

**PLANNING BOARD
RECORD OF MINUTES AND PROCEEDINGS
SEPTEMBER 26, 2006**

The Planning Board of the Town of Weymouth held a public meeting on Tuesday, September 26, 2006, at 7:30pm at McCulloch Building, Whipple Center Conference Room, 182 Green Street Weymouth, MA

Present: Paul Hurley, Chairperson
Walter Flynn, Vice Chairperson
Mary Akoury, Clerk
Sandra Williams

Not Present: Frank Hawkins

Staff: Rod Fuqua, Principal Planner

Recording Secretary: Janet Murray

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

Bristol Brother Development

Petr: Bristol Brothers Development
Locus: Meredith Way Extension
Sheet 21, Block 285, Lots 3, 122, 123, 124, 127, 128, 129
Sheet 25, Block 282, Lots 125, 126
Sheet 24, Block 284, Lot 28
Sheet 25, Block 284, Lot 4
Zoning: R-1

This is a preliminary subdivision plan to establish density for a proposed Planned Unit Development.

Jim Bristol of Bristol Brothers Development appeared before the Board. He stated that the property is owned by Ryder Development Corporation. He noted that there are 25 acres of land. He compared this location with Weathervane in South Weymouth. He stated that Weathervane used a conventional subdivision layout to set density. He noted that they have already been before the Conservation Commission to begin the process to set wetland lines on Meredith Way Extension. He stated that they have yet to receive a decision from the Commission.

Once density is set, the Planned Unit Development would look to develop in the uplands to preserve open space.

Mr. Fuqua stated that the proponent is before the Planning Board to set conventional density on the number of lots that could be developed. After doing this, the proponent then goes before the Board of Zoning Appeals for the special permit to build the Planned Unit Development. He noted that there will be a public hearing in the future where abutters and abutters to abutters will be notified.

Mr. Carlson stated that the goal is to determine the total number of lots that could be configured based on the subdivision rules and regulations. He pointed out that there is about 3 acres on the

other side of the power lines.

Meredith Way subdivision was previously approved but never built.

The units would be clustered together to leave open space.

The main access would be through Meredith Way to Essex Street. Mrs. Akoury noted that the plans show a connection to Essex Heights Drive. Mr. Carlson stated that Essex Heights Drive is not an accepted way.

Mr. Fuqua stated that the property where the access point is located is privately owned, and up until this time, the owner has been unwilling to allow any access. Unless an agreement is made with the property owner, this development would not be able to use this access point.

Mrs. Akoury noted that the school children would attend the Seach School. She asked about how the school children would access the bus stop. Mr. Fuqua stated that the bus stop would be within the new development or at Meridith Way and Grampian Road, or Meridith Way and Essex Street. Mrs. Akoury noted that the schools tend to pick up on main streets rather than going into private development.

Conservation Commission stated that they have had one hearing which was continued. They have asked for a peer review on the wetland lines. Because of this, the staff recommendation for this evening is to take this matter under advisement until the wetland line is established as any changes could impact density.

Mr. Fuqua stated that the Fire Department has requested a 3m opticom emitter. This would be addressed during the special permit process.

Health Department has requested that the wetland be altered to be non-breeding of mosquitoes and also to have all cars and tires removed.

Department of Public Works has responded with several questions regarding technical layout of utilities such as hydrant sleeving and copper service. They have asked for looping of the water line to Springvale Circle. There are wetlands at Springvale and this could create problems with the installation of water lines and for access. Improvements to the drainage, sidewalks, and the road portion of Meredith Way should be considered. DPW stated that detention basins are noted on the plans. They prefer ground water recharge located in stormceptors in residential neighborhoods. DPW also would like to avoid dead end water mains when possible.

Mr. Fuqua commented on the area near where the power lines go through. He asked if this is separately owned property from the area of the development. Mr. Carlson stated that it is. Mr. Fuqua asked if there is an easement to this property. Mr. Carlson stated that there is. Mr. Fuqua asked what the size of the easement size is. Mr. Carlson stated that it is 20 feet wide. Mr. Fuqua noted that it needs to be 40 foot wide. Mr. Fuqua suggested that the road improvements of this easement need to be looked at.

Mr. Fuqua stated that EPA storm water policies that the town must be in compliance with by 2008, be considered when the storm design system is being developed.

Mr. Fuqua questioned if there would be access to Springvale Avenue. Mr. Carlson noted that there would need to be a wetland crossing and there is also an ownership issue similar to Essex Heights Drive.

Mr. Fuqua asked if there is a secondary emergency access. Mr. Bristol stated that they would consider Essex Heights but again, there is an issue with the property owner.

The former subdivision is still on paper but this new plan would supersede any prior plans.

Mrs. Akoury asked if this development would be age restricted. Mr. Bristol stated that this is under consideration but has not yet been decided.

Councilor Kenneth J. DiFazio, District 3 Councilor, asked the proponent that when wetland lines and density are set, to reach out to the surrounding neighborhood for a meeting. Councilor DiFazio stated that he would like to see the owner of the property for access to Essex Heights Drive contacted in regards to this project.

Russell Turner of 8 Meredith Way stated that he is concerned about the density of this project and the fact that Meredith Way is proposed as the only access in and out of the development. He noted that originally there would have been 9 houses, but this proposal is suggesting 27 homes. He stated that this is beyond the limits of the Meredith Way neighborhood.

Richard Aaron stated that he is frustrated that it is apparent that this project is not good for the neighborhood or the town, but that the town must allow usage because it is the owners right by law. He noted that their neighborhood was adversely affected by the 2 years of construction when Essex Heights Drive and Grampian Way were built and there was no accountability as to the conditions of the roadway during the that construction.

Mr. Aaron stated that the people who are already there have property rights.

William Hayward of Springvale Circle stated that his concerns are the detention basins and water runoff. He questioned where the water from the detention basins will go. Mr. Carlson stated that the water would recharge back to the wetlands.

Mr. Hayward asked about what happens if his property is impacted once this project is built. Mr. Hurley stated that the onus is on the proponent to assure that situations such as water runoff are properly mitigated.

Mr. Hurley stated that the process is that the proponent has been before the Conservation Commission. The Planning Board is step two. They have prepared their preliminary plans and there will be more detailed plans as the process continues. He strongly urged the residents to attend all of the meetings and express concerns to the Zoning Board of Appeals which is the Permit Granting Authority. When this board hears the concerns of the residents, they will put the

onus back on the developer to prove that they will take care of the issues in the proper manner. Paul Hladysz, 35 Meredith Way, asked if sewer lines would be installed along Meredith Way. Mr. Bristol stated that DPW will determine if the sewer lines are adequate. But he would expect that the development would tie in to the existing system.

Mr. Fuqua stated that the Planning Board should ask the proponent for an extension of the 45 day requirement in writing. He suggested that the extension be through December 31, 2006.

Mr. Bristol agreed to this request.

Mr. Flynn made a MOTION to TAKE UNDER ADVISEMENT and was seconded by Mary Akoury and was UNANIMOUSLY VOTED.

Form A

Main/Winter Street – Sheets 29 & 33, Block 374, Lot 7

Mr. Fuqua stated that this is part of Weymouth Honda. They are cutting out an 11,000 square foot lot. For a number of years they have wanted to separate the automobile dealership from the motorcycle dealership. They are allowed to create this lot as it is in a B-1 zoning district. It is not clear what the future plans are, but whatever their plans, they will be required to go before the Board of Zoning Appeals.

Mr. Flynn made a MOTION for the ENDORSEMENT of LEGAL FRONTAGE on the Form A for Main/Winter Street - Sheets 29 & 33, Block 374, Lot 7 and was seconded by Mrs. Akoury and PASSED on a 3-1 vote.

Other Business

Mr. Fuqua stated that the Capital Improvement requests have been sent out. At the October meeting, the schedule will be set to go over the submitted requests.

The next meeting will be on October 17, 2006.

Mr. Flynn spoke to the recent meetings of the Community Preservation Committee (CPC). He stated that in order to spend the funds a Needs Assessment must be completed to determine eligible projects. He stated that a selection criteria for expenditure of funds needs to be developed. An application form will also need to be developed.

Mr. Flynn stated that there is \$465,000 currently available from FY 06; an additional \$950,000 will be available when the tax rate is set for FY 07.

He noted that the CPC will meet with the Planning Board during the capital budget process.

Reorganization

Mr. Hurley turned the meeting over to the Clerk, Mrs. Akoury.

Mr. Flynn made a MOTION to NOMINATE Paul Hurley as Chairman and was seconded by Mrs. Akoury and was UNANIMOUSLY VOTED.

Mr. Hurley made a MOTION to NOMINATE Mrs. Akoury as Clerk and Mr. Flynn as Vice-Chair and was seconded by Sandra Williams and UNANIMOUSLY VOTED.

Adjournment

At 8:32 pm, there being no further business, a MOTION was made by Mr. Flynn to adjourn and was seconded by Mrs. Akoury, and UNANIMOUSLY VOTED.

Paul Hurley, Chairperson

Date