



**Town of Walpole**  
**Commonwealth of Massachusetts**  
**Office of Community & Economic Development**

**JAMES A. JOHNSON**  
*Town Administrator*

**Patrick Deschenes**  
*Community & Economic  
Development Director*

**Memo**

**To:** Zoning Board of Appeals

**From:** Patrick Deschenes, Director of Community & Economic Development

**Date:** 4/5/2023

**Subject:** Burns Avenue 40B – 20 Unit Plan – 1/26/2023 Remand Order

**Project Breakdown:**

<b>Applicant:</b> Wall Street Development Corp.	<b>Project Engineer:</b> GLM Engineering Consultants, Inc.
<b>Traffic Engineer:</b> Kimley-Horn and Associates, Inc.	<b>Architect:</b> Morabito Architects

**Materials Submitted for Review on February 2, 2023:**

- A Cover Letter with a copy of the HAC Remand Order, dated 2/2/2023
- Narrative of Project Changes, 1/30/2023
- Amended Site Development Plans, dated 4/21/2020, and revised 10/20/2022
- Updated drainage and stormwater management report, dated 5/5/2022
- Traffic Circulation and Emergency Access Plans, dated 2/28/2022
- Traffic Summary Review, dated 2/1/2023
- Preliminary Architectural Plans, dated February 2021
- Revised List of Waivers, dated 1/30/2023
- DEP Superseding Order of Conditions, dated 10/26/2022

**Materials Submitted for Review on March 14, 2023**

- Amended Site Development Plans, dated 4/21/2020, revised 3/14/2023
- Response Letter from GLM Engineering to municipal comments, dated 3/14/2023

Revised comments are in black and previously submitted comments are in grey.

**Review** - Amended Site Development Plans, dated 4/21/2020, and revised 3/14/2023:

**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.
  - An explanation has been provided. I have no further concerns.

### 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.
  - An explanation has been provided. I have no further concerns.

### 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.
  - There have been no changes here. While the project engineer has responded with an explanation my rationale as to the local concern over the project's site design and availability of usable open space is still a concern that has not been addressed. That being said, if the applicant can show the project meets standards needed to maintain proper pedestrian and vehicular safety I would not object to the proposed layout.
- After sale of the developable lots, who will retain ownership and maintenance of Lots A and B?
  - An explanation has been provided (Home Owners Association). I have no further concerns.
- Assessor's reference at top left of sheet should include Map 20, Parcel 115.
  - Corrected.

### 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.
  - The sidewalk closer to the existing Brook Lane has been increased to 5' wide which is good to see. However, sidewalk to the back of the site is labeled as being 4' wide. Is this intentional of just an error?
  - The width of the roadway and curbing has not been altered. If deemed adequate by engineering and emergency services then I have no concerns.
- 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.

- It appears to be represented on the revised plans that driveway depths for the dwellings have been increased to a meet a minimum depth of 18'. Based on parking design regulations, this should be sufficient to meet the minimum requirements needed for driveway depth. While I am encouraged by the change, I would also recommend to the Board to incorporate into their conditions: "driveway depth for dwelling units shall not be less than 18' 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."
- 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.
  - It would appear the situation has improved based on the recent revision to the plan.
- 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.
  - For clarity I'd like to see all driveway depths labeled on the plan. This should be resolved in a further revision.
- The proposed removal/discontinuation of the cul-de-sac on Brook Lane should be reviewed and discussed with Town Engineering/DPW.
  - Comments from applicant engineer were "the proposal is to remove the paved turnaround and extend the existing driveways, not discontinue the actual right of way." I understand that as the intent. My concern comes from knowing the extent of the Board's role in issuing a comprehensive permit that impacts alterations of a public road that are not within the project site.
- Will dwellings have individual mailboxes or a common mailbox? If a common mailbox is used please identify the location.
  - Comment addressed. Common mailbox shown at entrance to project site.
- Assessor's reference at top left of sheet should include Map 20, Parcel 115.
  - Corrected.
- The four proposed visitor parking spaces seem out of place and really don't add anything to the project. The future owner of Lot 17 has lost yard space and now has what are essentially public parking spots on a privately owned lot. Twenty homes with four parking spots each and adequate room to park along the roadway should be sufficient.

Sheet 5:

- The proposed grading and detention basin appear similar to previously reviewed proposals, and current site plan has received approval through MassDEP's superseding order of conditions. However, I will defer to an engineering review for proposed changes to grading, drainage, and utilities.
  - Currently being reviewed by peer review engineering and Town Engineering. I have no further concerns.

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?
  - Comment addressed. No further concerns.
- 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.
  - Construction entrance moved to Brook Lane. No further concerns.

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.
  - Comment addressed. No further concerns.

Review – Preliminary Architectural Plans, dated February 2021

- Submitted renderings are not the most legible due to print size. I suggest provided a larger set with a scale that is easily readable.
  - This has not been addressed yet. I'd like a larger copy with an appropriate scale.
- 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.
  - There is the indication that these will all be three-bedroom homes. If so the preliminary architectural renderings should be updated to reflect this.
- 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.
  - The design of proposed homes should be in keeping with the surrounding area and appropriate for the GR Zoning District. While that appears to be the case, further clarity on the chosen concept of the three-bedroom homes should be properly addressed.

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

- 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.

- Pending engineering review, I would recommend the Board incorporate these proposed traffic safety measures as part of the conditions of the Comprehensive Permit.

**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.
  - Engineer's response indicated that the applicant shall address this comment. Clarification can be provided when waivers are addressed during the Board's review process.