

**SPECIAL TOWN COUNCIL MINUTES**

**July 13, 2020, Monday  
Via Zoom # 84672484098**

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

Also Present: Ted Langill, Chief of Staff  
James Malary, Chief Financial Officer  
Joseph Callanan, Town Solicitor  
Kathleen Deree, Town Clerk  
Richard Swanson, Town Auditor  
Robert Luongo, Director of Planning & Community Development  
Eric Schneider, Principal Planner  
Sandra Williams, Chair, Planning Board  
George Berg, Member, Planning Board  
Paul Rotondo, Member, Planning Board  
Gregory Agnew, Member, Planning Board

Recording Secretary: Mary Barker

President Mathews called the meeting to order at 7:32 PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll, with all members present.

**MINUTES**

**Minutes of the Annual Town Meeting of May 26, 2020**

A motion was made by Vice President Molisse to approve the minutes from the May 26, 2020 Annual Town Meeting and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Budget/Management Committee Meeting of May 27, 2020**

A motion was made by Vice President Molisse to approve the minutes from the May 27, 2020 Budget/Management Committee meeting and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Budget/Management Committee Meeting of June 15, 2020**

A motion was made by Vice President Molisse to approve the minutes from the June 15, 2020 Budget/Management Committee meeting and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Town Council Meeting of June 15, 2020**

A motion was made by Vice President Molisse to approve the minutes from the June 15, 2020 Town Council 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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Ordinance Committee Meeting of June 29, 2020**

A motion was made by Vice President Molisse to approve the minutes from the June 29, 2020 Ordinance Committee meeting and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Special Town Council Meeting of July 7, 2020**

A motion was made by Vice President Molisse to approve the minutes from the July 7, 2020 Special Town Council Meeting and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

## **PUBLIC HEARINGS**

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

This measure was referred to the Ordinance Committee on June 1, 2020. The committee deliberated on June 29, 2020. This was advertised on July 1, and July 8, 2020.

A motion was made by Vice President Molisse to open the public hearing on measure 20 089 and was seconded by Councilor Kiely. These were advertised on July 1 and July 8, 2020.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

Chair Sandra Williams called the Planning Board to order. Present were members George Berg, Paul Rotondo and Gregory Agnew.

On behalf of the Planning Board, a motion was made by to open the public hearing on measure 20 089 and was seconded by Mr. Agnew.

A roll call vote was taken:

Planning Board: Member Agnew- Yes, Member Berg-Yes, Member Rotondo-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

Director Luongo turned the presentation over to Eric Schneider, Principal Planner, to provide a powerpoint presentation. Mr. Schneider reported that initially a single measure was submitted with ten subsections, however, for transparency and clarity, it was requested that they break them into five separate measures (2 sections each). In 2018 when the Commercial Corridor Overlay District was approved, changes were made to the garage section, of height to 14 feet. This was because they were dealing with metal structures going up in back yards, without having the ability to regulate them. Unintended consequences occurred as a result of the height limitation, which precluded some plans for historically correct garages proposed on larger lot properties. They determined that in order to better regulate what was and was not acceptable they revised the language to base it on a sliding scale according to lot size, as they are currently defined in the existing language. Height was adjusted to allow for a roof pitch that works. This is all related to detached garages. With an attached garage, one can currently build up over it, up to the

height of the existing home. What they want to discourage is skirting the height limitation by attaching house and garage via a breezeway system. Two height limitations should bring better projects and have control over the less desirable ones.

The second change is to what the special permitted uses are for garages. This gives BZA control over it.

#### EXISTING

##### **§ 120-12. Accessory uses.**

Uses on the same lot with and customarily incident to any of the above permitted uses and not detrimental to a residential neighborhood. The term "accessory" in this section shall be limited to the following uses:

- A. ~~Garage space for storage of not more than three automobiles. Single story, detached garages shall not exceed 14 feet at the highest point.~~ [Amended 4-2-2018 by Ord. No. 17-127]

#### PROPOSED

- 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 is constructed on a permanent foundation, is of wood construction and meets all other dimensional requirements of this bylaw.

#### EXISTING

**§ 120-13. Special permit uses by Board of Zoning Appeals.**  
[Amended June 1978 STM by Art. 2, approved 11-2-1978;  
October 1982 STM by Art. 3, approved 1-11-1983; May 1990  
STM by Art. 3, approved 8-29-1990; 1-17-2017 by Ord. No. 16-  
150]

Any of the following uses, or uses customarily accessory thereto, on approval of the Board of Zoning Appeals, subject to the conditions and requirements of Article XXV:

A. Funeral home.

~~B. Garage space for or storage of more than three automobiles.~~

C. Noncommercial greenhouse.

D. The renting of rooms and/or furnishing of meals, limited to three persons not members of the family of the occupant and who are not casual or transient guests.

### PROPOSED

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

Councilor Harrington asked if a funeral home were in one of these areas, could they have more than 3 garage areas? Mr. Schneider responded yes if they were in an R1 or R2 district they would be regulated by it; however, exemption by virtue of being a funeral home has not come up in his tenure. Councilor Harrington asked if they could get a variance? Mr. Schneider responded that if this measure were approved, they could request a special permit.

Councilor Happel asked about going from 1-1.5 stories, if it's needed for pitch of the roof. Does this allow space above to become living space? Mr. Schneider responded no. This applies only to detached garages, which under the current zoning are not permitted to have living space above it. This is regulated by the Building Department, Electrical and Plumbing inspections, and is not a concern.

Chair Williams asked if any members had any questions and there was no response.

President Mathews asked if there were any comments from the public, to which there was no response.

A motion was made by Vice President Molisse to close the public hearing on measure 20 089 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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to close the public hearing on measure 20 089 and was seconded by Member Rotondo.

A roll call vote was taken:

Planning Board Members: Member Agnew- Yes, Member Berg-Yes, Member Rotondo-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

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

This measure was referred to the Ordinance Committee on June 2, 2020. The committee deliberated on June 29, 2020. This was advertised on July 1, and July 8, 2020.

A motion was made by Vice President Molisse to open the public hearing on measure 20 090 and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to open the public hearing on measure 20 090 and was seconded by Member Rotondo.

A roll call vote was taken:

Planning Board Members: Member Agnew- Yes, Member Berg-Yes, Member Rotondo-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

Mr. Schneider continued his presentation. These also related to the Commercial Corridor Overlay District approved in 2018; specifically to the front setbacks within the district. There are many different lots encompassed in the zone. Some that are large where they would like to see buildings pulled up closer to the street to match the architecture currently there, and others set further back where it makes sense to leave room for landscaping and more consistent streetscape and buffering along the corridors. It's not a one-size-fits-all situation and is being tackled in two ways that gives guidance to the BZA in their deliberations to achieve a specific goal. This has to be in consultation and with feedback from other town departments to allow for safety.

PROPOSED ADDITIONAL SENTENCE

B. Setbacks.

Recognizing that the primary mode of transportation along major commercial corridors will be the automobile, the goal of this article is to safely accommodate traffic while preventing these gateway corridors from being visually dominated by large expanses of paved parking areas. **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.** With this in mind the following setback requirements shall be, at least, as follows:

EXISTING 120-25.17 (b) (1)

~~(1) The maximum front yard setback shall be 70 feet, taken as an average across the building frontage to allow for a minimum five foot landscape area along the frontage, a row of parking, and a travel aisle.~~

PROPOSED

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

President Mathews asked if any Councilors had questions. There were none.

Chair Williams asked if any Planning Board members had questions. There were none.

President Mathews asked if there were any comments from the public, to which there was no response.

A motion was made by Vice President Molisse to close the public hearing on measure 20 090 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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to close the public hearing on measure 20 090 and was seconded by Member Rotondo.

A roll call vote was taken:

Planning Board Members: Member Agnew- Yes, Member Berg-Yes, Member Rotondo-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

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

This measure was referred to the Ordinance Committee on June 2, 2020. The committee deliberated on June 29, 2020. This was advertised on July 1, and July 8, 2020.

A motion was made by Vice President Molisse to open the public hearing on measure 20 091 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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to open the public hearing on measure 20 091 and was seconded by Member Rotondo.

A roll call vote was taken:

Planning Board Members: Member Agnew- Yes, Member Berg-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

Mr. Schneider continued his presentation. These are to correct clerical or scrivener errors. In 2016 or 2017 L-Star proposed a rezoning of White Street. It is currently being completed. It included a cover letter, which referenced an incomplete parcel description that was carried over to the order written, and after the zoning change was approved. Both the Planning Board and the Council acted on accurate information. This is for accuracy and clarity.

**SECTION 9.** 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

President Mathews noted for the public that all of these measures were reviewed by the Ordinance Committee at its last meeting.

President Mathews asked if there were any questions from the Council.

Councilor Happel asked if the White Street easement that was in the plan has been completed. Mr. Schneider responded that the last time he went by, the pathway was paved, the arborvitaes screening the property were installed and all landscaping and hard-scaping that was to be done along the pathway has been installed. Only the split rail fencing was yet to be completed but should be by now.

Councilor Harrington asked if they put in bollards to keep vehicles out. Mr. Schneider responded there are boulders, but the intent is to keep vehicles off the pathway. The end result has not been determined until the street work is completed--they intend to keep vehicles off the property.

Chair Williams asked if there were any questions from the Planning Board, to which there was no response.

President Mathews asked if there were any comments from the public, to which there was no response.

A motion was made by Vice President Molisse to close the public hearing on measure 20 091 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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to close the public hearing on measure 20 091 and was seconded by Member Rotondo.

A motion was made by Vice President Molisse to reconsider the vote to close the public hearing on 20 091 and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

A motion was made by Vice President Molisse to reopen the public hearing on measure 20 091 and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

Mr. Schneider continued the presentation. When the moratorium on Medical Marijuana was approved, the materials presented were correct, but when the order was written the section number (which was carried over) became a duplicate. This creates a new section number for the ordinance that was added.

**SECTION 10.** 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

Councilor Harrington asked for clarification-- if this refers to medical or recreational marijuana? Mr. Schneider responded that they have since allowed medical marijuana. This is for clarity and record keeping purposes; he is recommending that it's best to change the section number.

Councilor Harrington asked is there is a moratorium on medical marijuana in Weymouth? Mr. Schneider responded there is not. Mr. Schneider responded that the other option is to strike the section altogether-noting that it would create an incomplete paper trail from a record keeping standpoint.

A motion was made by Vice President Molisse to close the public hearing on measure 20 091 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-Abstain, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. VOTED 10-0, with one abstention.

On behalf of the Planning Board, a motion was made by Member Berg to close the public hearing on measure 20 091 and was seconded by Member Rotondo.

A roll call vote was taken:

Planning Board Members: Member Agnew- Yes, Member Berg-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

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

This measure was referred to the Ordinance Committee on June 2, 2020. The committee deliberated on June 29, 2020. This was advertised on July 1, and July 8, 2020.

A motion was made by Vice President Molisse to open the public hearing on measure 20 092 and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to open the public hearing on measure 20 092 and was seconded by Member Agnew.

A roll call vote was taken:

Planning Board Members: Member Agnew- Yes, Member Berg-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

Mr. Schneider continued with his presentation. This is for special permitted uses in the HT zone and secondly to an annotation to the chart. Adding language within the district-as it stands now, one can convert an existing 2-unit dwelling to up to 4 dwelling units. As

these buildings along the corridor start to age, they aren't suitable to be renovated for future use. The intent is not to add density but have the ability to propose a new structure with the same number of units,

at a site where there is already the same number of dwelling units in place. Not for a single unit dwelling but if there is two it could be torn down and rebuilt with up to 4 units. As a rehabilitation project, it could already be done.

#### EXISTING

§ 120-22.7. Special permit uses by Board of Zoning Appeals.

Any of the following uses, or uses customarily accessory thereto, on approval of the Board of Zoning Appeals, subject to the conditions and requirements of Article XXV:

- A. Private club or lodge.
- B. Conversion of an existing dwelling for up to four dwelling units.

#### PROPOSED

§ 120-22.7. Special permit uses by Board of Zoning Appeals.

Any of the following uses, or uses customarily accessory thereto, on approval of the Board of Zoning Appeals, subject to the conditions and requirements of Article XXV:

- A. Private club or lodge.
- B. Conversion of an existing dwelling for up to four dwelling units.

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

Mr. Schneider continued and noted that this section needs refining in the public facilities and open space district (POS) that was brought to light with Chapman School project. Although the project meets the story requirements, it exceeds the height restriction. Given the requirements for public buildings, they had to exceed the 35 feet even though they were within the 3 stories. After discussion with the building committee and MSBA, they are changing the language from "less" to "greater" to allow for additional room that might be needed for mechanicals, etc., rather than having to go the variance route.

WEYMOUTH CODE

District	Type of Use	Minimum Lot Size (square feet)	Minimum Lot Area (square feet per dwelling unit)	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Depth (feet)	Minimum Rear Yard Depth (feet)	Maximum Lot Coverage (percent of lot area)	Maximum Height
MS	Medical-related services		15,000	60; 60 feet of frontage (See § 120-56)	20	10, inclusive of walkways and driveways, 5 feet of which shall be landscaped (See § 120-59)	10, inclusive of walkways and driveways, 5 feet of which shall be landscaped (See § 120-59)	75% for building and paved areas; 25% minimum for landscaping (See § 120-62.1)	3 stories or 45 feet, whichever is less; 6 stories or 80 feet whichever is less, by special permit by the Planning Board
B-1	Limited business	10,000 (See § 120-58)		100 (See §§ 120-56 and 120-58)	30, excluding signs	10 (See § 120-59)	10 (See § 120-59)	50% and minimum landscaped area (See § 120-62.1)	6 stories, not to exceed 80 feet (See § 120-57)
B-2	General business	None	All units in multiple-family residential buildings based on FAR (See § 120-6, "floor area ratio")	None	None	None (See § 120-59)	None (See § 120-59)	None	6 stories, not to exceed 80 feet (See § 120-57)
I-1	Industrial park	20,000		100 (See §§ 120-56 and 120-60)	40	25 (See §§ 120-61 and 120-62)	None (See § 120-62)	80% and minimum landscaped area (See § 12-62.1)	6 stories, not to exceed 80 feet (See § 120-57)
PIP	Planned industrial park	43,560 (1 acre)		150 (See §§ 120-56 and 120-60)	40 plus 5 feet of setback for each story above 3rd floor (See §§ 120-34H, and 120-54)	25 (See §§ 120-34H, 120-61 and 120-62)	25 (See §§ 120-34H and 120-62)	60%, paved and buildings, landscaped (See § 120-62.1)	3 stories, not to exceed 35 feet; up to 6 stories, not to exceed 80 feet, by special permit from the Planning Board
I-2	General industrial	None		None	None	None (See § 120-62)	None (See § 120-62)	None	6 stories, not to exceed 80 feet (See § 120-57)
POS	Public facilities and open space		None	40 feet; 40 feet of frontage	20	10 (See § 120-59)	10 (See § 120-59)	75% for building and paved areas; 25% for landscaping	3 stories or 35 feet, whichever is less— <b>GREATER</b>

120 Attachment 1-2

09-01-2005

President Mathews asked if the Council had any questions. Councilor Heffernan noted his concern with the increase in density resulting from the change in the first section. Population in Weymouth increased from 53,000 to roughly 59,300 in town over the last ten years. Doubling the number of dwelling units from 2 to 4 increases the density. While he understands they want to see these older properties renovated, he would prefer the new growth base is increased with the commercial base. The population growth is not sustainable with municipal services going forward. Density issue will be a problem going forward.

Councilor Kiely asked for clarification. Originally, this section 2 was part of measure 20 093. President Mathews noted what was included on the agenda. Mr. Schneider responded that section 2 of measure 20 092-- can be deleted from this measure. They were originally going to delete from the chart only. Amending of the chart is included in 20 092 and it can be stricken from section 2.

Councilor Harrington noted that new construction of up to 4 units from the existing 2-one might interpret it to mean that the existing building needn't be razed-- in order to build an additional four; thereby bringing the total to six. Mr. Schneider responded that one can convert an existing to a maximum of 4 units. He is willing to clear up the language. Councilor Harrington asked how many potential properties within the HT zone fall into this category? He wants to know the owners of record and addresses. Councilor Mathews asked that this information is provided by Planning so it's available for the Council and in time for the next Ordinance Committee meeting.

Chair Williams asked if the Planning Board members had any questions. Chair Williams asked if the proposed could add to the footprint? Mr. Schneider responded that one

wouldn't be confined to the original footprint; it would be confined by setback regulations within the zoning.

President Mathews asked if there were any comments from the public, to which there was no response.

A motion was made by Vice President Molisse to close the public hearing on measure 20 092 and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to close the public hearing on measure 20 092 and was seconded by Member Agnew.

A roll call vote was taken:

Planning Board Members: Member Agnew- Yes, Member Berg-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

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

This measure was referred to the Ordinance Committee on June 2, 2020. The committee deliberated on June 29, 2020. This was advertised on July 1 and July 8, 2020.

A motion was made by Vice President Molisse to open the public hearing on measure 20 093 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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to open the public hearing on measure 20 093 and was seconded by Member Agnew.

A roll call vote was taken:

Planning Board Members: Agnew- Yes, Berg-Yes, Rotondo-Yes, Chair Williams-Yes. UNANIMOUSLY VOTED.

Mr. Schneider continued. The second one was already covered in the last measure with the language – measure 20 093 is the annotation to the Dimensional Chart. This creates consistency in the R2 District. maximum number of units one can create in the R-2 is 3.

Misconstruction of the existing chart is causing confusion. The second is to change the wording from “less” to “greater” in the second page of the chart.

MEASURE 20093

ZONING

120 Attachment 1

Town of Weymouth

Table 1  
Schedule of District Regulations

[Amended April 1971 ATM by Art. 47, approved 8-24-1971; February 1972 STM by Art. 6, approved 5-8-1972; October 1972 STM by Art. 8, approved 12-6-1972; June 1976 STM by Art. 26, approved 10-18-1976; February 1979 STM by Art. 1, approved 4-19-1979; May 1983 ATM by Art. 48, approved 8-26-1983; February 1985 STM by Art. 7, approved 6-3-1985; May 1985 ATM by Art. 44, approved 7-25-1985; May 1987 ATM by Arts. 51 and 52, approved 8-27-1987; May 1990 STM by Arts. 1, 2, 3, approved 8-29-1990; May 1990 STM by Art. 52, approved 9-13-1990; May 1992 ATM by Arts. 34 and 37, approved 10-1-1992; May 1997 ATM by Art. 46, approved 8-11-1997; May 1998 ATM by Art. 43, approved 10-23-1998; 1-17-2017 by Ord. No. 16-150]

District	Type of Use	Minimum Lot Size (square feet)	Minimum Lot Area (square feet per dwelling unit)	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Depth (feet)	Minimum Rear Yard Depth (feet)	Maximum Lot Coverage (percent of lot area)	Maximum Height
R-1	One-family	25,000 (See §§ 120-51, 120-52, 120-53.1 and 120-53.2)	25,000	120 (See §§ 120-51, 120-52, 120-56, and 120-59.1)	18 (See § 120-54)	10; 20 feet of any dwelling (See § 120-55)	24 or 1/5 of depth of lot, whichever is less (See § 120-55)	30%	2 1/2 stories, not to exceed 35 feet
R-2	Mixed residential		10,000 for single-family and nonresidential, plus 5,000 per each additional residential unit  <b>UP TO 3 UNITS 120-53.2 (5)</b>	75; 75 feet of frontage	18 (See § 120-54)	10 (See §§ 120-54, 120-55 and 120-59)	10; 20 feet from any other dwelling	30% for building; 25% minimum for landscaping (See § 120-62.1)	3 stories, not to exceed 35 feet
R-3	Garden-type multiple	15,000 (See § 120-52)	One- to two-unit residence buildings: 15,000 All 3-or-more-unit buildings for multiple-family residential use based on FAR of 0.25 (See § 120-6)	20 (See §§ 120-52, 120-56 and 120-59.1)	20 (See § 120-54)	20 (See § 120-55)	20 (See § 120-55)	Minimum 20% landscaped area (See § 120-62.1)	3 stories, not to exceed 35 feet
R-4	Multiple	15,000	All units in all multiple-family residential building based on FAR of 0.30. (See § 120-6, "floor area ratio")	120 (See §§ 120-56 and 120-59.1)	40 plus 5 feet for each setback for each story above 3rd floor (See § 120-54)	20 plus 2 feet for each story above the 3rd floor (See § 120-54)	30 or 1/2 the building height, whichever is greater (See § 120-54)	Minimum 20% landscaped area (See § 120-62.1)	6 stories, not to exceed 80 feet (See § 120-57)
NCD	Neighborhood center	7,500 (See § 120-58)	(See § 120-22.3)	50 (See §§ 120-52 and 120-59)	18 (See § 120-56B)	10 (See §§ 120-55 and 120-59)	10 (See §§ 120-55 and 120-59)	None	2 1/2 stories, not to exceed 35 feet
HT	Highway transition; residential office and small-scale commercial		15,000; FAR of 0.25	75; 60 feet of frontage	20	10 (See § 120-59)	10 (See § 120-59)	50%; 25% minimum for landscaping (See § 120-62.1)	3 stories or 45 feet, whichever is less

President Mathews asked if the Councilors had any questions. There were none.

Chair Williams asked if the Planning Board members had any questions. There were none.

President Mathews asked if there were any comments from the public, to which there was no response.

A motion was made by Vice President Molisse to close the public hearing on measure 20 093 and was seconded by Councilor Kiely. President Mathews noted for the public that after the public hearings are all closed, the Ordinance Committee will make its recommendation based on the recommendation of the Planning Board. A meeting will be scheduled at a later date for the Council to deliberate the recommendation of the committee.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a motion was made by Member Berg to close the public hearing on measure 20 093 and was seconded by Member Agnew.

A roll call vote was taken:

Planning Board Members: Agnew- Yes, Berg-Yes, Rotondo-Yes, Chair Williams-Yes.  
UNANIMOUSLY VOTED.

A motion was made by Member Berg to adjourn the Planning Board meeting and was seconded by Member Agnew.

A roll call vote was taken:

Planning Board Members: Agnew- Yes, Berg-Yes, Rotondo-Yes, Chair Williams-Yes.  
UNANIMOUSLY VOTED.

Councilor Mathew's internet connection was interrupted, at 8:47 PM. Vice President Molisse continued with the next item on the agenda.

## **REPORTS OF COMMITTEES**

### **Budget/Management Committee- Chair Michael Molisse**

Vice President Molisse reported that the Budget/Management Committee met on July 13, 2020 to deliberate the following measures:

#### **20 094-Fiscal Year 20 Sewer Enterprise Fund Budget Transfer**

This measure was referred to the Budget/Management Committee on June 15, 2020.

On behalf of the Budget/Management Committee, a motion was made by Vice President Molisse to approve measure 20 094; that the Town of Weymouth transfer the sum of \$25,000 from the Sewer Enterprise Fund Salaries Account to the Sewer Overtime Account for the purpose of funding emergency sewer calls and pump station alarms. Councilor Kiely seconded the motion.

A roll call vote was taken: Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Absent, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Absent. VOTE PASSED, 9-0.

#### **20 095-Appointment to the Housing Authority-Edward Hancock**

This measure was referred to the Budget/Management Committee on June 15, 2020. The committee deliberated on July 13, 2020 and voted to forward the measure to the full Town Council with a recommendation for favorable action. Mr. Hancock was invited to the table to review his interest and qualifications to continue to serve the town.

On behalf of the Budget/Management Committee, a motion was made by Vice President Molisse to approve measure 20 095; that in accordance with Section 2-10 of the Town Charter, the town appoint Edward Hancock of 45 Marine Road to the Housing Authority, for a 5-year term to expire on June 30, 2025. Councilor Kiely seconded the motion.



Councilor Kiely thanked Mr. Hancock for stepping up. Vice President Molisse also thanked him and thanked former member Donald Sheehan for his service since 2000. Councilor Burga thanked Mr. Hancock. President Mathews was reconnected and he also recognized Mr. Sheehan’s long service to the town. Vice Councilor Burga also thanked Mr. Hancock. and recognized Mr. Sheehan’s many years of service.

A roll call vote was taken: Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Absent, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. VOTE PASSED, 10-0.

**20 096-Authorization to Accept FY20-21 HUD Grant CDB COVID-19 Funds (CDBG-CV)**

This measure was referred to the Budget/Management Committee on July 7, 2020. The committee met to deliberate on July 13, 2020 and voted to forward the measure to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee a motion was made by Vice President Molisse to approve measure 20 096; that the Town of Weymouth accepts the Fiscal Year 2020-2021 HUD Grant of Community Development Block Grant COVID-19 funds (CDBG-CV) in the amounts of \$419,319.

Said funds were awarded by the US Department of Housing and Urban Development under the “Coronavirus Aid, Relief, and Economic Security Act” (CARES Act) for preventing, preparing for, and responding to the coronavirus (COVID-19). These funds will be used to provide assistance in three equal amounts (\$139,773) to: assist public service agencies or organizations; assist in payment of mortgages or rents for low-or-moderate income homeowners or renters in Weymouth; and provide grants to small businesses (100 employees or fewer), to assist with lease/rent/mortgage or utility costs.

Depending on the volume of applications and amount of requested funds in one or more of the three categories, funds may be decreased in one or more categories or increased in one or more of the others.

The Director of Planning and Community Development, having received the approval of the Mayor, may be permitted to expend said grants in their entirety as described on the attached list.

Estimated HUD Award to Weymouth FY 2020-2021 CDBG-CV Funds	HUD Allocation \$419,319
HUD Allocation by Type of Activity	Allocation by DPCD
Public Services	\$139,773
Small Business Grants (Lease/Rent/Mortgage or Utilities	\$139,773
Low-Moderate Income Homeowner or Renter	\$139,773

The motion was seconded by Councilor Kiely. A roll call vote was taken:

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

Vote passed, 8-0 with 2 abstentions.

**20 097-Authorization to Accept Charitable Donation From Eastern Bank**

This measure was referred to the Budget/Management Committee on July 7, 2020. The committee met to deliberate on July 13, 2020 and voted to forward the measure to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Vice President Molisse to approve measure 20 097; pursuant to the General Laws, chapter 44, sections 53 and 53A ½ and the Code of Ordinances, section 5-308, that the Town of Weymouth, through Town Council, accepts the gift offered by Eastern Bank Charitable Foundation, a Massachusetts non-profit corporation with a usual place of business in the City of Lynn, of ten thousand dollars and zero cents (\$10,000), upon the terms and conditions stated in Foundation's letter, dated May 29, 2020, that it offers the funds in support of low-and moderate-individuals and families most in need.

In accepting this gift, the town agrees to fulfill those conditions and provisions, and hereby authorizes and appropriates this sum of money to Department of Elder Services, per the terms of the letter, line item Revolving Account Fund 5216.

The Mayor and Town Council are also authorized and directed to forward to the donor a letter of gratitude for the acceptance of the gift and provide a signed copy of the letters for publication on the Town's website.

The motion was seconded by Councilor Kiely. Councilor Hackett's connection was re-established. A roll call vote was taken:

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**ADJOURNMENT**

The next scheduled meeting of the Town Council Meeting will be held on Tuesday, September 8, 2020, due to Labor Day and the State Primary Election.

At 8:59 PM; there being no further business, a motion was made by Vice President Molisse to adjourn the meeting and was seconded by Councilor Kiely.

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, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Arthur Mathews as President of the Town Council

Voted unanimously on 10 August 2020