

TOWN COUNCIL MINUTES

Via zoom

June 1, 2020, Monday

Present: Arthur Mathews, President
Michael Molisse, Vice President
Kenneth DiFazio, Councilor
Brian Dwyer, Councilor
Jane Hackett, Councilor
Fred Happel, Councilor
Ed Harrington, Councilor
Rebecca Haugh, Councilor
Christopher Heffernan, Councilor
Maureen Kiely, Councilor

Also Present: Kathleen Deree, Town Clerk
Joseph Callanan, Town Solicitor
Richard Swanson, Town Auditor

Recording Secretary: Mary Barker

President Mathews called the meeting to order at 7:31PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll, with all members present.

ANNOUNCEMENTS

Councilor Burga announced the closure of St. Jerome’s School. A rally will be held on Tuesday, June 2, 2020, 4:30 PM in the parking lot to petition the pastor and cardinal to reconsider. She reminded the public to observe social distancing guidelines.

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

20 088 Traffic Regulations – Speed Limit – a Portion of East Street

On behalf of Mayor Hedlund, Solicitor Callanan requested that the Town of Weymouth, through Town Council, pursuant to M.G.L. Chapter 40, §22, and the Town of Weymouth Code of Ordinances Section 13-104(a), authorize the erection of signs regulating motor vehicle movements as follows:

Speed Limit			
Street	Location	Direction	Speed Limit
East Street	Between Hanian Drive and Commercial Street	Both	25 Miles per Hour

And cause the above regulation to be listed in the town of Weymouth Code of Ordinances, Chapter 13, Regulations Affecting Motor Vehicles, Attachment 1- Appendix A under Schedule XII, Speed Limit.

A report from the Traffic Engineer and the Police Department on this subject will follow. This measure requires a Legal Notice and Public Hearing. This measure is subject to approval by the Massachusetts Department of Transportation.

A motion was made by Vice President Molisse to refer measure 20 088 to the Ordinance Committee and was seconded by Councilor Hackett. A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

President Mathews reported that the next five measures are zoning ordinance changes. They were originally submitted in a single measure- 20 038 by the Mayor's office and the Council asked to have the measure withdrawn and broken out.

20 089-Proposed Miscellaneous Amendments to the Town's Zoning Ordinance / Garages

On behalf of Mayor Hedlund, Solicitor Callanan requested that the Town of Weymouth through Town Council with the approval of the Mayor, hereby amends the Town of Weymouth Ordinances in the following manner:

Section 1. Section 120-12 (A) of the Town of Weymouth Zoning Ordinance, which regulates accessory structures within the R-1 District, is hereby amended by striking out that subsection and inserting in place thereof the following subsection:

A. Garage space for storage of not more than three automobiles.

Maximum height shall be determined as below:

1. On any lot containing 25,000 square feet or more, a garage may be built to the height of the primary structure provided that is constructed on a permanent foundation, is of wood construction, and meets all other dimensional requirements of this bylaw.
2. On any lot less than 25,000 square feet, the maximum height of a detached garage shall be one and a half stories and a maximum of 21 feet at the highest point provided that it is constructed on a permanent foundation, is of wood construction and meets all other dimensional requirements of this bylaw.

Section 2. Section 120-13 (B) of the Town of Weymouth Zoning Ordinance is hereby amended by striking out that subsection and inserting in place thereof the following subsection to provide the ability to construct a prefabricated, as further restricted above, by Special Permit:

B. Garages.

1. Garage space for storage of more than three automobiles;
2. Garage structure that does not comply with dimensional requirements of 120-12;
3. Garage structure made of prefabricated metal; or

4. Any combination of these circumstances.

This measure requires a legal notice and a joint public hearing with the Planning Board.

A motion was made by Vice President Molisse to refer measure 20 089 to the Ordinance Committee and the Planning Board and was seconded by Councilor Hackett. President Mathews requested a redline version of the code of ordinances from the Planning Department for each of the five measures, to assist in the review of this, and the subsequent measures.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

20 090-Proposed Miscellaneous Amendments to the Town's Zoning Ordinance / Commercial Corridor Overlay District Setbacks

On behalf of Mayor Hedlund, Solicitor Callanan requested that the Town of Weymouth, through Town Council with the approval of the Mayor, hereby amends the Town of Weymouth Ordinances in the following manner:

Section 1. Section 120-25.17 (B) of the Town of Weymouth Zoning Ordinance, regulating setbacks within the Commercial Corridor Overlay District, is hereby amended by adding after the first sentence in the first paragraph of that subsection, entitled "Setbacks," the following new sentence:

To the greatest extent practicable, parking for the commercial use will be provided at the front of the building with parking for the residential component concentrated behind the building.

Section 2. Section 120-25.17 (B) (1) of the Town of Weymouth Zoning Ordinance is hereby amended by striking out that subsection and inserting in place thereof the following subsection:-

1. The Board of Zoning Appeals shall have the authority to approve the front setback based on the goals articulated above and subject to the review of the Weymouth Fire Department, Planning Department, and Traffic Engineer. Further, when the front setback will be used for parking, a minimum of 70 feet will be provided to allow for a minimum five (5) foot landscape area along the frontage, a row of parking, and a travel aisle.

This measure requires a legal notice and a joint public hearing with the Planning Board

A motion was made by Vice President Molisse to refer measure 20 090 to the Ordinance Committee and was seconded by Councilor Hackett.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor

Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

20 091-Proposed Miscellaneous Amendments to the Town’s Zoning Ordinance / Correction of Scrivener Error

On behalf of Mayor Hedlund, Solicitor Callanan requested that the Town of Weymouth, through Town Council with the approval of the Mayor, hereby amends the Town of Weymouth Ordinances in the following manner:

Section 1. The first paragraph of Order 16 015 of the Town of Weymouth Ordinances is hereby amended by striking out the words “Parcel E: 2.93 acres of Southfield Open Space” and “Parcel G: 0.08 Acres of Southfield Open Space” inserting in place thereof the following phrase:

Town of Weymouth Atlas Parcels:

Sheet 54 - Block 597 - Lot 155

Sheet 54 - Block 597 - Lot 158

Sheet 54 - Block 597 - Lot 159

Sheet 54 - Block 597 - Lot 160

Sheet 54 - Block 597 - Lot 161

Sheet 54 - Block 597 - Lot 162

Sheet 54 - Block 597 - Lot 163

This corrects a clerical error that occurred subsequent to the White Street Rezoning decision of 2016.

Section 2. Section three of Order 18 002 of the Town of Weymouth Ordinances is hereby amended by striking out the words “120.106.2” and “120-106.3” and inserting in place thereof the following text:

“120.106.3” and “120.106.4,” respectively.

This corrects the inadvertent duplication of section numbers provided in the 2018 measure. This measure requires a legal notice and a joint public hearing with the Planning Board.

A motion was made by Vice President Molisse to refer measure 20 091 to the Ordinance Committee and the Planning Board and was seconded by Councilor Haugh. President Mathews requested a redline version of the code of ordinances to review this and the following measures. and was seconded by Councilor Haugh.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

20 092- Proposed Miscellaneous Amendments to the Town’s Zoning Ordinance / Dimensional Requirements / Highway Transition

On behalf of Mayor Hedlund, Solicitor Callanan requested that the Town of Weymouth, through Town Council with the approval of the Mayor, hereby amends the Town of Weymouth Ordinances in the following manner:

Section 1. Section 120.22.7 of the Town of Weymouth Zoning Ordinance (Highway Transitional Uses Allowed by Special Permit) is hereby amended by inserting at the end of the following new subsection within the Highway Transitional District:

- A. New construction of up to four dwelling units on an existing site of at least two dwelling units.

Section 2. Section 120-37.1 (C)(6) of the Town of Weymouth Zoning Ordinance, regulating height in the Public Open Space District (POS) is hereby amended by striking out that subsection and inserting in place thereof the following subsection:

- 6. Height: maximum of three stories or 35 feet, whichever is greater, for new construction.

This measure requires a legal notice and a joint public hearing with the Planning Board.

A motion was made by Vice President Molisse to refer measure 20 092 to the Ordinance Committee and the Planning Board and was seconded by Councilor Hackett.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

20 093-Proposed Miscellaneous amendments to the Town’s Zoning Ordinance / Dimensional Requirements / Public Open Space

On behalf of Mayor Hedlund, Solicitor Callanan requested that the Town of Weymouth, through Town Council with the approval of the Mayor, hereby amends the Town of Weymouth Ordinances in the following manner:

Section 1. Attachment 1 of section 120 of the Town of Weymouth Zoning Ordinances is hereby amended, in the row for “R-2” district and the column for “Minimum Lot Area,” by inserting at the end of the text the following new phrase:- “to a maximum of three (3) total units.” This is to provide clarification to the Table of District Regulations and to better align with the text of the existing R-2 ordinance.”

Section 2. Attachment 1 of section 120 of the Town of Weymouth Zoning Ordinance is hereby amended, in the row for “POS” district and the column for “Maximum Height.” By striking out the work “less” and inserting in place thereof the following text: “greater”

This measure requires a legal notice and a joint public hearing with the Planning Board.

A motion was made by Vice President Molisse to refer measure 200 93 to the Ordinance Committee and the Planning Board and was seconded by Councilor Haugh.

President Mathews reported that public hearings will be scheduled during the month of July.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

ADJOURNMENT

The next regular meeting of the Town Council has been scheduled for Monday, June 15, 2020. At 7:45 PM; there being no further business, a motion was made by Vice President Molisse to adjourn the meeting and was seconded by Councilor Hackett. A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer- Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Arthur Mathews as President of the Town Council
Approved unanimously on 7 July2020