

TOWN COUNCIL MINUTES
Town Hall Council Chambers
Zoom # 891 6536 7486
February 7, 2022, Monday

Present: Arthur Mathews, President
Michael Molisse, Vice President
John Abbott, Councilor
Lisa Belmarsh, Councilor
Pascale Burga, Councilor
Kenneth DiFazio, Councilor
Fred Happel, Councilor
Christopher Heffernan, Councilor
Maureen Kiely, Councilor
Gary MacDougall, Councilor
Greg Shanahan, Councilor

Also Present: Kathleen Deree, Town Clerk
Joseph Callanan, Town Solicitor
Sandra Williams, Chair, Planning Board
Paul Rotondo, Planning Board
Greg Agnew, Planning Board
Ben Faust, Planning Board
Rob Christian, Planning Board – Virtual Attendance
James Malary, Director of Municipal Finance

Recording Secretary: Mary Barker

President Mathews called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll, with all members present.

Vice President Molisse motioned to take item 11, MOTIONS, ORDERS AND RESOLUTIONS out of order and was seconded by Councilor Kiely. Unanimously voted.

MOTIONS, ORDERS AND RESOLUTIONS

Reconsideration of Measure Number 22 007-Appointment to the Cultural Council-Debbie Courteau- Term Corrected to Expire on June 30, 2024-Reconsideration of Vote Taken at January 31, 2022 Special Town Council Meeting

Vice President Molisse motioned to reconsider the vote taken on Measure 22 007 and was seconded by Councilor Kiely. The dates of the term of office were incorrect in the original measure voted at the Special Town Council meeting on January 31, 2022.

Vice President Molisse motioned to approve Measure 22 007, as amended; that the Town of Weymouth, in accordance with section 2-10 of the Town Charter, appoint Debbie Courteau of 201 Lake Street to the Cultural Council for a 2-year term to expire on June 30, 2024.

The motion was seconded by Councilor Kiely. Unanimously voted.

The agenda reverted to the previous order.

MINUTES

Town Council Meeting Minutes of January 3, 2022

Vice President Molisse motioned to approve the minutes from the January 3, 2022 Town Council meeting and was seconded by Councilor Kiely. Unanimously voted.

PUBLIC HEARINGS

22 001-Citizens Petition- Request to Change Zoning Ordinances-Section 120-64.7.1-Billboard Relocation Overlay District

Vice President Molisse motioned to open the public hearing on measure 22 001 and was seconded by Councilor Kiely. This was advertised on January 14, and 21, 2022. Unanimously voted.

Chair Sandra Williams called the Planning Board Meeting to order. She noted that member Rob Christian is attending via zoom. Mr. Rotondo motioned to open the public hearing and Mr. Agnew seconded the motion. Unanimously voted.

The citizen proponents presented the measure through Kathy Swain, 134 Mill Street. She noted that she had a few questions first. She asked the solicitor if the board at 611 Pleasant is conforming or nonconforming. The solicitor responded that because it is a public hearing on 22 001, the participants are required to limit their discussion to the scope of the measure- the Citizen Petition- so it is least subject to challenge. She responded that in the scope of the measure it would impact the 613 billboard. The solicitor responded that, as the proponent, it is their opportunity to tell the Council why it should support the measure. Ms. Swain noted that they were excited to learn the solicitor sent a letter to Cove about breach of contract. She does not want the public to be confused. Entering into litigation with Cove does not mean the agreement is null and the board will be gone. She showed a slide presentation originally presented to the public in 2019 when the billboard relocation overlay district was presented were intended to accomplish several things -

- Achieving an overall decrease in the number of boards in the town with the removal and relocation of existing legally established billboards to new locations. She added that adding any more billboards without removing any on 3A result in an increase in their numbers.
- remove static boards on 3A- earliest this will happen is 2027, if at all.
- Prevent unfriendly development in Finnell Drive
- Preserve open space abutting Gagnon Park

The Rt. 18 billboard is in Abington, so the only goal left is open space.

Ms. Swain then reviewed a slide with the existing agreement signed in 2018. They were not aware that Landmark was a party back then. She reviewed the light-blocking technology they were provided, but the coverage they indicated was inaccurate and inadequate. Based on these points, she urged the Council rescind the zoning.

Councilor MacDougall asked if there was any relocation accomplished? Councilor Burga responded that 2 faces came down by the Fore River Bridge. Cove has an agreement with the owners. Ms. Swain added that ClearChannel owns them, so Cove can't move them until the leases expire. Cove only ever had agreements with 3 of the 4 owners. Councilor MacDougall added that the intent was to get all billboards moved. It's been 4 years. Councilor Burga added that Cove cannot break agreements until 2027.

President Mathews asked if there were any questions or comments from the public, to which there was the following:

Peter Kiely, 40 Old Colony Drive noted this was a mistake and this will fix the mistake. The 2 billboards that came down were taken down by the town. Councilor Burga responded that the board that the town took down was the one at Panda Rug- the two faces that came down were different.

Robert Delaney, 27 Belmont Street added that the reason for this is to finally give the citizens their just due, and so it won't impact any other neighborhood. To even consider 0 Finnell with what's happened at 611 is a debacle, and to push 613 impacting another neighborhood. They were told the LBT would fix that and then told the closest location to see it in practice is in Pennsylvania, or they can go to Toronto where the technology is manufactured. He urged the town not build billboards in residential neighborhoods. At the inception of the process, neighbors were told open space, 2 billboards would be erected, and the town would receive a revenue stream. He finds it hard to believe that the town is still doing business with Cove. They are frustrated and angry. With abolishment of the district, residents can say no and the Town Council would finally have the control. Considering what happened over the last few years, and they are debating whether to put up a billboard on 0 Finnell, benefitting only Cove, Landmark and Bristol- none of whom are present. Promises were made when this first started. He urged the solicitor that they remove the billboard overlay district and adjudicate other areas. No one has gone to a court to challenge the citizens petitions. In fact, the opposite happened; Cove was asked to apply for a special permit.

Alyson Dossett, 56 Belmont Street- appreciated the Council support. She addressed the proposal by Jim Bristol- thankfully the Council has chosen the only appropriate position, unlike the Mayor who continues to work with his longtime friends and developers. The town will not gain any amenities. She asked why is the Mayor advocating for developers instead of residents. 40B was threatened using an old map. A resident later researched and was told the Mayor misspoke. The only one who said the light-blocking technology would work is Peter McClary, who has a stake in the board. She suggested the administration did not take their due diligence importantly-Cove's fiscal health, the difference between static and digital billboards, adequate and timely abutter notification, the impact of LBT pre-construction, impact of unsatisfactory LBT post-construction, radius of homes impacted by glare, who has authority over the 3A

boards, the Abington board, cannabis advertising, prior lawsuits against Metrovision and outside Outsubs (Peter McClary affiliate), Landmark Dividends involvement, use of the Eversource easement proposed by Bristol, what a driveway is, versus a road, validity of maps used to persuade the public, truthfulness about 40B plan approval, and more.

Jen Mirabelli, 774 Front Street, said she is a resident whose property will be directly affected. She has attended meetings and site visits. None of the neighbors were happy. She is concerned it will happen in her neighborhood. Home is one's safe spot. It's depressing and stressful, she did a deep dive into billboards and paper streets and is an abutter that met with the Mayor. She is agitated in general, knowing the characters involved are not great people, she does not understand why doing business with them and expecting them to come through. There won't be anything left to mitigate the effects at 0 Finnell. If there is any way of stopping this, please do it. Property values will go down, quality of life will be affected. When the Mayor's reign is over, who will hold the bag? The Council will be dealing with this for many more years. How much do you want to deal with this when just one person wants it?

Tricia Pries, 15 Woodbine Road reviewed a story from a past issue of the Patriot Ledger, saying Weymouth neighbors say they are under assault by glowing billboard. Looking at the borders of the land abutting Bristol, the light is assaulting the natural resources, and no one knows what the impact is Who thinks it's ok to take away the value of people's property and natural heritage with no regard? There is no revenue for the town. No different than putting up apartments under the threat of 40B when the town has no water. She supports the petition. Why take it down in one area of town, and allow it to be put up in another. It was built at an illegal height and used as a bargaining chip with the neighbors. Regulators should never have approved the compressor either, but it's too late to shut it down. Who is benefitting? She is in support of rescinding the overlay district.

Joe Golden 769 Front Street-(virtually) said his property abuts the paper street known as Charlotte. Land-taking will impact his property and its value. One design may take out part of his fence and pool. He will not be moving his pool, and he will fight it. There is a precedent that supports not allowing a paper road to connect to a commercial property from a residential. He urged they pass the measure.

Ann Merlin 34 Adorn Street- (virtually) she has been involved for 4 years, and everything they promised has not come to fruition. She cited the slides Ms. Swain showed earlier, and urged they support the measure.

Ross Goveia, 115 Mill Street- (virtually) helped raise money to stop this. It's too big, there's no tax or other revenue to the town. There are a lot of issues with the current contract as it stands. There are concerns with the vetting process. Continuing only hurts the residents and helps no one.

Dave Mirabelli 774 Front Street- a 100-year-old tree will have to be taken down for the paper road. The 400th year anniversary for Weymouth is upcoming. He and his neighbors live in antique homes; this area will be ruined. Everything will change. He urged it should be rescinded.

Jim Kircaldy 181 Columbian Street – stated while he doesn't live in neighborhood directly impacted, he came before Council about another project in the town. There seems to be a pattern of supporting business development, which if done properly they all would support, at the expense of the residents. He is shocked to hear the town has no anticipated revenue from it. To what end? It will be an unlivable place if the town pushes development without control. He encouraged support of the measure.

Brian Christo, 51 Belmont Street- He has been following as far back to the original meetings- promises were made to the community: a revenue stream, walking trails- original contracts do not seem to be anything binding because Clear Channel owned the billboards. It was approved based on falsehoods. They are reaping zero benefits. One other aspect is that it's pitted neighborhood against neighborhood. they need to go back to the beginning. The Mayor was voted in to represent the community and has divided it. He urged they rescind it and do not issue a permit. The State will only abide by what the town approves. The Council is in the driver's seat. Make the "stupidness" (sic) go away. To the residents who incur a loss if their property values go down, there may be a way to mitigate against the town and the Mayor, whether it's class action or civil suit.

Bob Delaney- asked the solicitor if the petition passes and makes to the Mayor's desk, would he advise him to sign or veto. Solicitor Callanan responded that's a lot of conditions that haven't been met. When the Mayor asks for his legal advice, he will give it,

Vice President Molisse motioned to close the public hearing on measure 22 001 and was seconded by Councilor Kiely. Unanimously voted.

Mr. Agnew motioned to close the public hearing on measure 22 001, on behalf of the Planning Board and was seconded by Mr. Rotondo. Unanimously voted.

Mr. Rotondo motioned to adjourn the Planning Board meeting and was seconded by Mr. Faust. Unanimously voted.

COMMUNICATIONS AND REPORTS FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS

22 013-Community Preservation Fund Transfer for Conceptual Design Services for Iron Hill Park

On behalf of Mayor Hedlund, James Malary, Director of Municipal Finance, requested that the Town of Weymouth transfer the sum of \$40,000 from the Unreserved Fund Balance Account for conceptual design services for Iron Hill Park as approved by the Community Preservation Committee

Vice President Molisse motioned to refer measure 22 013 to the Budget/Management Committee and was seconded by Councilor Kiely. Unanimously voted.

22 014- Reserve Fund Transfer – Engineering Services

On behalf of Mayor Hedlund, James Malary, Director of Municipal Finance, requested that the Town of Weymouth transfer the sum of \$10,5000 from the FY22 Reserve Fund to the Planning Department, Other Professional Services line item, for the purpose of funding costs associated with procuring engineering services related to slope stabilization efforts adjacent to Regatta Road in North Weymouth

Vice President Molisse motioned to refer measure 22 014 to the Budget/Management Committee and was seconded by Councilor Kiely. Unanimously voted.

22 015- Parking Restriction – Vicinity of 12 Columbian Street

On behalf of Mayor Hedlund, James Malary, Director of Municipal Finance, requested that the Town of Weymouth, through Town Council, pursuant to G.L. Chapter 40, §22, and the Town of Weymouth Code of Ordinances, Section 13-103(b), and Section 13-104(a), authorize the placement of signs regulating motor vehicle movement as follows:

Parking Restricted			
Street	Side	Location	Regulation Type
Columbian Street	Southwest	Between Points 150’ northwest of Pleasant Street and 188’ northwest of Pleasant Street	20 Minute Parking, 6:00 AM to 3:00 PM, Except Sundays

And cause the above regulations to be listed in the Town of Weymouth Code of Ordinances, Chapter 13, Regulations Affecting Motor Vehicles, Attachment 1 – Appendix A under Schedule III, Parking Restricted.

Reports from the Traffic Engineer and the Police Department on this subject are attached.

Vice President Molisse motioned to refer measure 22 015 to the Ordinance Committee and was seconded by Councilor Kiely. Unanimously voted.

ADJOURNMENT

The next regularly scheduled meeting of the Town Council is Tuesday, February 22, 2022, due to the Presidents Day Holiday. At 8:40 PM; there being no further business, Vice President Molisse motioned to adjourn the meeting and was seconded by Councilor Kiely. Unanimously voted.

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Arthur Mathews as President of the Town Council.
Voted unanimously on 22 February 2022