

**COMMONWEALTH OF MASSACHUSETTS
HOUSING APPEALS COMMITTEE**

HAC No. 2020-01

**WALL STREET DEVELOPMENT
CORP.,**

Appellant

v.

**TOWN OF WALPOLE ZONING BOARD
OF APPEALS,**

Appellee

**ORDER OF REMAND ON JOINT
MOTION TO REMAND**

In accordance with the Ruling on Notice of Project Change issued by the Housing Appeals Committee (“HAC”) dated January 11, 2023, the parties submitted a joint motion for the Committee to remand this matter to the Walpole Zoning Board of Appeals for further public hearing on the Appellant’s Notice of Project Change, subject to certain conditions, stated below.

I hereby GRANT the motion and ORDER this matter REMANDED in accordance with the following conditions:

1. The Appellee shall conduct a public hearing and issue its written decision regarding the Appellant’s project change within One Hundred Twenty (120) days of the date of this Order of Remand; provided that the Board’s decision shall be issued no later than 40 days following the closing of the public hearing, and the Board shall contemporaneously file the same with the Committee.
2. The Appellant shall provide the Board with an updated narrative and site plan on the project change, an updated stormwater management report, architectural renderings, updated waivers list, updated abutters’ list and fee for public notice prior to opening the

public hearing on the project change.

3. The Appellee's hearing and review shall be limited to issues arising as a result of the proposed project changes, and shall be limited to the following:

- a. Updated drainage and storm water plans;
- b. New roadway connection to Brook Lane;
- c. Traffic circulation and access for emergency vehicles;
- d. Preliminary Architectural Plans;
- e. Updated waivers

4. The Appellee shall be permitted to require reasonable peer review on the above-listed issues presented by the project change, following initial review and comment by the Town Engineer and DPW;

5. The Housing Appeals Committee shall retain jurisdiction over this matter;

6. In the event that the Appellee issues a decision that is satisfactory, the Appellant shall notify the Committee that this matter shall be dismissed, and it shall file a motion for withdrawal of pleadings pursuant to 760 CMR 56.06(4)(e), with the assent of the Board, if possible. In the event that the Appellant objects to the Decision or any part thereof, it shall notify the Committee within twenty (20) days from the issuance of the decision and an appeal may resume.

January 26, 2023

HOUSING APPEALS COMMITTEE



Caitlin E. Loftus
Presiding Officer