

**MINUTES OF THE TOWN COUNCIL  
ORDINANCE COMMITTEE  
Town Hall Council Chambers  
April 29, 2014 - Tuesday**

Present: Kenneth DiFazio, Chairman  
Michael Smart, Vice Chairman  
Arthur Mathews, Councilor

Not present: Jane Hackett, Councilor  
Ed Harrington, Councilor

Also Present: Abby McCabe, Principal Planner  
George Pontes, Veterans Director

Chairman DiFazio called the Ordinance Committee meeting to order at 6:32PM. A motion was made by Vice Chairman Smart to take the second agenda item out of order and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**14 046- Ordinance Change-Section 3-333 Veterans Graves Officer and Section 3-334(b) Veterans' Service Director**

George Pontes, Veterans Director, was introduced and invited to the table. He reviewed the proposal and reported that every town is required to have a Veterans Graves Officer. Many have a specifically designated officer. The town's current officer, Gene McDermott is stepping down. In exploring the procedure to replace him, they found the current director does not have the authority to appoint a replacement. Chairman DiFazio reviewed the ordinance sections 333 and 334. The change will allow the appointment of an officer who is not also the director, and gives the Mayor the authority to make the appointment. The Veterans director serves as burial agent; another is appointed as graves officer. Under the former language, the responsibility falls to the director to serve as graves officer. The change in the language allows the Mayor to appoint a graves officer who will work with the director.

Chairman DiFazio suggested the vote may be delayed until the Town Solicitor can review it with the committee if that is the consensus of the committee. Mr. Pontes reported that he met with Atty. Lane. He reported part of the responsibility of the agent is to keep an annual roster, which is time consuming. They have found a retired individual who is willing to take on the responsibility of graves officer. Councilor Mathews agreed that the Veterans Director should focus on the tasks he is already charged with and is in favor of this change. Mr. Pontes responded that the person they have in mind is planning to modernize the record keeping. The position has a stipend paid through the DPW budget.

A motion was made by Vice Chairman Smart to forward measure 14 046- Ordinance Change-Section 3-333 Veterans Graves Officer and Section 3-334(b) Veterans' Service Director, to the full Town Council with a recommendation for favorable action and was seconded by Councilor Mathews. Chairman DiFazio noted that the public hearing is scheduled for the May 2, 2014 Town Council Meeting. UNANIMOUSLY VOTED.

**14 043 Rezoning Application for Bridal Path- Application submitted by Daniel Jancaterino  
Map 34, Lot 6, Block 34- from Planned Office Park (POP) to Industrial 1 (I 1)**

Mr. Jancaterino presented the request with Principal Planner Abigail McCabe. Ms. McCabe provided a memo to the committee earlier in the day. Mr. Jancaterino provided an overview. He runs an established construction company active in Weymouth. When he purchased the property eight years ago, he thought the lot was zoned I-1; however, he recently learned it is zoned POP. All of the surrounding property is zoned I-1. The only access to the property, which he intends to base his business from, is through Mathewson Drive.

Ms. McCabe reported that in further review, it was determined an error was made in a 2006 survey plan and this will correct it. Chairman DiFazio noted the condo building on the map is zoned I-1 and turns into POP at the edge of the building where the cars park. The applicant wants to change the entire triangle area including the section that he transferred for other considerations. He worked with Solicitor Lane and Rod Fuqua (former Planner) at the time. Chairman DiFazio asked if a deed was drafted at that time. Mr. Jancaterino responded that one had and has been recorded. Councilor Mathews asked if the abutters are aware and in favor of the request. He would like to see something in writing from them in support. Mr. Jancaterino responded that it is actually in their favor to rezone the parcel and he will obtain letters of support before the public hearing.

Chairman DiFazio reviewed the process for the committee; zoning change requires public hearing and action by Planning Board before the committee recommends a course for final action to the Council. Ms. McCabe reviewed her memo dated April 29, 2014. She met with the applicant. A small change was effected in 2006 but the GIS has not been updated. The memo also outlines the reasoning for the rezone request. She provided a map on page 3 and reviewed the uses of the abutting properties. The applicant is aware he will still require a special permit to use the property for its intended use. Councilor Mathews asked if there is any intent to open the property to access to Libbey Parkway. Vice Chairman Smart asked if any of the surrounding properties are zoned residential use. Ms. McCabe responded no.

Chairman DiFazio reported the committee's intent is to take the item under advisement at this time. The public hearing has been scheduled. He reviewed the procedure going forward.

At 6:58 PM, there being no further business to attend to, a motion was made by Vice Chairman Smart to adjourn, seconded by Councilor Mathews and unanimously voted.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Councilor Kenneth DiFazio as Chairman of the Ordinance Committee.

Voted unanimously on 2 June 2014