

March 14, 2023

Walpole Zoning Board of Appeals
135 School Street
Walpole, MA 02081

**Re: The Residence Burns Avenue
Comprehensive Permit M.G.L. c.40B
Walpole, MA**

Dear Board Members,

Our firm revised the plans for the above captioned project to address the comments from the Town Engineer, Carl Balduf and Director of Community & Economic Development, Patrick Deschenes. The response the comments are in bold italic type.

The following is in response to the Town Engineer Comments dated March 1, 2023:

General

1. The project is now a 40B Subdivision with a roadway right of way and individual lots.
2. The proposed subdivision creates lots that are extremely small with minimal setbacks. While we acknowledge the objective of providing affordable housing stock the sizing of the lots and ability of owners to enjoy and utilize living space within their own ownership would be a challenge. We recommend the density be reduced, the units re-designed so they are wider than deep, the units are setback far enough to allow a full size vehicle to be parked on the lot (not extending into the row), and that the roadway be built at subdivision standard width to accommodate street parking for guests/visitors/delivery vehicles.
3. Any modifications to Brook Lane outside of the creation of an entrance to accommodate the proposed subdivision roadway shall be reviewed, approved and secured by the Select Board.
4. The Board of Appeals should require a Conveyance of Easements and Utilities (similar to or the same as the Planning Board Form J). The form J should exclude the private roof drain crossing the road from Unit/Lot 7.
5. A Homeowner's Association will be required to maintain Lot A & B including the off roadway drainage. If/when the Board moves forward with approval the document should be reviewed by Town staff/Town Counsel prior to it being executed and recorded.
Response: There will be a homeowners association for maintenance of the drainage system outside the roadway layout and common Land Area.

Cover Sheet:

6. Modify the title block to note that the project is a subdivision.
Response: Revised title block See Plan set.
7. List the waivers noted in the January 30, 2023 supplement on the cover (as modified within the approval process).

Response: In our opinion it is premature to provide the waivers on the plan set. If the board requests the waivers on the plan set we recommend after the waivers are voted.

Sheet 2, Existing Conditions:

8. Provide two benchmarks and note datum. ***Revised See Sheet 2.***
9. Clean up drafting so that pieces of proposed easements are not shown on this sheet. ***Revised See Sheet 2.***
10. Identify the ownership and area of the three rectangular parcels opposite or near the end of Lot 136 (that appear to be the division of the end of the private portion of Burns Avenue). Clarify whether these are abutting parcels or under the ownership of the applicant and included within locus and are part of this application.
11. Below the label for Burns Ave. note "Public -40' Wide". ***Revised See Sheet 2.***
12. Below the label for Brook Lane note "Public". ***Revised See Sheet 2.***
13. Show easement benefitting the Town of Walpole recorded in Book 15485, page 503. ***Revised See Sheet 2***

Sheet 3, Lot Layout:

14. Assuming that this sheet (at the minimum) will need to be recorded, relocate the detail at the lower right corner to the left and provide a signature block for the Board of Appeals, a certification of no appeal by the Town Clerk, and a registry certification by the registered land surveyor. ***Revised See Sheet 3.***
15. Plan references are incomplete. Provide references (or notes on the plan) for the plan which creates Burns Ave and Brook Lane subdivision plan. Note the Owner and title references. ***Revised See Sheet 3.***
16. Note the roadway as Lot C. ***Revised See Sheet 3***
17. Identify the street name for the proposed road. ***Revised Street Name Brook Ln. Ext.***
18. Include items in comments 10-13 above. ***Revised See Sheet 3.***
19. Private drainage easements will need to be created for all common roof drains. ***Revised See Sheet 3.***
20. Do not recommend waiver form min. 150' sideline curve radius (80' provided). ***Waiver Request Remains***
21. Move north arrow away from notes. ***Revised See Sheet 3.***
22. Slide culdesac back to provide traditional circular road layout. Road layout and shoulder must remain within the lot owned by the applicant. ***A portion of the Cul-de-sac is within the private way of Burns Ave., which the owner/applicant owners to the centerline. The rights in Burns will be deeded with the road acceptance.***

Sheet 4, Layout:

23. Provide drive opening for drainage easement at Lot 12/13. ***Revised See Sheet 4.***
24. Do not recommend waiver for 4' width sidewalk. Must be 5'. Failing to provide a sidewalk at 5' in width would require 5'X5' passing zones every 200'. ***Revised sidewalk to 5' feet wide. See Sheet 4.***

25. DPW prefers the installation of vertical granite curbs on rounding's and in the culdesac and granite edging (sloped granite curb) along the straight portion of the curb. **Waiver requested for cape cod berm throughout roadway.**
26. For reasons noted above DPW prefers a 26' wide roadway section. Our recommendation on road width and curb type may be negotiable if other concessions in the layout of the project are made. **Waiver requested for 22 foot wide paved roadway.**
27. A note should be provided indicating "Any changes to Brook Lane must be approved by the Select Board". I would suggest that an alternative layout be provided showing the connection to Brook Lane without eliminating the pavement in the culdesac and extending the driveways to #6 & #8 Brook Lane. **The board will need to review the changes to Brook Lane.**
- Sheet 5, Grading Drainage & Utilities;
28. Provide a north arrow. **Revised See sheet 5.**
29. Show water & sewer service stubs for each lot and list invert elevations at sewer stub (maybe provided in table if labeling is difficult). Sewer and water services should maintain 10' separation and in general prefer not to have water shut offs in driveway. **Revised Services show w/10' separation. See Sheet 5.**
30. Lots 1-11 generally have roof drains running in common on private property and then to common infiltration system (Lots 2-7) or to the street drainage system (Lots 8-11). A possible alternative to this would be to run a 6" underdrain in the proposed roadway just behind the curb on the north side of the roadway with laterals to each lot. This would help eliminate the need for private drains crossing from property to property. **Revised roof drains and provided easements where necessary.**
31. Show underground electric/telephone/cable (e/t/c) and gas on plan view. **Revised, Gas & E.T.C. shown in a general manor. Note utility company will provide final layout for utilities. See Sheet 5.**
32. Provide street light at end of culdesac (near/adjacent to cb#1) and adjacent to Lot A. **Revised See Sheet 5.**
33. Provide HP ramp at end of sidewalk to at driveway to Unit 12. **Revised H.C. Ramp Shown See Sheet 5.**
34. Add small wall along ROW line at Lot A (shoulder slope grading steeper than allowed). **Revised Retaining Wall provided See Sheet 5 and Detail Sheet**
35. Plans show six drainage headwalls. Label/number each headwall and reference same in Stormwater Management Report. **Revised Outlets Numbered. See Sheet 5.**
36. Show roof drain from Unit 1, Lot 1 connecting to Unit 2, Lot 2 (subject to comment #30). **Revised See Sheet 5.**
37. Private drainage easements will need to be created for all common roof drains. **Revised See Sheet 5.**
38. Water main must be looped. **Water main is shown with end cap at property line.**
39. On Brook Lane the following should occur;

- a. Show water & sewer services to be cut and capped at main for house #7 (to be performed prior to demolition). **Revise note provided for all services to be properly abandoned prior to demolition.**
 - b. At minimum show replacement of existing water main with 8" ductile iron from the new hydrant to the end of the existing main. **Revised See Sheet 5.**
 - c. At that end show 45-degree bend, short section pipe and 45- degree bend to make corner. **Revised See Sheet 5.**
 - d. At connection to existing main show gate 8" gate valve and 8"x6" reducer and connection to existing main. **Revised See Note Sheet 5.**
 - 40. More desirable to replace existing 6" main in Brook Lane should be replaced with 8" c.l.d.i. water main to Union Street with triple valve assembly on Union Street. Existing water services to be replaced on Brook Lane along with main. **The applicant has made requests to the ZBA for reduced filing fees, at which time he will discuss Brook Lane improvements.**
 - 41. If Brook Lane is going to be modified;
 - a. Provide grading for house #6 & #8 driveways.
 - b. Provide underground electric to house #6 & #8.
 - c. Eliminate pole #253-3 & provide light pole near connection to new Brook Lane.
 - d. Provide full depth reconstruction of roadway in culdesac area.
 - e. Provide mill and overlay for remaining portion of Brook Lane.
 - f. Reconstruct HP ramps to compliant condition on Both sides of Brook Lane.
- The applicant has made requests to the ZBA for reduced filing fees, at which time he will discuss Brook Lane improvements.**

Sheet 6, Profile Plan:

- 42. Note all pipe sizes and materials. **Revised See Sheet 6.**
- 43. Show chimneys where necessary to elevate services so they do not exceed 10% slope. **It does not appear that chimneys will be necessary. The services where appropriate will be entering the units below cellar floor elevation.**
- 44. Show 8" c.l.d.i. water main with 5' cover. **Revised See sheet 6.**
- 45. Provide profile DMH #10 to Headwall and Profile from DMH 14 to Headwall #15. **Revised Profiles provide See Sheet 6.**
- 46. Reduce slope from existing SMH to SMH#5 to 5% and provide a 2% slope on the remaining sewer line. **Reduced the slope to 5%. We comprised the from 2% to 1.4% to reduce the sewer depth. See Sheet 6.**
- 47. Provide a tabulation in table format for all drain and sewer structures showing Unique ID, rim, invert in, invert out, slope pipe size and type. **Revise See Sheet 6.**

Sheet 7, Erosion Control:

- 48. Provide a north arrow. **Revise See Sheet 7**
- 49. Specify location of stabilized construction entrance and provide details. Clarify whether construction access will be allowed through Burns Ave. **Revised Detail and added note that no construction access allowed via Burns Ave. See Sheet 7.**

Sheet 8, Details;

50. All Detail Sheets; Utilize latest (3-28-2019) DPW Details. **Revise See Details**
51. Specify depth from top of berm to spillway elevation on Detention Basin Emergency Spillway Detail. **Revise See Sheet 8.**

Sheet 9, Details;

52. Re-label Typical Drive Cross Section to Typical Roadway Cross Section. Show limits of ROW on same and change sidewalk from 4' to 5' wide. **Revised Now See Sheet 10.**
53. On Typical Street Sign Detail list 7' (min) for height of sign from ground to bottom of sign. **Revise Now See Sheet 10.**
54. On Infiltration System #3R Detail; **Revised See Sheet 9**
55. Modify spot grade from 116.5+/- to 112 +/- . **Revised See Sheet 9.**
56. Edit pipe size label in and out from 6" roof drain to 12" Drain. **Revised See Sheet 9.**
57. Correct elevation of inverts in and out which appear to be labelled incorrectly. **Revised See Sheet 9.**

Sheet 10, Details;

58. Place a not used label on Typical Outside Drop SMH Detail. **Revise Now Sheet 12.**

Sheets 11-13, SUP A-C;

59. No comments.

Stormwater Management Report

At this time, we will hold on making revisions to the drainage report. We would like to get comments from Tetra Tech, then complete one revision.

60. A volume table should be provided below the rate table.
61. Within Appendix A-2, second page the routing diagram does not include Recharge #2R & 3R. These systems should be included in the post development modelling including drawdown times (Appendix - B, page 2) for these systems to empty.
62. The Stormwater Management Operation and Maintenance Plan provided in Appendix D is for a site development and not edited to be applicable to a subdivision. Further, the document needs to indicate that responsibilities for maintenance will be Wall Street Development at first, then the drainage basins and recharge systems will transfer to a homeowner's association and finally the roadway and drainage within the roadway will transfer to the Town upon Acceptance. Also, costs associated with the maintenance should be provided (recently approved Northwood Estates IV O&M a good example).

Traffic Summary Review (prepared by Kimley-Horn) *Himley-Horn to review traffic.*

63. The Stop sign and stop line recommended in the report at Brook Lane/Union St should be shown on Sheet 3 and on the sign shown on a detail sheet.

64. The Not a Through Way sign should also be shown on Sheet 3 with a corresponding detail on a detail sheet.
65. The report recommends considering a raised pedestrian crossing on Brook Lane at Union Street. This office is not receptive to this idea, however, we agree with the recommendation to improve the curb ramps at this location and make them ADA compliant.
66. This office recommends the Board gain input from the Fire Department for the The Auto Turn Fire Truck plans attached to the report.

Recommendations

67. The sidewalk in Brook Lane should be replaced and the road should be milled and re-paved. ***The applicant has made requests to the ZBA for reduced filing fees, at which time he will discuss Brook Lane improvements.***

The following is in response to the Patrick Deschenes comments dated March 1, 2023:

Sheet 1:

- The Zoning Table lists "Lot Coverage Structure" as being 45% and "Lot Coverage Impervious" as being 55%. However, the submitted narrative, dated 1/30/23, lists the site's lot coverage structures as being 15.4% and lot coverage total impervious surface as being 33.1%. Clarification is needed here as the percentage given with the submitted narrative is inconsistent with the Zoning Table provided on Sheet 1 of the submitted plan set. ***Response: The 45% is for the smallest Lot shown (2,737 s.f.) and the impervious coverage is now 60% for the smallest Lot shown. It appears the 15.4% and 33.1% is a calculation of the entire land area.***

Sheet 2:

- While the engineer and land surveyor's stamp has been updated as of 10/20/2022, the Existing Conditions Sheet is no longer consistent with the actual conditions of the site. The dwelling at 48 Burns Ave. has been demolished for a few years now, and the tree line as shown is not reflective of the actual existing conditions. ***Response: For design purposes we have left the existing as they were at the time of the initial application.***

Sheet 3:

- I have concerns about the size of the proposed buildable lots within the application. The applicant proposes buildable lots ranging from 2,727 S.F. to 5,637 S.F., but of the proposed twenty (20) buildable lots only three (3) are actually 5,000 S.F. or larger. While the applicant has the right to request a waiver from the minimum local standards (which they have) I would strongly recommend a revision to the plan that proposes buildable lots at no less than 5,000 S.F. My reasons being of local concern as the proposed dimensions for a majority of the lots are severely limited with access to usable open space. ***Response: The areas shown have been developed around the 20 units. The areas shown can not be increase with the current layout.***

- After sale of the developable lots, who will retain ownership and maintenance of Lots A and B? **Response: A homeowners association will be established to maintain Lots A, B and stormwater systems outside the Road layout.**
- Assessor's reference at top left of sheet should include Map 20, Parcel 115. **Revised**

Sheet 4:

- The applicant has requested waivers from the local Subdivision Rules and Regulations to only construct one (1) sidewalk within the site with a minimum width of four (4) feet, allow for the minimum paved width of the roadway for to be twenty-two (22) feet, and to allow for bituminous cape cod berm throughout the site (as opposed to granite curbing). I will defer to either the Fire Department or Engineering/DPW as to any concerns with this proposal. However, from just a practical point of view, visitors to the site that park on the street could potentially make use of the cape cod berm to park their vehicle off the roadway. In order to provide greater flexibility for both vehicles and pedestrians within the site I would suggest, if feasible, to increase the width of both the roadway and sidewalk.
Response: Revised the plan to include a 5' sidewalk, 22' pavement, 1 foot cape cod berm both sides. The unit size has been reduced where necessary to provide a minimum of 18 feet from the garage fronts to the right of way layout. We now show 4 visitor parking spaces in the site layout.
- In previous 40B decisions of the Board, it has been a condition to set a minimum depth of unit driveways. I would recommend a similar condition be implemented within this decision, in particular that driveways have a minimum depth of nineteen (19) feet as measured from the face of the building to the closer of the nearest route of public accommodation (roadway or sidewalk) or the right-of-way.
Response: The unit size has been reduced where necessary to provide a minimum of 18 feet from the garage fronts to the right of way layout. This was per our working meeting.
- The applicant has stated in their narrative, and within HAC's January 11, 2023 ruling, that they intend dedicate this extension of Brook Lane as a public way. If that is to become the case, then having vehicles parked within unit driveways, but extending into the public right-of-way is problematic for public services such as snow plowing.
Response: The unit size has been reduced where necessary to provide a minimum of 18 feet from the garage fronts to the right of way layout. There is an additional 8 feet from the layout to the edge of pavement and there is 3 feet from the layout to the back of sidewalk (5' wide sidewalk).
- The plans should be revised to include dimensions of all proposed unit driveways. Units 1, 2, 5, 10, 13, 15, 17, and 19 all include a measurement of driveway depth to the proposed lot lines. However, based on the measurements provided it does not appear that these units would be able to safely park vehicles within unit driveways and avoid having the vehicle extend into the right-of-way.
Response: The unit size has been reduced where necessary to provide a minimum of 18 feet from the garage fronts to the right of way layout.

- The proposed removal/discontinuation of the cul-de-sac on Brook Lane should be reviewed and discussed with Town Engineering/DPW.
Response: The proposal is to remove the paved turnaround and extend the existing driveways, not discontinue the actual right of way.
- Will dwellings have individual mailboxes or a common mailbox? If a common mailbox is used please identify the location.
Response: We provided a common mailbox along the entrance of the project See Sheet 5. However, this will be subject to the postmaster final approval. If they elect to have individual mailboxes the common one will be removed from the plan.
- Assessor's reference at top left of sheet should include Map 20, Parcel 115. **Revised**

Sheet 5:

- The proposed grading and detention basin appear similar to previously reviewed proposals, and current site plan has received approval though MassDEP's superseding order of conditions. However, I will defer to an engineering review for proposed changes to grading, drainage, and utilities.
Response: The storwater system was previously approved and there have been no modifications to the overall design and layout.

Sheet 7:

- Snow storage is highlighted in the erosion control plan. Will these locations be utilized for snow storage for the completed development or only during construction?
Response: Revised the snow storage areas. See Sheet 7.
- Construction entrance appears to be shown on the plan sheet as being located on Burns Avenue. I would suggest moving the construction entrance to Brook Lane. The reasons being that Brook Lane is a shorter road, there are less existing homes so disturbance would be minimal in comparison, and access to Union Street followed by Route 1 is far more efficient.
Response: Revised the entrance is off Brook Lane. A note added that no access from Burns Ave.

Sheet 16:

- There is a note on the plan behind units 8 through 11 that references "proposed screening/fence or may be substituted with planting buffer." I would recommend the applicant determine this proposed screening with abutters, and to also take the same action with abutters behind units 1 through 7, or to an appropriate extent as feasible.
Response: Revised to provide a 6' high privacy fence.

Review – Preliminary Architectural Plans, dated February 2021**No Response to Architectural review.**

- Submitted renderings are not the most legible due to print size. I suggest provided a larger set with a scale that is easily readable.
- The applicant has submitted three concepts for review. I'd like clarity on which concept will be used and a final determination on total bedroom count. Within the applicant's narrative, dated 1/30/23, the applicant references 60 total bedrooms or that all units

will be three-bedroom homes. This would indicate "Concept Plan 2" as the preferred option.

- Overall I find the three concepts to be fine. The maximum height within the General Residence Zoning District is thirty-five (35) feet, and all concepts provided list the mean height as thirty-four (34) feet and one (1) inch.

Review - Traffic Summary Review, dated 2/1/2023

No comment refer to traffic consultant.

- Overall I do agree that the project will result in a small increase in traffic in regards to the area's roadway system. However, going from four (4) homes on Brook Lane to twenty-three (23) (demo of 7 Brook Lane) is a significant increase for that road, and proper traffic safety measures should be utilized.
- The Applicant's Traffic Engineer, Kimley-Horn and Associates, Inc., provides three recommendations:
 - Install a STOP sign and markings on the Brook Lane approach to Union Street;
 - Install a NOT A THRU WAY sign on Brook Lane within 150 feet of Union Street; and
 - Consider installing a raised pedestrian crossing across Brook Lane at Union Street. At minimum, if any modifications are done on the corner roundings at Union Street, the curb ramps will need to be reconstructed to be ADA compliant.

Whether these are the complete or most effective list of recommendation I will defer to an engineering review.

Review - Revised List of Waivers, dated 1/30/2023

- The applicant has not requested relief from the Walpole Zoning Board of Appeals Comprehensive Permit Regulations. As such, I would request that the applicant provide explanation/documentation for any missing elements listed under section 3.2 Submittal Requirements. **Response: the applicant shall address this comment.**

Enclosed herewith are copies of the revised plans for your review. If you have any questions please don't hesitate to contact our office.

Thank you for your cooperation in this matter.

Yours truly,
GLM Engineering Consultants Inc.



Robert S. Truax, P.E.

Cc: Wall Street Development Corp.