

Weymouth Planning Board
McCulloch Building, Conference Room
182 Green Street
April 21, 2009 - Tuesday

Present: Walter Flynn, Chair
Sandra Williams, Clerk
David Chandler
Paul Hurley,

Absent: Mary Akoury, Vice-Chair

Also Present: Rod Fuqua, Principal Planner

Recording Secretary: Mary Briggs

The meeting was called to order at 7:00 PM.

Zoning Update

Rod Fuqua noted that zoning update is a priority with Mayor Kay. He reviewed the zoning change procedures. Recommendations are brought to Town Council, then referred to the Planning Board. The Planning Board by simple majority will make its recommendation and then a 2/3 majority of the full Town Council is required to enact. A public hearing is required, by state mandate, both at subcommittee and Council level, and can be combined in a joint meeting. Although a recommendation by the Planning Board carries significant influence, the Town Council is not bound by the decision of the Planning Board and can accept, change or deny recommendations. Mr. Fuqua reminded the board that Council did not accept the last recommendation.

He presented the board with the zoning materials, in three parts: the text of the new zoning, the changes in draft form from the existing zoning and a narrative of the zoning process as a primer. The changes to the existing zoning are a collaboration of in-house staff members, including Mr. Fuqua and Jim Clarke, Solicitor Lane, and initiated with the former chair of the Ordinance Committee, Councilor Ken DiFazio. The Master Plan for the town is the driving force.

The board discussed how to approach the review process. This has been initiated by the Mayor and copied to the Town Council. Planning make a critical review, addressing 40R and specially adopted overlay. The community will have a chance to offer feedback. The plan is to submit formal changes in the fall once the budget has been settled. The board will have a few months to go through and pick out items to reconsider before a formal zoning submittal is presented in September.

Mr. Chandler questioned whether flashing LED signs are permissible within the current zoning. Mr. Fuqua noted they have not been addressed yet, but the current ruling is they must be constant. The only exception is clock or temperature display.

Mr. Flynn recommended an informal discussion process without voting specifics; any pertinent information will be incorporated in board meeting minutes. He also noted the economic sense of combining the public hearing with the Board and the Council. Mr. Fuqua reviewed the hearing process; the Town Council and Planning Board both open the public hearings, a presentation is made and followed by a question and answer period. Logistics of the presentation were suggested. The Zoning Board of Appeals as the proposing body was recommended, and by rationale, it was noted that the Planning Board by not presenting can be a more neutral party. The mayor cannot present; Mr. Fuqua noted the only governing bodies allowed to present by charter are Town Council, Planning Board or the Zoning Board of Appeals.

The consensus of the Board is to meet in May, June for discussions and July and August as needed. Mr. Fuqua recommended an overview of the restructuring as a starting point. The initial document was produced in 1969, with a different world since then and different land uses. He gave a brief overview of each of the first sixteen articles and highlighted the changes, in substance or definition, from the existing document. It has also been re-numbered as the former document numbering system was archaic:

- Art. 1- only technical changes
- Art. 2- pulled out definitions from the existing and added others
- Art. 3- identifies districts; B-2 and neighborhood center districts eliminated and replaced with Village Center
- Art. 4- identifies changes made in zoning; each district separated; more user friendly; development uses; tables in Art. 4 layouts determined by uses
- Art. 5- Village Center
- Art. 6- ground water
- Art. 7- flood plain
- Art. 8- non conforming uses (new section); breakout by lots and structures reflective of changes to state law
- Art. 9- dimensional request
- Art. 10- off-street parking and loading; change in industry standards review; parking to control development; parking lot/ preserving open space; setting minimum/maximums resulting in more green space; landscaping
- Art. 11- industrial standards; technical changes; in-law apartments (shared common space); home occupancy;
- Art. 12- landscaping with greater emphasis on wind turbine conversion
- Art. 13- adult use (no change)
- Art. 14- earth removal/fill – technical changes
- Art. 15- wireless communication
- Art. 16- site plan review- technical changes

He recommended proofreading for errors also. The existing document is available for downloading from the town website to use for comparison. The board will continue to review at their next meetings.

Minutes

A motion was made by Mr. Hurley to accept the minutes of December 16, 2008, January 13, 2009, January 20, 2009 and February 10, 2009, all as presented and was seconded by Mr. Chandler. Unanimously voted.

Other Business

Mr. Fuqua presented a Form A- for a land swap among towns; a triangular piece of property on Tamburlane Ridge to be purchased by an abutting property owner in Holbrook. A motion was made by Mr. Hurley to approve the Form A and was seconded by Ms. Williams and unanimously voted.

At 8:35 PM, there being no further business, a Motion was made by Mr. Hurley to adjourn, seconded by Ms. Williams and voted unanimously.

Walter Flynn, Chair

Date