

**PLANNING BOARD
RECORD OF MINUTES AND PROCEEDINGS
DECEMBER 5, 2006**

The Planning Board of the Town of Weymouth held a public meeting on Tuesday, December 5, 2006, at 7:30pm at McCulloch Building, Whipple Center Conference Room, 182 Green Street, Weymouth, MA.

Present: Walter Flynn, Vice Chairperson
 Mary Akoury, Clerk
 Sandra Williams
 Frank Hawkins
Not Present: Paul Hurley
Staff: Rod Fuqua, Principal Planner
Recording Secretary: Janet Murray

Walter Flynn called the meeting to order at 7:30 pm.

Minutes

A MOTION was made by Mr. Hawkins to accept the minutes from the 11/14/06 Planning Board Meeting and was seconded by Sandra Williams and UNANIMOUSLY VOTED.

Public Hearings

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

Decision on Preliminary Subdivision Plan to establish a density for a Planned Unit Development

Tom Hennigan, Gale Associates, Carl Ericson and Jim Bristol from Bristol Brothers Development were previously before the Board on September 26, 2006.

This is a request to establish density for 25 acres off Meredith Way. The project is intended to be a Planned Unit Development (PUD). The previous plan submitted had 27 lots. There are currently two layouts. The Conservation Commission has put forth the wetland delineation. There are three (3) vernal pools noted, but only one has been certified. The other two will be reviewed in the spring to determine if they will be certified.

The Conservation Commission review as follows:

- Abbreviated Notice of Resource Area Delineation (ANRAD)
- Filed 8/31/06, hearing closed 11/8/06
- Confirmed wetland delineations
- Vernal pools: 1 confirmed, 2 potential
- Order of Resource Area Delineation (ORAD)

- Issued 11/14/06
- Revisit potential vernal pools in Spring

Wetland lines have gone through a peer review.

House locations and roadways were moved back to be outside the 100 foot no build zone. Plan C-1 shows the layout and respects the boundaries of three (3) certified vernal pools. This results in a density of 21 units. Plan C-1-A allows for a density of 24 units based on the presence of only one (1) certified vernal pool.

The applicants would like to have conditional approval for density in order to go before the Board of Zoning Appeal (BZA) to request a special permit for a planned unit development (PUD).

Mrs. Akoury asked for clarification on the access road and the flow of traffic. Mr. Hennigan stated that the access is from Meredith Way.

Ms. Williams asked about whether the units would be age-restricted to over 55. Mr. Bristol stated that the layout is the same as Weathervane, but he is waiting to see what the market is doing before deciding which way to go with the project.

Mr. Hawkins asked about a second egress. Mr. Hennigan stated on the cluster plan there was a layout for an emergency access road, not a primary travel way. This was for illustration purposes.

Mr. Bristol stated that there are a few lots that have weird configurations; the intention is not to build, but to establish density.

Mr. Flynn asked about the style of the buildings. Mr. Bristol stated that they will be cape style.

Mr. Flynn asked if Mr. Bristol if would be amenable to having any affordable units. Mr. Bristol stated that the way the agreement is written, the project's budget can not handle this.

Mr. Fuqua noted that on plan C-1 lots 16 and 17 are pork chop configuration, which has been a concern to the town in the past.

Mr. Fuqua noted that the property to the west, on the other side of the electric company easement, lot 11 or 12 depending on the plan, would have a water line of over 1000 feet - 4-6" line. A hydrant would be required. The water line would most likely be 6". Access and utilities to these lots would part of the easement.

Access from Springvale Road is blocked by the existing vernal pool. The access from Essex Heights Drive, which only exists on paper, is privately owned; the owner has not been willing to allow access.

Mr. Fuqua noted that Meredith Way is a 50' right of way and tapers to 40' at the development.

The original plan was approved for nine house lots on a part of the area.

The Conservation Commission will decide when in the early spring to review the two vernal pools in question.

Mr. Flynn asked if anything on these preliminary plans is binding. Mr. Fuqua stated that these plans are to set density only. It shows the applicant's rendition of how many lots could possibly be developed in a conventional manner, not necessarily what will be developed.

Mr. Flynn commented that the minimum lot size is 25,000 square feet. Several of the previously approved lots are less than 25,000 square feet.

Mr. Hawkins asked if some of the large areas of wetlands could be turned over to the town as conservation land. Mr. Bristol stated that this is part of the process before the BZA. The land could be designated open space as a condition.

Mrs. Akoury asked when the original subdivision was approved. Mr. Fuqua stated that he would get the exact date, but that it was sometime in the 1990's. Mrs. Akoury asked if this approval was binding. This new subdivision plan would supersede any previous issued plans.

Mrs. Akoury made a MOTION to TAKE UNDER ADVISEMENT the plans for Meredith Way and was seconded by Mr. Hawkins and was UNANIMOUSLY VOTED.

The following discussion ensued.

Mrs. Akoury expressed concern regarding lot size and configuration. She is also concerned that the subdivision has only one access point.

Mr. Hawkins agreed with Mrs. Akoury's concern regarding having only one access point.

Mr. Flynn stated that the Planning Board's responsibility is only to set the density. Road conditions and other issues will be determined by the BZA.

Mr. Hawkins expressed concern that lots could come before the BZA in the future for subdivision. Mr. Fuqua stated that this is not possible because the entire site would be subject to the special permit process.

Mr. Fuqua stated that there are other subdivisions of this size (and larger) that have only one access point. Including the lots already existing on Meredith Way, there are 28 lots before reaching Grampian Way where there are then two access points to Essex Street.

Mr. Fuqua stated that in the past, the town had turned down a request for a subdivision based on the length of the road. The applicant appealed and the court required the town to provide documentation for all road lengths. The denial was eventually overturned.

Petr: Stephen Zeboski
Locus: Martin Street
Sheet 33, Block 425, Lots 16, 47, and
a portion of what was formerly a part of Lot 4
Zoning: R-1

Decision on Definitive Subdivision Plan to create three (3) buildable lots

Mr. Hurley was not available this evening. The applicant requested to postpone the decision until December 12, 2006.

Form A

Seabury Street – Sheet 8, Block 115, Lots 6, 7, & 8

This was a case before the BZA to make three lots into two lots. The request for the special permit was approved.

Mrs. Akoury made a MOTION to ENDORSE the Form A for Seabury Street and was seconded by Ms. Williams and UNANIMOUSLY VOTED. (Ms. Akoury abstained as she was not present at the meeting).

Community Preservation Committee Update

Mr. Flynn gave an update of the Community Preservation Committee (CPC). He stated that selection criterion and an application are in the works.

The needs assessment will become another piece of the Capital Improvement Plan (CIP).

Adjournment

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

Walter Flynn, Vice-Chairperson

Date