

WALPOLE ZONING BOARD OF APPEALS MINUTES OF MAY 19, 2021

A meeting of the ZONING BOARD OF APPEALS was held remotely via Zoom on WEDNESDAY, MAY 19, 2021 AT 7PM. The following members were present on the Zoom Webinar:

John Lee (Chair), Susanne Murphy (Vice-chair), Bob Fitzgerald (Clerk), Jane Coffey, Drew Delaney, Patrick Deschenes (Community Development Director)

Mr. Lee opened the meeting at 7:10 PM

Case No. 20-24, Radke Associates, LLC, 270 Moosehill Road, Comprehensive Permit:

Lee opened the hearing, present was Paul Cusson on behalf of the applicant, along with the Rob Truax of GLM Engineering Consultants, Inc. Mr. Cusson stated that they have recently submitted revised site and architectural plans based on comments made by peer review (Tetra Tech) and the Fire Department, along with a letter responding to Tetra Techs comments. Mr. Lee stated that peer review has not had a chance to review the revised plans and letter as of yet. Mr. Lee stated that the goals for tonight's hearing, which includes the following: project overview from applicant; public comment; give peer review charge to review the revised submittals by applicant. Mr. Cusson explained to the board that the revised plans dated 5/6/21 were submitted to the board approximately 10 days ago reflect the comments made by the Fire Dept. dated 3/31/21. Mr. Truax stated that the project site is just over 50,000 s.f. with an existing single-family dwelling on the property. Mr. Truax stated that the Moose Hill Apartments are located to the rear of this site, with their access road to the southerly side of the property. Mr. Truax stated that the revised plans depict the following changes from the original plans:

1. turnaround at the end of the proposed access drive with a paved radius of 44 ft.
2. reduced size of buildings (1 car garages w. 2 parking spaces per unit= total of 3 spaces per unit)
3. 4 visitor parking within the cul-de-sac
4. Revised drainage system (catch basin at the end of the cul-de-sac; treatment unit installed; sized the recharge system based on the 100 yr. storm event
5. Front setback from bldg. no. 1 is now 37 ft. from front setback vs. original 50 ft.

Mr. Truax gave an overview of the project, which included the following:

-project will have on-site disposal systems and will not be tying into the sewer system (one septic tank & leaching field per building)

-applicant is also proposing to tie into the existing 8inch stub water line in back of the buildings

-no proposed hydrants on site since an existing hydrant is located across the street from the site that is within 300 ft. of the furthest unit and another hydrant is located on the adjacent property to the rear of the site.

-proposing to provide gas service that is located in back of the buildings, with the electric services to be located in the front of the buildings with meters placed in the front corners.

-no lighting on the road is being proposed at this time, however there is proposed lighting to be on the front of the buildings.

-all proposed buildings are 2 stories with full basements

Mr. Lee reiterated the comments made from the Fire Dept. requesting a 26 ft. wide road, and if the roadway was going to remain as proposed, parking restrictions relating to no on-street parking would need to be in effect. Mr. Cusson explained that the roadway will remain less than 26 ft. in width due to there not being enough room, and agreed that they will place no-parking along the street to prohibit on-street parking. Mr. Lee asked if the applicant is proposing to sprinkle the buildings in which Mr. Cusson stated that there is adequate space between buildings and according to the building code, a sprinkler system is not required. Mr. Lee stated that he would like comments from the BOH relating to leaching fields being located under the pavement. Mr. Lee asked the board members if they had any questions, which included the following;

Mrs. Murphy: asked Mr. Truax the location of the snow removal. Mr. Truax stated that snow removal will be placed at the end of the parking area. Mrs. Murphy asked about how the mail delivery will be handled, in which Mr. Truax stated that an option would be placing a common mailbox right on Moose Hill Road at the entrance. Mrs. Murphy voiced that she would like to see a landscaping plan- even if it is preliminary. Mrs. Murphy requested that she would like to see some street lighting, in which the applicant stated that since it is a small proposed development, street lighting isn't usually proposed, however he is willing to entertain showing a plan that includes street lighting.

Mr. Fitzgerald: asked if the applicant has had a conversation with the Fire Dept. regarding the absence of fire hydrants being proposed and the location of the existing hydrants close to the site, in which Mr. Truax indicated that the applicant has not had a conversation with the Fire Dept. directly about this item. Mr. Fitzgerald asked who is going to be responsible for the septic systems since it will be a condominium, in which the applicant stated that the septic upkeep is included in the monthly fees. Mr. Fitzgerald voiced that he would like specificity relating to the waivers, and also mentioned that he would like to see the building heights shown on the architectural plans.

Mr. Delaney: asked the applicant how many egresses are from the basement, in which the applicant stated that there will be one egress from the bulkhead leading to the basement. Mr. Delaney asked if there was any proposed open space for the residents, in which the applicant stated that there is no open space proposed at the moment however, is open to including some open space.

Mr. Lee opened the hearing up to the public for comment, which there were none. Mr. Lee stated that the board will have Tetra Tech review the revised plans, and that the board would like to see plans depicting the building height, and also street lighting, and asked the applicant to send the land valuation documentation to Mr. Deschenes to place on the project website. Murphy motioned to continue the public hearing to 6/23/21 at 7pm via zoom at the request of the applicant, seconded by Mrs. Coffey, roll call vote: Lee-aye; Murphy-aye; Fitzgerald-aye; Coffey-aye; Delaney-aye, the motion carried 5-0-0.

Case No. 05-19-02, Wall Street Development Corp, 48 Burns Avenue, Request for Modification No.2:

Mr. Lee indicated that this is a closed hearing, and that the goal of tonight will be to vote on the draft decision that has been circulated to the board members and Town Counsel. Mr. Lee stated that he would like the following statement included in the decision "the Zoning Board recognizes that there is still pending legal access to this site". Mr. Fitzgerald stated that the decision should also state that the ZBA takes no position relating to the legal access of the site. Mrs. Murphy stated that in the findings section of the decision, wording regarding to the Pandemic relating to the possible lack of public representation should she included.

Murphy motioned to accept the draft decision with the approval of the 7 points, the addition of added language relating to pending site access, the entire hearing process taking place during a pandemic, and the correction of Mrs. Murphy's first name), along with the authorization to have the Clerk of the board, Mr. Fitzgerald to sign the final decision on behalf of the zoning board, seconded by Mr. Fitzgerald, roll call vote: Lee-aye; Murphy-aye; Fitzgerald-aye; Delaney-aye; Coffey-abstained. The motion carried 4-0-1.

Minutes: No minutes were accepted at this time.

Murphy motioned to adjourn, seconded by Coffey, roll call vote: Lee-aye, Fitzgerald-aye, Coffey-aye; Murphy-aye, Delaney-aye, the motion carried 5-0-0.

**The meeting adjourned at 8:20 PM
Accepted 7/14/21**