

**PLANNING BOARD
RECORD OF MINUTES AND PROCEEDINGS
June 20, 2006**

The Planning Board of the Town of Weymouth held a public meeting on Tuesday, June 20, 2006 at 7:30pm at McCulloch Building, Whipple Center Conference Room, 182 Green St., Weymouth, MA.

Present: Paul Hurley, Chairperson
Walter Flynn, Vice Chairperson
Mary Akoury, Clerk
Sandra Williams
Frank Hawkins
Staff: Rod Fuqua, Principal Planner
Recording Secretary: Janet Murray

Paul Hurley called the meeting to order at 7:30 pm.

Public Hearings

Ryder Development Corp. (cont.)

Locus: off Norma Avenue and Healy Road

Sheets 24 & 28, Block 318, Lots 1 & 102

Zoning: R-1

Definitive Subdivision Plan creating one (1) new lot off Norma Avenue and one (1) existing off Healy Road

Attorney Gregory Galvin and engineer/land surveyor Scott Arnold appeared before the Board with the applicant, Ken Ryder.

Mr. Galvin stated that he has been before the Board on several occasions on behalf of his client. He noted that the plan has been changed so that there are only two new lots rather than three. Mr. Galvin also clarified that one lot is already in existence.

Mr. Arnold stated the two lots are noted as lots 3 and 4. One lot would contain the existing Harvey residence on it. Norma Ave will be extended 190 feet from Appletree Lane with a cul de sac at the end. Lot 3 would have in excess of 25,000 square feet with 18,762 square feet of upland. The new lot 4 would have 39,000 square feet with over 22,000 square feet of upland. The roadway would have typical 18 foot travel lanes. The cul de sac would be 80 feet in diameter with 70 feet of pavement. There would be a fire hydrant at the end of the roadway.

The drainage system has been changed. There would be a catch basin and a subsurface basin with outlets towards the wetlands. They are proposing improvements to the existing ditch. There is currently no vegetation in the ditch.

A new 8" water pipe will be connected to the existing pipe towards Appletree Lane.

A notice of intent will be filed with the Conservation Commission.

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The roadway profile would be negative grade from Norma Ave. at minus 1%.

Mr. Fuqua noted that there have been changes since the last hearing. The largest change is the cul de sac instead of a hammerhead. This just deals with the one lot at the end of Norma Avenue. The lot off of Healy Road will be before the Board at a later date for road conditions.

A detailed survey of the town bound is requested as to existing conditions; the plans submitted conflict with the Town assessor's maps.

The town's engineer recommends widening the turning radius at the intersection of Appletree Lane and Norma Avenue. New drainage calculations are also requested.

The hammerhead and reduced cul de sac will require a waiver.

Mr. Flynn asked if the wetland line dispute has been resolved. Mr. Fuqua stated that a determination has not been made by Conservation Commission as to the re-flagging. He also noted that the Planning Board does not need to wait for the Conservation Commission to make a determination on the amount of uplands; if there is a substantial discrepancy, the applicant would have to appear before the Board again.

Claire Cunningham of 28 Norma Avenue stated that she has concerns regarding the length and width of the proposed roadway.

Walter Flynn made a MOTION to CLOSE the public hearing and was seconded by Frank Hawkins and UNANIMOUSLY VOTED.

Mr. Fuqua requested an extension from the applicant to allow a decision to be made by September 1, 2006.

The decision needs to be made by July 26, 2006. An extension was requested to August 26, 2006. The first hearing was held on April 18, 2006.

Mr. Ryder agreed to the extension to September 1, 2006.

Frank Hawkins made a MOTION to TAKE UNDER ADVISEMENT this request and was seconded by Walter Flynn and was UNANIMOUSLY VOTED.

Stephen Zeboski

Locus: Martin Street

Sheet 33, Block 425, Lots 4 & 16

Zoning: R-1

Proposed definitive subdivision plan creates three (3) buildable lots.

Mr. Fuqua noted that the applicant has asked to withdraw this application without prejudice. Several members of the audience stated that they were abutters and were not notified. Mr. Fuqua stated that there will be a new notification when the application is resubmitted.

A MOTION was made by Frank Hawkins to allow the applicant to WITHDRAW WITHOUT PREJUDICE and was seconded by Walter Flynn and was UNANIMOUSLY VOTED.

Public Family LLC

Locus: Wampum Street

Sheet 48, Block 543, Lot 2

Zoning: R-1

Proposed preliminary subdivision plan for five (5) lots

Attorney Gregory Galvin and engineer/land surveyor Scott Arnold represented the applicant, Public Family Trust, LLC. This is a request for a *preliminary* subdivision plan for five lots.

Mr. Arnold made note of a plan that was originally approved by the Board. Wampum Street is a paper street created in the early 1900's. Wampum Street intersects Samoset Street which in turn intersects Forest Street.

Mr. Arnold noted that there is a Massachusetts Electric easement through several of the lots at the end of the Wampum Street at the cul de sac.

Mr. Arnold stated that the topography of the road is that it slopes down. The roadway would follow the existing ground surface so that there would be no large cuts or fills. The road would slope up to the cul de sac. In the low point, a catch basin would be installed. A manhole would be located further up Wampum Street. Three fire hydrants are proposed along Wampum Street.

Mr. Fuqua stated that this plan is different from most plans as Wampum Street is a legally existing road on paper. 350 feet of roadway improvements were previously approved. The existing lots have rights to build and access Wampum Street. At the end of Wampum Street is a large lot that would be subdivided into five lots around the proposed cul de sac.

The Conservation Commission notes that although there does not appear to be any wetlands, they recommend that a wetland specialist review the lots. The Fire Department has no objection to the location of the hydrants. DPW has comments on the design of the system. He noted that the items noted would normally be included in a definitive plan. The plumbing inspector would like to review the proposed system of individual ejector stations for each property.

The catch basins should be double grated.

The temporary hammerhead should be eliminated once the road is improved beyond 350 feet.

There will be a waiver required for the length of Wampum Street. The regulations only allow for 800 feet for a dead end road.

The radius is 50 feet (100 foot diameter). Mr. Hurley noted that there is an island shown on the plan; DPW has requested that islands not be required in cul de sacs.

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Mr. Hurley stated that any structures on the proposed lots should be shown on the plans.

Mr. Fuqua stated that a decision must be made by July 13, 2006. The applicant was requested to allow an extension to July 30, 2006 to which it was agreed.

A MOTION was made by Frank Hawkins to TAKE UNDER ADVISMENT this request and was seconded by Mary Akoury and was UNANIMOUSLY VOTED.

Jose R. Donoso

Locus: 17 Beach Avenue

Sheet 34, Block 400, Lot 35

Sheet 34, Block 438, Lot 3

Zoning: R-1

Decision on request to set roadway conditions

The applicant has incorporated all of the changes requested by DPW. The new plan has been reviewed by DPW. DPW requires that an additional sheet be drawn up to show just the easements. Sheet 5 of 5 shows easements but needs an addition of the roadway easement to be recorded before endorsement of the plan.

The engineers proposed that the entire lot be an access and drainage easement. Basically the town would have an easement over the entire lot. The Board could approve this plan based on the June 7, 2006 plan. The easements would have to be recorded before any work is started. The plan would have to come back to the Board for endorsement once it has been recorded.

Walter Flynn made a MOTION to APPROVE the plan dated June 7, 2006 with the condition that the roadway easement be recorded prior to construction and was seconded by Mary Akoury and was UNANIMOUSLY VOTED.

Form A

1115 Pond Street - Sheet 49, Block 557, Lots 4 & 5

This location is at the intersection of Pond and Main Street. This plan will square out the lot lines. It does not add any new buildable lots.

Walter Flynn made a MOTION to ENDORSE the Form A for 11 and 15 Pond Street and was seconded by Mary Akoury and UNANIMOUSLY VOTED.

Washington Street – Sheet 20, Block 276, Lots 34 & 35

This is near the intersection of Washington Street and Broad Street in Weymouth Landing.

There is a bank building and gas station; then there are two house lots. The rear part of the lot 34 is being transferred to lot 35. This is in a business area. The transfer does not create any new buildable lots.

Mary Akoury made a MOTION to ENDORSE the Form A for Washington Street and was seconded by Walter Flynn and UNANIMOUSLY VOTED.

11 and 15 Pond Street

Walter Flynn made a MOTION to ENDORSE the Form A for 11 and 15 Pond Street and was seconded by Mary Akoury and UNANIMOUSLY VOTED.

Libbey Parkway – Covenant release

This is a lot on Performance Drive. There is a new medical building going in. When they were doing the title search on the property, all of the lots had covenant releases filed with the Planning Board except for this lot. There is no bond on this property.

Walter Flynn made a MOTION to RELEASE the Covenant for this property on Libbey Parkway and was seconded by Mary Akoury and UNANIMOUSLY VOTED.

Adjournment

At 9:00 pm, there being no further business, a MOTION was made by Walter Flynn to adjourn and was seconded by Mary Akoury, and UNANIMOUSLY VOTED.

Paul Hurley, Chairperson

Date