

WALPOLE PLANNING BOARD MINUTES OF OCTOBER 15, 2015

A regular meeting of the Planning Board was held on Thursday, October 15, 2015 at 7:00 p.m. in the Main Meeting Room, Town Hall. The following members were present: John Conroy, Chairman; Richard Nottebart, Vice Chairman; John Murtagh, Clerk; Elizabeth Gaffey, Richard Mazzocca, Margaret Walker, Town Engineer; Elizabeth Dennehy, Community Development Director; and, Atty. Ilana Quirk, Town Counsel.

Mr. Conroy opened the meeting at 7:08 p.m.

Olmsted Estates – Accept Form F Covenant and endorse plans: Mr. Conroy asked Atty. Quirk if she has seen the covenant and she stated yes. He asked if there are any items missing or minor changes and Atty. Quirk stated no. Mr. Conroy asked if we have the mylars and Atty. Quirk stated yes as revised through December 17, 2014. Mr. Conroy asked Ms. Walker if she reviewed the plans and she stated yes. Mr. Conroy stated we don't sign off on the sheets that don't get recorded and Atty. Quirk stated them plans need to show the final decision date, who prepared the plans and then the board can sign the where there is a block provided. The title of the plan, date of the plan, final revision date and number of sheets should also be provided. Ms. Walker stated that only the lot sheets get recorded. Atty. Quirk stated the motion needs to state what you are signing. This plan is what you already approved. Atty. Quirk asked if Mr. Conroy has a problem with a particular sheet that doesn't have a signature block and Mr. Conroy stated Sheet 9. Atty. Quirk feels it would appropriate for the chairman to sign the upper corner of every sheet. Mr. Nottebart moved we authorize Mr. Conroy to sign the drawings that don't have signature blocks and the entire board will sign those sheets that do. Motion seconded by Mr. Murtagh and voted 5-0-0.

Mr. Nottebart moved to approve the Form F Covenant as signed by the necessary parties (earliest signature date of 10-10-15) and as reviewed by Town Counsel and to endorse the plans. Motion seconded by Mr. Murtagh and voted 5-0-0.

Mr. Conroy stated there is no place for the board to sign the Form F Covenant. Atty. Quirk noted that not every Covenant template has a place for the Planning Board to sign and that she's seen both. She requested that the town engineer make sure everything is recorded in the right order. She will be providing a list of everything to Ms. Walker of the order of what is to be recorded. She stated first the ANR plans, then the deeds, then the Form F Covenant and then the plans. Mr. Nottebart moved that the board hold in escrow the original plan and also the September 15th Exhibit A that tells the town engineer the order of recording. Motion seconded by Mr. Murtagh and voted 5-0-0. Atty. Quirk stated the issue is the board needs to endorse the plan and then the mylars should be held. She recommends the town engineer make a copy of the mylars before they are recorded. Mr. Conroy asked if she can charge them for the copies and Atty. Quirk stated yes she could. Mr. Conroy asked if they need a bond to make any transfers and Atty. Quirk stated no as they are going to transfer the land based on the ANR that the board endorsed. Once the covenant is in place, nothing can be transferred. They can convey all of it, but not parts of it.

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Sean McEntee requested that Margaret Walker prepare a bond figure. Mr. Conroy asked which plan does she use, the one we signed tonight or the one we have coming up. Atty. Quirk stated whatever you have now. Ms. Walker stated she will prepare one copy of the plan and then they can give the board's secretary four copies. Atty. Quirk stated the applicant can pay Ms. Walker to do the copies. They need to take the original Form F Covenant and endorsed plans to the Registry of Deeds for recording.

Atty. Quirk left the meeting at 7:35 p.m.

7:40 p.m. Meadowbrook Realty continued Site Plan Hearing, Case No. 15-6; 7:41 p.m. Meadowbrook Realty continued Special Permit Hearing, Case No. 15-7; and, 7:42 p.m. Meadowbrook Realty continued Special Permit Hearing, Case No. 15-8: Mr. Conroy stated the big item was traffic and they have done a peer review. Atty. Daniel Seigenberg stated they had a meeting with Rob Truax, Joe Verderber and the neighbors and it was positive. Hopefully, the neighbors feel it was positive also. He further suggested that the traffic studies were very positive for the development and it was agreed that the proper method was used to evaluate the traffic in that area. It was stated that this proposed AQV will not generate a significant amount of traffic. There have been three accidents in the past three years. Also, the sight lines exceed the requirements for safe operation as well as nearby streets and intersections. This roadway will be safe. There are certain improvements suggest and it was agreed those suggestions were appropriate.

William Scollay, RPE, International Green, Westwood stated there was a report dated August 15, 2015 and the board has been given a copy and there was also a peer review done. He stated that Pine Street is 18' wide. They measured almost 1300 trips and 100 of those trips were during peak hours. The average speed is 22-23 miles per hour, but the speed comes down on the S. Walpole Street curve. They expect most of the traffic to go toward Route 1 and the rest onto S. Walpole Street. Mr. Scollay stated they also suggested some things that are subject to approval from the town of Sharon. Sharon should be looking at some of the things specifically around Blair Circle. They also reviewed the peer review and they concur with it. They have no issues with any of the comments. It was suggested that Blair Circle should have a stop sign, but that is their responsibility.

Jeffrey Dirk, Vanesse Associates stated he was retained by the town. He stated this project will not generate a significant amount of traffic. The project will add two or three additional cars per minute or one additional every 2-3 minutes, which is not a large amount. There is sufficient capacity to accommodate that amount of traffic. Their concerns are sight lines of the driveway being 30 m.p.h. and the proximity to Blair Circle and access into the property. Mr. Dirk stated that based on exiting the property, they need 200' of clear sight to safely pull out of the project, which can be achieved by clearing some vegetation, some of which may be in Sharon. Sharon needs to approve that. The board needs to be assured that the town of Sharon will let them clear vegetation. Anyone exiting the new development and exiting Blair Circle needs to be able to see each other; however, that vegetation needs to be cleared. Also, there is a portion of the road that is 16' wide. They have asked the applicant to see if there is a way they can bring that up to 18' as it is just a short section. He is aware this is a scenic road. His last comment deals with the improvements, but they are in the town of Sharon.

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The crash rate is equivalent to what the state has for a non-signalized intersection. What the applicant has proposed is appropriate and they feel those improvements need to be in place. He suggests that board get some feedback from Sharon.

John Murtagh asked where the section is that two cars can't pass and Mr. Dirk stated between Cranberry Lane and Ganawatte Road. Mr. Nottebart thinks it is good that the two reviews were in agreement. He does think the road is a concern and we received some communication questioning the safety of the road. He went out there at 4:00 today and it does seem tight. He feels Mr. Scollay needs to address that. Mr. Dirk stated he is very familiar with this road as he has been working on this since 2005. Mr. Nottebart thinks he read that the road goes down to 14', but he might have misread that. Mr. Dirk stated that 16' is the narrowest. He thinks the road needs to be looked at. He feels we should look at the comments from the neighbors. Ms. Gaffey asked if the road was an issue when Ganawatte Road and Cranberry Lane went in and how did we look at the traffic then as these two subdivisions would equal the same number of units as the proposed development. Also, the neighbors are questioning the trucks. She knows that this development is not introducing trucks onto this road. The truck problem is already in existence. Mr. Nottebart asked if this is a designated scenic road and Ms. Walker stated yes. Mr. Conroy stated it was a little windy road and there was no Preserve. Mr. Mazzocca stated he thinks the numbers are off because of GPS and stadium events. He feels it is a dangerous road. In the past, we have required applicants to come back to us with Sharon comments. We need to know what Sharon is going to do. Mr. Conroy asked if the 16' spot helps or hurts traffic accidents. Mr. Dirk stated that based on engineering standards they won't recommend it can accommodate two-way traffic. Mr. Conroy stated it does slow people down. Mr. Dirk stated if you are familiar with the road, you would slow down. There needs to be signs telling motorists the road gets narrow. The applicant can refuse to do what they are asking. They are not saying the applicant needs to make the road 24' wide, as that is not possible. Mr. Conroy asked if all the accidents are in Sharon, why don't they fix it? Mr. Dirk agreed. If this doesn't go through and they don't build it, nothing has changed. Mr. Dirk agreed with that. Mr. Conroy asked if Mr. Dirk had stated it is up to both towns to make it better and Mr. Dirk agreed. Mr. Conroy stated the construction of these thirty houses is not going to make a difference. Mr. Dirk stated that because of the analysis, we are seeing there are issues but who addresses them is not up to the applicant or himself. Mr. Conroy stated that putting a sign on one side if someone is coming from the other side won't stop or change anything. Ms. Dennehy feels the abutters concerns are legitimate, but questioned where the Sharon Commons project falls into all this. They are proposing five restaurants, 500 residential units and we are nitpicking on a small development. What will Sharon Commons do to this problem? Mr. Dirk stated they can review a section of the roadway and determine whether or not it is feasible to provide an 18' road and if not what is the alternative. They are looking for signage and vegetation removal.

Atty. Seigenberg stated he is will to go to Sharon and will also do the signage, but Sharon Commons does impact this. They are prepared to resolve any problems that relate to their project. They believe this project works and there are some things they are willing to do. He doesn't think 30 units is a problem. He stated they were in front of the Conservation Commission and it was continued to December. They are not looking for an approval tonight.

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Carol Brown, 5 Blair Circle wants to say you can do studies and then there are realistic things. Technically things can be legal and good, but the reality is often quite different. She has been living here for 30 years and there is a lot of traffic. They were told by Sharon, there would be no access onto S. Walpole Street from Sharon Commons. She also didn't feel the traffic study was accurate. Bill Scollay, International Green stated they don't have to adjust the winter and summer figures because July was higher than the rest of the year.

Karen Johnson, 162 Pine Street stated she leaves at 7:00 a.m. to go to work and takes a left toward S. Walpole Street. There are cars that fly up the street even at that time. Many of the cars are from Rhode Island and also a lot that live in the Sharon neighborhood that know enough to go slow. This is a concern for her. Mr. Conroy stated it is used as a cut through particularly by Rhode Island drivers. Ms. Johnson agreed and stated she has lived there since 1996 and deals with the traffic from the Patriots games. She doesn't want to have the stone wall removed in front of her house. Everything is being stripped away and that is a concern for them.

Bonnie Gamerman, 10 Montaup Road, Sharon stated she is concerned with winter snow and ice. People don't stay all the way over to the right or the left. It might not be a full accident, but it could be someone's mirror. The road is not wide enough now and then you add the snow. Mr. Conroy asked what people did this past winter and Ms. Gamerman stated they did pull over into a driveway and wait for a car to pass.

Edward Raider, 5 Montaup Road, Sharon stated another road and more traffic will make things worse. Mr. Conroy asked if there are street lights there and Mr. Raider stated not a lot. He stated that S. Walpole Street is also a scenic road.

Maura Therrien, 160 Pine Street stated that most houses have three cars. The street isn't safe. Mr. Conroy suggested that the right turn lane off Route 1 be shut down during stadium events. Mr. Dirk stated he will look into that.

Sean O'Reilly, 61 Blair Circle thinks the entrance to the development should be moved and also he would like four units removed. Mr. Conroy asked what that would gain and would like that answered at the next meeting.

Ed Seiley, 23 Ganawatte Drive stated he has lost two sets of mirrors as two cars cannot pass at the same time. It is a dangerous place. Mr. Conroy asked that the street lighting be looked at down there. Whether or not this goes through, it will help the residents in the area.

There were no further questions or comments.

Mr. Seigenberg granted the board an extension of time up to and including December 31, 2015. Mr. Conroy moved to accept an extension of time up to and including December 31, 2015. Motion seconded by Mr. Nottebart and voted 5-0-0. Mr. Conroy continued this hearing to December 17, 2015 at 7:30 p.m., 7:31 p.m. and 7:32 p.m.

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9:00 p.m. Boyden Estates 8-Lot Preliminary, Summer Street: The applicant, Lou Petrozzi, was present and was represented by his engineer, Rob Truax, GLM Engineering. Mr. Truax stated there are two existing homes on the site and they are proposing a 750' driveway off Summer Street. There are some wetlands throughout the property and it is a wooded site. There is an existing sewer line that exits out to Stoney Brook Road. They are not asking for any waivers. The lots are required to be 40,000 s.f with 200' of frontage and the two existing houses will remain. There will be six new houses and they would like to tie up to the town sewer.

Mr. Mazzocca asked if the frontage of Lots 1 and 8 will be on the new road and Mr. Truax stated Lot 8 will be on Summer Street. Mr. Truax stated there will be minimal clearing. Ms. Gaffey stated that Lots 2, 6, and 7 don't have enough frontage. Mr. Truax stated they all have enough frontage. Mr. Nottebart asked if 327 Summer Street will be Lot 8 and will remain and Mr. Truax stated yes. Mr. Murtagh stated there will be no waivers and Mr. Truax agreed. Mr. Murtagh questioned if the sewer is coming from Summer Street or Stoney Brook and Mr. Truax stated Stoney Brook. Ms. Dennehy stated she has no comments at this time as this is a very straightforward preliminary and feels that the Conservation Commission will be involved. Ms. Walker stated when this subdivision goes to the definitive stage, the O'Brien house is legal; but when you do the subdivision and we sign off, they will not have legal frontage. Mr. Petrozzi stated that depends on how they convey it. Mr. Conroy stated that until it is bonded there is no legal frontage. Mr. Petrozzi stated there will be some maneuvering that needs to be done. They could exclude that house from the covenant. Mr. Conroy asked if 323 Summer Street will be Form A'd to allow them to keep the frontage and Mr. Petrozzi stated that if they do that, it will be done at the same time.

Mr. Conroy moved to grant non-binding tentative approval based on what was presented tonight. Motion seconded by Mr. Mazzocca and voted 5-0-0.

9:15 p.m. Bird Landfill Continued Hearing, Case No. 15-10: Mr. Conroy moved to accept an extension of time up to and including December 15, 2015 as granted by the applicant. Motion seconded by Mr. Nottebart and voted 5-0-0. Mr. Conroy continued this hearing to November 5, 2015 at 7:25 p.m.

It was moved, seconded and voted to adjourn. The meeting adjourned at 9:20 p.m.

Respectfully submitted,

John Murtagh, Clerk

Approved on 11/5/15