

SPECIAL TOWN COUNCIL MEETING MINUTES
Zoom # 810 1140 9585
August 30, 2021, Monday

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

Absent: Jane Hackett, Councilor

Also Present: Kathleen Deree, Town Clerk
Joseph Callanan, Town Solicitor
Eric Schneider, Principal Planner
Leilani Dalpe, Project Manager
Robert Luongo, Director of Planning
Sandra Williams, Chair, Planning Board
Paul Rotondo, Planning Board
Ben Faust, Planning Board
Owen MacDonald, Traffic Engineer
Lt. Brian Morse, WPD

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.

ANNOUNCEMENTS

Councilor Burga announced the upcoming Ayla Brown free concert on Tuesday, August 31, 2021 at 6 PM.

MINUTES

Budget/Management Committee Meeting Minutes of May 12, 2021

Budget/Management Committee Meeting Minutes of May 19, 2021

Public Parks & Recreation Committee Meeting Minutes of May 19, 2021

Ordinance Committee Meeting Minutes of May 20, 2021

Budget/Management Committee Meeting Minutes of May 26, 2021

Budget/Management Committee Meeting Minutes of June 14, 2021

Budget/Management Committee Meeting Minutes of June 21, 2021

Town Council Meeting Minutes of June 21, 2021

Economic Development Committee Meeting Minutes of June 23, 2021

Special Town Council Meeting Minutes of June 28, 2021

Ordinance Committee Meeting Minutes of July 27, 2021

Vice President Molisse made a motion to bundle and approve the minutes from the May 12, 2021, May 19, May 26, June 14, June 21 Budget/Management Committee meetings, the May 19 Public Parks and Recreation Committee Meeting, the May 20 Ordinance Committee Meeting, the June 21 Town Council Meeting, the June 23 Economic Development Committee Meeting, the June 28 Special Town Council Meeting and the Ordinance Committee Meeting of July 27, and was seconded by Councilor Burga.

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

PUBLIC HEARINGS

21 107- Proposed Amendments to the Town's Commercial Corridor Overlay Zoning Ordinance- Joint with the Planning Board

A motion was made by Vice President Molisse to open the public hearing on measure 21 107 and was seconded by Councilor Burga. This was advertised on August 11, 18 and 25.

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-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.

Chair Sandra Williams opened the Planning Board meeting and called the roll, with member Rob Christian absent. On behalf of the Planning Board, a motion was made by to open the public hearing on Measure 21 107 and seconded.

A roll call vote was taken:

Paul Rotondo- Yes, Gregory Agnew-Yes, Ben Faust-Yes, Sandra Williams, Chair- Yes.
UNANIMOUSLY VOTED.

Director Luongo presented the measure with Principal Planner Eric Schneider. Mr. Schneider will review the proposed changes, and presented the maps. This latest will scale back locations where the overlay will be in place, and decrease allowed height and density.

Eric Schneider presented the background of the process they followed. It was joint with council, planning and administration. They reviewed the zoning documents and proposed changes to the text over the 2018 overlay. The impact is significant. It's a flat-out reduction of density. Volume of changes isn't great but the impact is. The protections put in place in 2018 remain in play.

Changes reviewed- subsections, in a redlined version include:

- More than just a token retail / commercial component and restrict certain uses from coverage
- Height reduction- 5 off the board, reduced to 4 in medium density (orange on map), and 4 reduced to 3 in low density (orange on map). Not by right, but requires special permit.
- FAR-reduced across the board to .5 (50% reduction, at least from the allowable) underlying zoning at .3.
- Preamble- section 4- provides clarification on those properties already permitted.

Bob Luongo reviewed the maps. The reasons to undertake the zoning change in 2018 was that zoning was in place for 20+ years; a mix of B1 B2, HT, and was difficult to work with from the point of view of someone trying to develop sites in the zones. The zoning in place allowed 6 stories. There are many obsolete, deteriorated, underutilized buildings with little investment in the corridors over the last several years. This change helps to grow the tax base. If it wasn't for some of this new growth, they wouldn't have fared well with the departments. Concerns about school aged children have been brought up- he doesn't have total numbers; some projects are not on line yet. There is an overall decrease in school population, which affects state aid.

- Rt. 18, from A line to commuter rail station-yellow - already built or under construction. Nothing else proposed in that area.
- Further north, next to Shea Memorial Drive- 3 properties, would have to acquire 2/3 to assemble a project. Projects under construction/sold.
- North on Rte.18- keep Stetson Building,
- Route 53-suggested keeping the BJ's building in
- Bridge and Columbian Streets

Greg Agnew thanked the Planning Department for their efforts. Chair Williams suggested all the money go to pay down the thirty-year override.

President Mathews asked if there were any questions or comments from the public, and announced he would enforce a 5-minute speaking time, to which there was the following comments:

Peter Kiley, 40 Old Drive- in favor of removing BJ's building. Asked about high density. Bridge Street, medium density (potential view of coastline). Mr. Luongo responded that it could take advantage of view, medium density appropriate on that side without impacting neighbors.

John Delaney, 147 Belmont Street asked about water supply. How much used, vs. how much can be sustained? Meet, and get response?

President Mathews responded he was on council back when the town was under a consent order, and don't want to see it again. There are ways to conserve with new construction; water main replacement, and increased mitigation. In the next month, the subject of water/sewer will be on the agenda and a referral to the public works committee for a discussion.

Gary MacDougall, 131 Southern Ave. – trying to open opportunity by reducing floors. Running into stall with zones that were allowed. They are trying to increase the amount of projects and reduce the challenge.

President Mathews noted that by reducing height and FAR, a developer will not be able to build as many apartments overall in these properties. It has been in the works for several months, and a percentage of properties were removed.

Mr. MacDougall noted the increase by 25% retail space in mixed use buildings- what was the original? It was not specified. He asked how many net new developments have entities moving in? Mr. Luongo responded that everyone has a commercial component, including the memory care. Some aren't fully built or occupied yet. It cannot change to residential.

Mr. MacDougall also noted his concern with water issues.

President Mathews reported that the subject of inclusionary zoning came up in the discussion, but they decided to take it up separately, and not include it here.

Michael Gallagher, 32 Tamarack Trail- applauded the changes to reduce the zoning. He asked if they have done any projections based on development- number of units and capacity of water and sewer usage. He wants to make sure they are looking at it holistically.

President Mathews responded that is one reason why some parcels were eliminated. Water storage issues- 110 gallons per bedroom per day usage. Unsure if the numbers have been calculated. Mr. Luongo responded that it's hard to calculate on areas zoned- whether or not they will be invested. Some need to be assembled. With every project that comes forward to the town, the Mayor makes sure a developer comes before all department heads first to discuss the building and its impacts. It would not get a go-ahead if there was not water and sewer capacity for it.

Trish Pries, 15 Woodbine Road, noted her concern with water infrastructure hitting limits. Based on numbers she provided, she believes the town will be over the allowable yield. Zoning mentions units, as if the only development in town is apartments. She noted that we can't get water through NW or Braintree to the base. When is the town going to allow medical marijuana cultivation in town?

Mr. Luongo responded that the zoning allows medical, not recreational marijuana. There is a facility being proposed on Bristol property on Route 53. Ms. Pries responded that the Cannabis Commission is not aware of this.

Sandra Williams stated that medical marijuana is not an issue with this zoning, and asked the speakers to please stay on point.

Pat O’Leary 99 Commercial Street reported these are good positive efforts. Developments are coming before town departments- project by project- its being addressed.

A motion was made by Vice President Molisse to close the public hearing on measure 21 107 and was seconded by Councilor Heffernan.

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Vice President Molisse-Yes, President Mathews-Yes.

On behalf of the Planning Board, a motion was made by Greg Agnew to close the public hearing on Measure 21 107 and seconded by Paul Rotondo.

A roll call vote was taken:

Paul Rotondo- Yes, Gregory Agnew-Yes, Ben Faust-Yes, Robert Christian-Yes, Sandra Williams, Chair- Yes. UNANIMOUSLY VOTED.

A motion was made by to close the Planning Board meeting and was seconded.

A roll call vote was taken:

Paul Rotondo- Yes, Gregory Agnew-Yes, Ben Faust-Yes, Sandra Williams, Chair- Yes. UNANIMOUSLY VOTED.

21 104- Conceptual Design Services-Beals Park/North Weymouth

A motion was made by Vice President Molisse to open the public hearing on measure 21 104 and was seconded by Councilor Harrington. This was advertised on August 20, 2021

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-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.

Mr. Luongo presented the measure. He reported that this measure will fund the conceptual design to determine the preferred usages.

Councilor Kiely made a motion to approve the measure. President Mathews called the motion out of order as the public hearing has not concluded.

President Mathews asked if there were any questions or 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 21 104 and was seconded by Councilor Burga.

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-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.

21 105 Transfer of Funds for Conceptual Design Services for Iron Hill Park/Jackson Square

A motion was made by Vice President Molisse to open the public hearing on measure 21 105 and was seconded by Councilor Kiely. This was advertised on August 20, 2021

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-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.

Mr. Luongo presented the measure. This is for a part of the Back River Trail.

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

Trish Pries, 15 Woodbine Rd. thanked the committee for giving the parks the attention, and is glad they are doing something about the Durante project. There is a shaded area on Iron Hill-she cautioned with developing the parcel- it's home to a diverse bird population.

A motion was made by Vice President Molisse to close the public hearing on measure 21 105 and was seconded by Councilor Heffernan.

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-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.

21 106-Traffic Regulations for Ledgebrook Road-Merrymount Area

A motion was made by Vice President Molisse to open the public hearing on measure 21 106 and was seconded by Councilor Kiely. This was advertised on August 20, 2021.

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Dwyer-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.

Traffic Engineer Owen MacDonald presented the measure with Lt. Morse, WPD. Streets involved are Pine, Ralph Talbot. Turning restrictions during limited hours. Traffic uses several of these neighborhood streets to go to Hingham. Complaints that traffic goes through at uncomfortable speeds. Lt. Morse reviewed the speed measurements. 97% operating at or below speed limits, but several of these are small streets that can't accommodate two-way traffic. Volume of traffic is also an issue. The latest solution involves turning restrictions to alleviate the issues. Mr. MacDonald noted that the measure includes one of the directions- boundary – jurisdictionally and are unable to handle because three of the streets are state highway, and Tamarack Trail is a private way. Mayor Hedlund has sent a letter to MassDot to restrict and is under consideration.

President Mathews asked if there has been a neighborhood meeting? Mr. MacDonald reported there were two over the last year and a half. It was also suggested making Danbury Road a “do not enter” or “one way” but he does not recommend action on it at this time.

Councilor Harrington thanked the residents and the work. It's a tough issue, and there isn't a resolution that will please everyone.

Councilor Happel asked if there are any other concerns. Mr. MacDonald responded that there were some dissenting views.

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

Marc Cronin, 121 Rustic Dr.

- agree with Right on Pine
- disagree with 1-way on Tamarack
- proposes- no Right turn on Old Pine, Merrymount & Hickory
- No outlet signs posted
- notify GPS mappers of any changes

Andrea Doyle, 29 Merrymount Rd.

- increase in volume- measures done during COVID
- congestion from UP development, Rt 18 work, Derby Development, Bristol Bros. etc.
- hazard for pedestrians with 2-way traffic

Tracy Foulsham, 48 Danbury Rd.

- increased traffic on her road, will be worse without restriction
- suggests stop signs at Danbury/Rustic and Rustic/Tamarack to force stop in cut-through

Alicia Kemp, 19 Merrymount Rd.

- proposal is a great start
- look at the benefit of restricting traffic on cut-through

Krista McDonough, 21 Old Pine St.

- board was placed in a lower populated area, and still large volume of traffic
- Most under speed limit, but significant 21-25 mph
- Roadway not wide enough for 2 cars to pass

Michael Gallagher, 32 Tamarack Trail

- Number of vehicles speeding- the number of trips significant
- All cut-throughs all end up on Tamarack Trail
- Speed board 8/4 – 8/17 – significant volume- schools not open – 2 schools run busses to Hingham through the neighborhood
- Good start, but need something more long-term. Tamarack is private way- what can they as resident do, if the town cannot? (speed bump in front of property) Is there any other opportunity to restrict it being used as a cut-through (like May Terrace) Dead end Tamarack on the North side of Hickory?
- Will be more traffic once Perry development is underway in the industrial park, and Bristol's on his property at the other end

Andy McLean, 5 Ledgebrook Rd.

- Volume of traffic getting worse. This is a good start, but it needs more discussion.
- Many young families with children, and no sidewalks is dangerous.

Jill Earl, 461 Pine St.

- Traffic is getting worse. Many families in neighborhood.
- Child on her bike almost struck by car
- Amount of cars driving through with the number of homes is disproportionate
- Continued development will increase traffic
- Turn restrictions, at the bare minimum, will restrict traffic, and needs to be implemented

Zack Brentzel, 69 Rustic Dr.

- Opposed to the proposal – not the correct approach
- From 8/2 meeting- data show safety /speed not great concern
- Suggests
 - lower speed limit
- Studies done during peak COVID – 200 homes, calculates to 2.5 cars per household per day
- Volume hasn't increased
- Has been emailing multiple suggestions:
 - Speed limit- onus on the owners to put a change
 - 4-way intersection is free for all- multiway stops at every intersection recommended
 - Not enough volume or accidents to support (response given)
 - Resident only – too much enforcement involved

- Radar speed limit signs- good second proposal, budgetary impact
- Turn restrictions economical and easy to implement, so that's why they are proposed

Patrice Snead, 80 Rustic Dr.

- Excessive speeds on Tamarack, maybe not as much on side streets- straightaway
- Volume of traffic increased
- Speed board data 46% of cars travel over 20 mph
- Restrictions on side streets will help, but need to look at long-term solution
- Concern that Danbury may be use as alternative route if restrictions put in place

Eric Dresser, 72 Rustic Dr.

- Full comments emailed earlier this month to Town Council and Planning
- Try not to act too hastily; look at a long-term solution, using scientific method, and taking into account the number of houses
- More traffic studies?
- Sending more cars through the Pine St /Ralph Talbot intersection is not a good solution
- Interested in path becoming a public way to better address these issues (street in exemplary condition but sidewalks in poor condition)

Carolyn Cronin, 121 Rustic Dr.

- Proposed changes will force traffic that now comes down Tamarack to Danbury. Bring speed board to Danbury to measure
- Pine / Ralph Talbot intersection needs to be fixed before putting these proposed changes through

Sheila Baressi, 20 Merrymount Rd

- These are the only turn restrictions Merrymount, Hickory and Old Pine and do not include any changes to Ledgebrook or Danbury.

Marc Cronin, 121 Rustic Dr

- Agree with turn restriction in morning – something needs to be done to address the evening traffic
- One-way restriction on Tamarack

A motion was made by Vice President Molisse to close the public hearing on measure 21 106 and was seconded by Councilor Haugh.

A roll call vote was taken:

Councilor Burga-Yes, Councilor DiFazio-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.

REPORTS OF COMMITTEES

Budget/Management Committee-Chair Michael Molisse

Chair Molisse reported that the Budget/Management Committee met on August 30, 2021 to deliberate the following measure(s):

21 013-Municipal Fiber Broadband Master Plan

This measure was referred to the Budget/Management Committee on March 1, 2021. The committee met on August 30, 2021 and voted to forward the measure to the full town council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, Vice President Molisse made a motion to approve measure 21 013; that the Town of Weymouth transfer the sum of \$25,000 from the Reserve Fund to a capital project fund for the purpose of funding costs associated with the completion of a Broadband Master Plan to investigate a municipal fiber network.

NOTE: The amount of this reserve fund transfer will spend down FY21 reserve funds, however, the subsequent FY22 reserve fund will be partially funded with FY21 Free Cash, which is expected and includes the unappropriated \$10 million received via the Host Community Agreement with Algonquin Gas Transmission, LLC, resulting in no net change in the FY21 and FY22 reserve balances from this expenditure. Councilor Kiely seconded the motion.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-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 9-0.

21 104- Conceptual Design Services-Beals Park/North Weymouth

This measure was referred to the Budget/Management Committee on June 28, 2021. The committee met on August 2, 2021 and voted to forward the measure to the full town council with a recommendation for favorable action. A public hearing was held on August 2, 2021.

On behalf of the Budget/Management Committee, Vice President Molisse made a motion to approve measure 21 104; that the Town of Weymouth transfer the sum of \$30,000 from the Stabilization Fund to a capital project fund for the purpose of funding costs associated with conceptual design services for Beals Park

This is item #99 on the Capital Improvement Plan. Councilor Kiely seconded the motion.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-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 9-0.

21 105-Transfer of Funds for Conceptual Design Services for Iron Hill Park/Jackson Square

This measure was referred to the Budget/Management Committee on June 28, 2021. The committee met on August 2, 2021 and voted to forward the measure to the full town council with a recommendation for favorable action. A public hearing was held on August 2, 2021.

On behalf of the Budget/Management Committee, Vice President Molisse made a motion to approve measure 21 105; that the Town of Weymouth appropriate the sum of \$40,000 from the Open Space and Trails Account to a capital project fund for the purpose of funding costs associated with the conceptual design services for Iron Hill Park in Jackson Square.

This is item #101 on the Capital Improvement Plan. Councilor Kiely seconded the motion.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-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.

Ordinance Committee-Chair Ken DiFazio

Chair DiFazio reported that the Ordinance Committee met on July 27, 2021 to deliberate the following measure(s):

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

This measure was referred to the Ordinance Committee on February 16, 2021. The committee met on March 3, April 29, May 20, June and on July 27, 2021 voted to recommend the full Town Council withdraw the measure from consideration.

On behalf of the Ordinance Committee, Councilor DiFazio made a motion to withdraw measure 21 010. Councilor Kiely seconded the motion.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-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.

NEW BUSINESS

Field Maintenance- Councilor Jane Hackett

Councilor Hackett was absent, but had asked to have the matter referred to the Parks & Recreation Committee for a discussion.

A motion was made by Vice President Molisse to refer the matter to the Public Parks & Recreation Committee, and was seconded by Councilor Burga.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-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 regularly scheduled meeting of the Town Council is scheduled for September 7, 2021. At 10:30 PM; there being no further business, Vice President Molisse made a motion to adjourn the meeting and was seconded by Councilor Harrington.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-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, 9-0.

Attachments:

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Arthur Mathews as President of the Town Council
Voted unanimously on 20 September 2021