

WEYMOUTH PLANNING BOARD
McCulloch Building, Mary McElroy Meeting Room
182 Green Street, Weymouth, MA 02191
May 17, 2016
MINUTES

PRESENT: Sandra Williams, Chairman
Mary Akoury, Clerk
B.D. Nayak
George Berg

NOT PRESENT: Dave Chandler

ALSO PRESENT: Robert Luongo, Director Planning & Development
Eric Schneider, Principal Planner

Chairman Williams called the meeting to order at 7:00PM.

MINUTES

Ms. Akoury made a MOTION to APPROVE the minutes of April 27, 2016. Mr. Nayak SECONDED the MOTION. It was UNANIMOUSLY VOTED.

PUBLIC HEARING

Public Hearing on the Definitive Subdivision application of John Deady for property located at **958 Commercial Street, Weymouth, MA**, also shown on the Weymouth Town Atlas Sheet 18, Block 189, Lots 8 and 17, for a proposed subdivision shown on a plan entitled: "Definitive Subdivision of Crowley Estates on Spencer Court, Weymouth, MA" prepared by J2M Consulting Associates, LLC, dated April 2, 2016. The subdivision application proposes to create 3 buildable lots for the construction of single-family homes in the R-1 district, and construct a ~300 ft long road with utilities, fire hydrant and turnaround at the end.

Mr. Berg made a MOTION to OPEN THE PUBLIC HEARING. Mr. Nayak SECONDED the MOTION. It was UNANIMOUSLY VOTED.

Mr. Schneider stated comments and responses are in the handouts in the Planning Board packets.

Chairman Williams asked Mr. Schneider has this project been before the Conservation Commission yet. Mr. Schneider stated no; they should not have to go before Conservation Commission officially.

John Deady
540 Commercial Street

Mr. Deady stated this is a 3+ acre lot on Commercial Street.

- He will be looking for a waiver on the radius from 100 feet to 90 feet

- DPW request change from 8 inch water drain to a 12 inch water drain
- Change to a storm sep
- Advised they will need a storm water permit from Conservation Commission
- Not cutting any trees
- Has a sewer easement at 972 Commercial Street if he needs to connect to it
- Needs to move a minimum of 25 feet away from wetlands so don't need a permit from conservation; in an erosion area
- Next they would apply for storm water management license from DPW
- Request variance for frontage on house #958 because of frontage (currently 119 feet)

Mr. Deady's response comments from Mary Ellen Schloss' memo dated May 10, 2016:

- 1) He spoke with engineering department today, Legion Field drains to an area at Endicott Street.
- 2) Pine-Rick Associates
- 3) Will not do any work within 100 feet of the wetlands
- 4) Have lessened the grading and will add plantings
- 5) He proposed all the trees stay.
- 6) If approved, will obtain a storm water permit.
- 7) Remove trees where essential for homes.
- 8) If store loom put controls around loom so no erosion run off.
- 9) Erosion control plantings
- 10) Propose a rain garden.
- 11) Spoke with Jim McGrath, he didn't have an issue.
- 12) Drawings were stamped.
- 13) Can add plantings and trees.
- 14) Don't propose to do any work anywhere near those.

Mr. Deady's response comments to Jim McGrath's memo dated May 9, 2016 regarding Water & Sewer Division comments and Engineering Coments:

- 1) 12 inch line
- 2) Signed by both
- 3) Lot 17 included in plan and referenced
- 4) Lot layout included
- 5) Will add manhole
- 6) He is within 18 feet, will go to Zoning Board
- 7) Stamped by PE
- 8) Outfall and add rain garden and other plantings
- 9) Town of Weymouth utility details
- 10) Don't use half foot contours, use 1 foot contours

11) Use proper subdivisions

Mr. Deady stated he has done many other good quality jobs in the Town of Weymouth; for example the Clapp Memorial Building.

Mr. Berg stated he has a number of comments for Mr. Deady.

- 1) At #958 Commercial Street, proposed lot #4 needs to go for a variance for frontage and a right turn off Commercial Street
- 2) Mr. Berg proposes a 90 ft radius and Mr. Deady do more work on the right turn and radius
- 3) Turning the house sideways will have a negative effect on the neighborhood
- 4) Noise: what is the time lock on work start and work end on construction; would you agree to end and start times of 8am and 5pm?

Mr. Deady said yes; he will agree to 8:00AM no work before 8:00AM and end time of 5:00PM, all work ends at 5:00PM.

Mr. Berg stated sidewalk is a good idea. Mr. Berg stated you aren't proposing to clear trees but realistically people can move in and cut everything down. The town would like to make it clearer, that people cannot do that, the trees need to stay. Mr. Deady stated he agrees with everything Mr. Berg said. He will rework the plans.

Chairman Williams asked will you take steps on the basements to make sure they don't flood. With regards to the chronic flooding in the area would you put in French Drains? Mr. Deady stated he could do French Drains and he could tar around the basements.

Ms. Akoury asked in response to Engineering Division comment #8, when will the erosion plan be developed. Mr. Deady said he can have it ready by the end of next week.

Mr. Luongo reminded Mr. Deady that when the final definitive plan comes before Planning Board he needs to put the Private Way into a Public Way so the road can be paved.

PUBLIC COMMENT

Marilyn Slattery
64 Unicorn Avenue

Ms. Slattery stated she has seen deer, turkey and hawks in the area and uses the area for passive recreation.

Warren Pierce
One Endicott Street

Mr. Pierce asked Mr. Deady do you need water permit for only during construction. Mr. Pierce stated he is curious, because he's been fighting water on his property for 14 years.

Mr. Deady stated no, he needs to take storm water management to show that he knows how to contain the water on his site.

John McCue
27 Endicott Street

Easement thru significant deficiencies via Legion Field, he gets water in basement every year. It's a vernal pool. Neighborhood floods all the time now.

Mr. Deady stated it is not a vernal pool and gave the official definition of a vernal pool. Mr. Deady stated it's a pipe.

Wayne Mathews
952 Commercial Street

Mr. Mathews stated he is an abutter. He thought #958 was being donated to the town. Mr. Mathews stated he had a few comments to make about the project:

- The area is full of ledge
- Concerned about construction dust getting into his pool
- Happy about the work hours being set and would like to make them include weekends (no work on weekends)
- No commercial vehicles parked on Commercial Street at any time
- There is a large animal population that lives back there
- Request that Planning Board please leave the Public Hearing Open to speak with the abutters

Mary Lee Hurin
54 Unicorn Avenue

Ms. Hurin has turkeys in her yard and is wondering how close to her fence will the next neighbor be to her house.

Mark Adams
East Street

He has issues with water in his backyard, it floods. He has ducks in his backyard.

Mike MacMillan
Commercial Street

Stated his home is over 200 years old, if there is any blasting done his house will probably fall down.

Joe Pucio

Mr. Deady's work is excellent; asked everyone present to go and check out the Clapp Building.

Chris Anastig
967 Commercial Street

Mr. Anastig stated it is dangerous to get in and out of our driveways don't need more.

Joe Rafferty

Mr. Rafferty stated Mr. Deady is looking to get a special permit to get a waiver to encroach on Mr. & Mrs. MacMillan's home, that's not right.

Emmanual Amponsah
331 East Street

Mr. Amponsah stated the water floods very bad in his back yard and his children cannot even go and play in the back yard because mosquitoes are very bad.

John Crowley
264 Neck Street

Mr. Crowley stated this won't be an eye sore.

Kathy
210

Mr. Deady work with you and he won't rest until you are happy.

Brian McDonald

Mr. McDonald stated he has known Mr. Deady for 30 years and he has known Mr. MacMillan for 40 years; both are great guys. Mr. Deady is more collaborative and goes the extra mile and beyond the extra mile. The water issue is the Town's issue, not Mr. Deady's issue. Mitigate issues and work with Mr. Deady.

Sue Hannon
411 North Street

Ms. Hannan stated Mr. Deady is a man of substance and community.

Warren Pierce

Mr. Pierce asked to hold off until the town does what they say they are going to do.

Ellen Peterson
One Endicott Street

Ms. Peterson asked what is the water table and have you done a perc test.

Mr. Deady said no, he has not done a perc test. Mr. Deady stated he will tar outside and seal inside of the basements and bring in proper fill.

Wayne Mathews

Mr. Mathews asked to confirm is it correct if the public has further comments they may not wish to speak in public or forgot to say out loud they may send their comments directly to you via the Planning Department. Mr. Luongo stated yes, that is correct.

John McCue

Mr. McCue stated any runoff is going to exacerbate the current water issue in the area.

Chairman Williams stated she will entertain a motion to continue the Public Hearing; Mr. Deady will go to the Board of Appeals to request relief of modified subdivision plan.

Mr. Nayak made a MOTION to CONTINUE the PUBLIC HEARING DEFINITIVE SUBDIVISION OF CROWLEY ESTATES ON SPENSER COURT, WEYMOUTH, MA to Tuesday, July 19, 2016 at 7:00PM. Mr. Berg SECONDED the MOTION. It was UNANIMOUSLY VOTED.

Zoning Board of Approval:

- Setbacks proposed street
- Lot line
- Setback ion proposed road 18 feet

OTHER BUSINESS

SOUTHFIELD ZONING AND LAND USE BYLAWS: SOLAR

Mr. Luongo stated this memo is a recommendation to Planning Board from the Planning Department.

Mr. Berg made a MOTION to APPROVE memorandum dated May 17, 2016 regarding Report of the Planning Board on Measure 16-031. Mr. Nayak SECONDED the MOTION. It was UNANIMOUSLY VOTED.

FORM A – 290 Pond Street

Mr. Luongo stated this was approved by Jim Clarke in 2003 and the owners agreed to swap land.

Ms. Akoury made a MOTION to APPROVE the Form A. Mr. Nayak SECONDED the MOTION. It was UNANIMOUSLY VOTED.

PLANNING BOARD REPRESENTATIVE TO COMMUNITY PRESERVATION COMMITTEE

Chairman Williams stated Ms. Akoury has expressed interest in being elected to the Community Preservation Committee.

Mr. Nayak made a MOTION to ELECT Ms. Akoury as representative of Planning Board to the Community Preservation Committee. Mr. Berg SECONDED the MOTION. It was UNANIMOUSLY VOTED.

NEEXT MEETING

The next meetings of the Planning Board will be held on June 21, 2016.

ADJOURNMENT

Mr. Berg made a MOTION to ADJOURN at 9:10PM. Mr. Nayak SECONDED the MOTION. It was UNANIMOUSLY VOTED.

Respectfully submitted,

Christine Malloy
Recording Secretary

Approve *Sandra Williams*

Chairman Williams

Dated: *June 24, 2016*
