't much we can do, but if you can get the parties involved to change, we would go along with it. We wouldn't stand in the way. Regarding Mr. Nottebart's motion, he feels there is nothing we need to vote on. Mr. Murtagh stated we are not closing the deal as it is subject to any new changes. Mr. Conroy stated M.G.L. doesn't address street naming and the Selectmen cannot change a name whenever they want. Mr. Nottebart stated he would like to have the O'Driscoll's pursue this and he would like the minutes to show that he wanted to make a motion, but there was no second.

## WALPOLE PLANNING BOARD MINUTES OF JUNE 5, 2014 (2)

Mr. Forsberg read Capt. Smith's letter dated June 2, 2014 and he doesn't think it says anything. We are looking for direction on this. He also feels Chief Bailey's email of April 30, 2014 should have been given to the board. Mr. Nottebart stated both letters were given to the board and discussed in the meeting. Ms. Walker agreed.

**Lot 8 Warren Lane:** Ms. Walker stated she checked the plans today. The original easement is all encompassing and doesn't have to be done at this time. Mr. Shalbey stated that Ms. Walker told him about the O&M, but he won't record it until the plan is approved. She also asked him to bring in a copy of the O&M, which he will do in the morning. Mr. Nottebart asked if the grading details have been worked out with his neighbor, Mr. Colvin and Mr. Shalbey stated yes. They went to the Conservation Commission meeting together. He also stated he submitted a \$200 check to cover the fee for the minor modification. Mr. Murtagh asked if the elevations changed on this site and Ms. Walker stated that has nothing to do with this board so she didn't check it. Mr. Conroy agreed it doesn't affect us. Mr. Nottebart stated that Landis Hershey made him comfortable with that issue. Ms. Walker stated she doesn't have an issue if they board wants to sign the plan. Mr. Conroy asked if the Order of Conditions will take care of drainage issues and Ms. Walker stated yes. There were no comments from the public.

Mr. Forsberg moved to endorse a minor modification consisting of two pages of a plan entitled "Grading and Drainage, Northridge Farm, A Single Family Subdivision Definitive Subdivision Plan of Land in Walpole, MA, Sheet 7 of 9 and 9 of 9" dated April 24, 2012, latest revision May 16, 2014 and drawn by Glossa Engineering, Inc., 46 East Street, East Walpole, Massachusetts modifying Lot 8 Warren Lane as reviewed by Margaret Walker, Town Engineer. Motion seconded by Mr. Murtagh and voted 5-0-0.

**Old North Street Subdivision:** Mr. Nottebart read a letter dated May 14, 2014 from Walsh Brothers Building Company, Inc., 11 Saddle Way, Walpole, MA regarding compaction testings for a driveway and a common driveway. J.T. Walsh was present to discuss this request and submitted a packet. He stated the covenant states this is a private way. Instead of topping this road, they want to pave up to 200'. Ms. Walker stated they still need to have a cul-de-sac laid out on paper or they won't have frontage. This is a subdivision. A private roadway doesn't mean it's not a subdivision. Mr. Conroy stated it needs to be built the way it is shown. Mr. Walsh stated they only want to base it now. Mr. Forsberg stated the compaction tests need to be done on this because of fire trucks. Mr. Walsh stated it is gravel right now. Ms. Walker stated there will be two compaction tests. What Mr. Walsh is asking is to binder this and then walk away for a bit. They want to keep the guy next door happy by doing the binder and be down with this for now. His name is Mr. Berkeley. Mr. Forsberg stated he should satisfy Ms. Walker and put in the binder and come back to use when you are ready to move forward. Mr. Conroy stated this is not a common driveway. If you want to build a house, you can't do anything until you bond it. Ms. Walker asked how long can they live without finishing this and Mr. Conroy stated his only risk is leaving the water main dry. We don't care how long it takes.

WALPOLE PLANNING BOARD MINUTES OF JUNE 5, 2014 (3)

Mr. Forsberg stated he can do whatever he wants, but just can't build a house. Ms. Walker stated they can bring it up to binder, but in boulders out front and then leave it all as a matter of right.

**8:05 p.m. John Nassar, 1449 Main Street, Case No. 14-3 Continued Hearing:**

Mr. Nassar submitted a new plan to the board dated March 5, 2014 with a latest revision date of June 2, 2014 as drawn by Don Rosa, Professional Land Surveyor, 54 Liberty Street, Randolph, MA. Mr. Nottebart read a letter dated June 4, 2014 from the Zoning Board. Mr. Forsberg questioned the parking because of the tenants. Mr. Conroy stated he will need so many spaces for the tenants and so many spaces for the office employees. Mr. Nottebart stated we only need to see the dedicated spaces. Mr. Conroy agreed and stated the Selectmen will determine how many cars can be parked there on site. Mr. Forsberg thought the customer parking should be located closer to the house. Mr. Conroy stated we don't care about customer parking. Mr. Nassar asked if it is a business decision and Mr. Conroy stated that is correct. Ms. Walker stated no parking, no customers. Mr. Murtagh is okay with the old plan. Ms. Walker asked that the minutes reflect that the curb cuts don't conform to today's Rules and Regulations, but they are grandfathered. Mr. Nottebart asked that the dumpster be relocated. Mr. Conroy stated it doesn't need to be very big. Mr. Nassar stated a small dumpster will be located behind Space #17. Mr. Forsberg stated it needs to be screened and Mr. Nassar agreed. Mr. Nottebart asked Mr. Nassar to come in and work with Ms. Walker. Mr. Conroy stated the only thing that triggers site plan approval is the special permit. Mr. Forsberg asked that Mr. Nassar bring anything new into the board's secretary prior to the next meeting.

There were no further comments from the board comments or the public. Mr. Nottebart moved to continue this hearing to June 19, 2014 at 7:20 p.m. Motion seconded by Mr. Murtagh and voted 5-0-0. Ms. Walker stated she doesn't think that any revised plans would need to be sent back out for comments as any changes would be minor.

Mr. Nottebart moved to accept an extension of time on which to take action up to and including August 31, 2014. Motion seconded by Mr. Mazzocca and voted 5-0-0.

**Kingswood Estates Continued Hearing:** Mr. Nottebart read a letter dated June 5, 2014 from John Glossa, Glossa Engineering granting the board an extension of time up to and including August 31, 2014 on which to take action. He also asked that this hearing be continued to July 10, 2014 as they are meeting with the Conservation Commission on June 11, 2014. Mr. Nottebart moved to accept an extension of time up to and including August 31, 2014. Motion seconded by Mr. Mazzocca and voted 5-0-0. Mr. Nottebart moved to continue this hearing without testimony until July 10, 2014 at 7:45 p.m. as requested by Mr. Glossa. Motion seconded by Mr. Mazzocca and voted 5-0-0.

**Tall Pines Subdivision:** Mr. Nottebart stated we need copies of the recorded documents and the O&M agreement.

WALPOLE PLANNING BOARD MINUTES OF JUNE 5, 2014 (4)

**Hunter Lane (576 Common Street):** The board is in receipt of a complaint, but it is not legible. It was agreed to ask the neighbors for a legible copy. Mr. Conroy stated that until this subdivision is bonded, complaints should be directed to the Board of Health. Mr. Nottebart stated he will draft a letter.

**ANR – Keaney Estates:** Mr. Merrikin requested that this be put on the June 19, 2014 agenda as Ms. Walker had some questions and changes.

**Planner Discussion:** Mr. Nottebart placed this on the June 19, 2014 agenda.

**Peer Review:** Mr. Conroy stated we have \$15,000 in our budget that we can spend for Peer Review. Mr. Conroy suggested that the chairman contact Sharon Wason to find out who she would recommend. Mr. Nottebart and the board agreed to ask Ms. Wason if she would do a peer review for us or if not, who would she recommend. Mr. Nottebart moved that this board is empowering the chairman to solicit quotes for a planner on a short term basis. Motion seconded by Mr. Murtagh and voted 5-0-0.

**High Oaks IV Pump Station:** Mr. Nottebart read an email from Rick Mattson dated June 5, 2014 stating that Mr. Walsh has satisfied all the requirements of the S&W Commission and as such the town should assume ownership of the station upon acceptance of the subdivision at town meeting. Mr. Nottebart moved to hold a residents' hearing and to proceed with the street acceptance process. Motion seconded by Mr. Conroy and voted 5-0-0.

It was moved, seconded and voted to adjourn. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

John Murtagh, Clerk

Accepted on June 19, 2014