

**TOWN COUNCIL MINUTES
ORDINANCE COMMITTEE
VIA Zoom # 883 5434 8366
July 27, 2021- Tuesday**

Present: Ken DiFazio, Chairman
Arthur Mathews, Councilor
Rebecca Haugh, Councilor
Christopher Heffernan, Councilor

Absent: Brian Dwyer, Vice Chair

Also Present: Joseph Callanan, Town Solicitor
Robert Luongo, Director of Planning/Community
Development
Eric Schneider, Principal Planner
Owen MacDonald, Traffic Engineer
Lt. Brian Morse, Weymouth Police Department

Recording Secretary: Mary Barker

Chair DiFazio called the meeting to order at 6:30 PM. Roll was called and Vice Chair Dwyer was absent. Councilor Mathews was expected shortly. The chair thanked everyone for taking time out of the Council’s summer recess to attend the meeting.

A motion was made by Councilor Haugh to take measure 21 106 out of order and was seconded by Councilor Heffernan.

A roll call vote was taken: Councilor Haugh- Yes, Councilor Heffernan- Yes, Chair DiFazio- Yes. Unanimously voted.

21 106-Traffic Regulations Ledgebrook Road- Merrymount Area

This measure was referred on June 28, 2021. Lt. Morse, WPD, began the presentation, as Traffic Engineer Owen MacDonald relayed that he was having difficulty logging in to the meeting. During the pandemic, when more residents were home during the day, complaints started coming in about speeding and use of the neighborhood as a cut-through. A speed board was set up and the number of vehicles and their speed was documented. Speeding was not the issue, but the number of vehicles were cutting through the streets to avoid lights at Pine and Oak. GPS appears to be one culprit. Two community meetings were held and they came up with some changes. Old Pine is a narrow road that can’t accommodate two-way traffic, so they are proposing to make it one-way from Ledgebrook to Pine Street; then a right turn restriction on Merrymount. A turning restriction is also being proposed from Monday – Friday 6AM – 1PM on both Merrymount, and Hickory. At the Tamarack Trail end, Oak Street is a state highway and afternoon restriction requires approval from the state.

It was noted that Mayor Hedlund drafted a letter to MassDOT. Traffic Engineer Owen MacDonald confirmed that Lt. Morse gave a complete summary.

Chair DiFazio asked if this matter initiated through a group of residents? Mr. MacDonald responded that it goes back to his predecessor, at least to 2012, and was repeated subsequently. A speed study was conducted in 2016. The outcry last year was because travel patterns changed during the pandemic and residents working from home became aware of it. The speed study included several streets in the neighborhood. (A resident asked to provide input and was invited to convey his comments during the scheduled public hearing at the next special town council meeting.). Mr. MacDonald also noted both Oak and Ralph Talbot Streets are state highways.

Councilor Haugh expressed her unfamiliarity with the rush hour traffic there but she noted suggestions were made up in the neighborhood meeting on crosswalks and lower speed limits; she asked if these were addressed. Mr. MacDonald responded that the crosswalks were painted recently, and the DPW was asked to put up a crosswalk, and MassDOT was asked to change traffic light intervals in the mornings.

The chair asked what street would MassDOT have to change the speed limit? Mr. MacDonald responded Ralph Talbot Street.

Councilor Haugh asked how Ralph Talbot is a state highway? Mr. MacDonald responded that it was designated long before interstates were constructed.

The chair asked if there are other extraneous issues that should be taken care of? Mr. MacDonald responded that, other than crosswalk and signs, it is being done. They could do a speed study on Pine, but it may take some time.

Planning Director Luongo reported that Lt. Morse and Mr. MacDonald have been working on this for a long time. The residents are mainly concerned with cut-through traffic and have asked for the town to try something to stop it. This is not a perfect solution, but the residents have been waiting since before 2016 for some type of action. It is worth voting in the recommendations to try them out to provide them some relief.

Councilor Mathews arrived during the discussion.

21 010-Review of Measure Number 17, 127- Zoning Amendment to Create a Commercial Overlay District (Section 120-25.14)

President Mathews previously issued a letter about his concern with the effects of Measure 17 127, and as a result, the matter was referred to the Ordinance Committee. The committee met on and reviewed a presentation from the Planning Department. They met again on April 29th, May 20th, and June 11th, and a letter was sent out by the Mayor on April 27th relaying that all new applications within the district will be fully evaluated and a pause placed on issuing any new permits. Now, recommendations have been proposed in measure 21 107. He suggested at this time, that they consider withdrawal of measure 21 010.

Councilor Mathews asked the solicitor if that is the appropriate manner to dispose of measure 21 010. The solicitor concurred.

A motion was made by Councilor Mathews to forward measure 21 010 to the full Town Council with a recommendation to withdraw the measure from consideration and was seconded by Councilor Haugh.

A roll call vote was taken: Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Mathews-Yes, Chair DiFazio-Yes. Unanimously voted.

21 107-Proposed Amendments to the Town's Commercial Corridor Overlay Zoning Ordinance

This measure was developed by the Planning Department and referred to the Ordinance Committee on June 28, 2021. This proposal makes specific changes to the original measure. Principal Planner Schneider thanked everyone for making time to review this during the council's recess.

The original proposal was withdrawn and replaced with this. The text is fairly brief, but it is effectual in terms of impact to the current Commercial Corridor Overlay District, but without the changes that were concerns. Everyone wants this to succeed. In general, administration kept the meat of the overlay intact; the protections that abuts residents, setbacks, etc. and the sections were redefined. Originally, there were four sections, and it is now pared down to two subzones.

Section 1- redefines the subsection, from the original four in the CCOD to two, and it adds the requirements to be considered- 30,000 sq. ft. and added 25% of total ground floor area is reserved to retail component/office. There will be a lot more life on these first floors.

Section 2- changes the height restrictions to 3-4 stories from 3-5 stories. Establish low and medium density parameters.

Section 3- FAR requirement drastically reduced to .5

Section 4- new maps to replace the original.

There's a possibility the maps may be changed. All the new maps only have 2 colors (from the original 4).

Chair DiFazio- asked about the change to section 120-25 B1 – minimum of ground floor- it's a significant change in putting commercial on the first floor. Mr. Schneider responded that it was left to individual cases, not specified in the original measure. There was no minimum on the original and the proposal establishes a minimum. Mr. Luongo responded that the zoning is interpreted by the building inspector and this establishes a minimum.

Chair DiFazio asked how 25% was the parameter they designated- and why not 50% or 75%?

Mr. Luongo responded that some of the podium style construction have parking on a portion of the first floor. They don't want to stymie growth or kill development with the zoning, but have a balance of good regulations and still encourage development.

Chair DiFazio asked why couldn't the language say "100% exclusive of parking?" Mr. Schneider responded that part of what this is accomplishing is so the corridors will not become seas of surface parking- avoiding asphalt jungles. Mr. Luongo responded it will only be zoned for 3 stories so there will not be much opportunity for residential if a developer has to commit the entire first floor to commercial. The point is to encourage responsible growth.

Councilor Haugh noted that a developer was planning to use the rental office as its commercial component and asked what protections are in place to avoid this going forward? Mr. Luongo responded that they could add language; "exclusive of any first-floor rental office." Councilor Haugh pointed out that there are pending applications; at what point will the ordinance changes take effect- is it when the Mayor signs the measure? Solicitor Callanan responded that the change would be effective for anything before the board since the Town Council advertised the public hearing, therefore anything filed after June would be subject to this. Mr. Luongo added that there are currently no new applications before the board. Even the Boston Motel property, which is under appeal, is permitted under the current overlay district. The solicitor is unsure when the BOMO appeal will be resolved.

Mr. Schneider reported that the changes to the maps are significant and he reviewed them for the committee with Director Luongo, explaining the color keying and which properties are included and comparing the existing map with the proposal. Properties already under construction were eliminated.

- by Trotter Road, Corcoran building, on left is permitted 55+ and memory care. Some parcels were eliminated south and north of it.
- Blue area- 3 properties at the entrance to Southfield. Proposing to keep- 3 stories if developed.
- Next is John's Liquor²- already under development, eliminated.
- Pleasant street shopping center- they would welcome to take it out of the overlay- it is a strong retail center right now, next to apartments. It should come out as it would overburden the area if changed to mixed use.
- Next to it, Pleasant and Main-the Oddfellows Hall- now is residents above and vacancy on first floor.
- Hingham Institute for Savings, and houses converted to retail. The small cape home is in the middle-it's a blighted area. How to motivate someone to make a good investment? Keep it in. give a developer a chance to reassemble those 4-5 parcels into something. Part of the exercise is how to get rid of some of the blight. This approach is surgical. The Oddfellow Building had a proposal a few years ago to add units. It's rundown and doesn't have parking. It's on the market now.

- Next parcel (orange) is Stetson Medical- medical office building- one of 2 factories left standing in town (the other is the Francer property) – why include? Don't want to force them out, but they may be leaving on their own. It's a wooden building, not compatible with medical equipment. Mass lottery building in Braintree sold to medical-it will be rehabbed into medical space. (Harbor Medical) and Children's is moving out to Libbey Parkway. This is an opportunity to have another use.
- RK Center (18 & 53)- Hertz, BOA, Auto Zone, Kidney Dialysis, etc., are older, rundown, recycled buildings. Suggest maybe take out the RK center.
- Across the street, Brew House, which has a residence on the property, and BJ's were eliminated.
- Everything else on Washington Street heading into the Landing is eliminated. Some properties were in it, and not touching the Village Overlay District, which has its own zoning.
- Bridge Street- open for discussion -Motel, car dealer, UHaul, etc., proposed 4-story development if it happens. On the opposite side is Lowe's shopping center- same argument to take out (Pleasant Street shopping plaza) since it currently appears stable. If some of the retail goes out, it could be a strong mix of retail and residential.
- Columbian Square- Curtis Liquors, Wildlife Center, on the opposite side Good Brothers Dodge, Dorothy's Cleaners and the area backs onto the proposed medical (old Lottery site), Quincy Credit Union, the Veterinary building (4/5 in Weymouth) – propose to leave in the zoning. It's a lousy welcome into Weymouth, other than the Veterinary clinic and credit union- it is somewhat blighted. Take Curtis Liquors out of it since it's too close to the residential, and the NE Wildlife Center out of it and on the other side take out the small commercial building with small retail (again, too close to the residential).
- On 53 South into Hingham-proposed keeping a lot in – it includes Previte's Market the Hanover Companies, which is a 10-acre proposal for development under negotiation, and the remaining 10 acres downzoned to 3 stories. The underlying zoning is industrial but it isn't good land use planning. North includes the site of the Elks, and he proposes to keep this in (at 3 stories with commercial on first floor).
- Larry's Glass and the Burns properties (Shawarma restaurant)- propose keeping this in as some of these sites are old and tired, with no reinvestment in years. It's a good way to attract proper reinvestment.

Chair DiFazio suggested if anyone wants to take a more in-depth look at the maps, they should stop by the Planning Office.

Councilor Haugh pointed out this is a pretty thorough walkthrough. On Main Street, she liked taking out Marshall's shopping center. There is a cape house behind the Oddfellow Hall; if developed, the house would be in the middle. Maybe it could be moved? Director Luongo responded that this is a vision- it might not happen.

Hingham Institute for Savings has been sold. There are rumors that a Popeye's Chicken franchise will be coming. Planning will fight it, since traffic at that corner would be a disaster.

Councilor Haugh pointed out that on Bridge Street, Buddy's Roast Beef has been vacant for five years. She asked if the changes they proposed should be made before the public hearing? Mr. Luongo responded that it can be amended, but he would like to hear public comments first. He encouraged a dialog. They are looking for ways to get rid of some of the blight in town, or the corridors overrun with mixed development. This overlay proposal is strategic and selective.

Councilor Mathews thanked everyone. This is a good document with a good mix of scrutiny, looking at every parcel. Everything he wanted to look at is covered, with FAR and height reduced to address the density issues. He also wouldn't mind the one on Pleasant Street removed, but suggested waiting until after the public hearing before making any changes. This is an example of good community work.

Councilor Heffernan thanked Planning and the administration. This gives them a lot to look at over the next few weeks. The pandemic created new trends in housing, transportation and transit-oriented development. He looks forward to future discussions.

Chair DiFazio looks forward to the joint public hearing. This proposal should show the public that the town is working proactively, and attempts to fix what is bad, while encouraging responsible growth.

ADJOURNMENT

At 8:05 PM, there being no further business, a motion was made by Councilor Mathews to adjourn and was seconded by Councilor Heffernan.

A roll call vote was taken: Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Mathews-Yes, Chair DiFazio-Yes. Unanimously voted.

UNANIMOUSLY VOTED.

Attachment: PPP – Planning Department

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Ken DiFazio as Budget/Management Committee Chairman
Voted unanimously on 30 August 2021