

**TOWN COUNCIL MINUTES  
ORDINANCE COMMITTEE  
Town Hall Council Chambers  
March 6, 2017, Monday**

Present: Kenneth DiFazio, Chairman  
Michael Smart, Vice Chairman  
Jane Hackett, Councilor

Absent: Arthur Mathews, Councilor  
Patrick O'Connor, Councilor

Also Present: Richard Swanson, Town Auditor  
Joseph Callanan, Town Solicitor  
Robert Luongo, Planning Director  
Ed Walker, Chair of Historical Commission

Recording Secretary: Mary Barker

Chairman DiFazio called the meeting to order at 6:41 PM.

**17 014 –Proposed Ordinance Change to Allow Alternative Members of the Historical Commission**

This matter was referred to the Budget/Management Committee on February 21, 2017. Robert Luongo presented with Ed Walker, Chair of the Historical Commission. There currently are seven members on the committee and they have difficulty securing a quorum. Some members are snowbirds who are away for several months at a time. Under demolition delay cases, the meetings are required to be published fourteen days in advance. Under MGL language, alternate members are allowed as designated by the Chairman, or the Mayor. They are seeking to add two alternate members in an effort to resolve this situation.

Vice Chairman Smart asked if the committee would be willing to replace members who are unable to participate. Councilor Hackett reported that while she understands the difficulty in getting residents to volunteer, she would like to discuss this with the Mayor before making a determination. She was part of the review of committees when the form of government changed and they first established committees in compliance with the charter-- the composition of each committee was carefully considered. There was considerable discussion regarding maneuverability in certain hearing testimony to avoid potential conflicts of interests and to utilize particular skillsets, notably for the Board of Zoning Appeals. She notes that if roles can't be fulfilled, adding members doesn't absolve those who can't meet their obligation.

Mr. Luongo responded that maybe they should consider asking those who have extended stays out of state to give up their seat. Mr. Walker responded that they are requesting

something that is allowed within the state MGL. Councilor Hackett responded that it is not a question whether it's allowed, but whether we want it.

No Action was taken at this time. Any action will be subject to a future public hearing.

### **Issue-Request/Petition for Moratorium on New Construction Pending Review of Zoning by-Laws**

Mr. Luongo reviewed the zoning map with the committee. The recent zoning passed in the R-1 district further restricts development. In R-1, if a lot is not 25,000 minimum square feet or an established new lot in subdivision, it must be 25,000 square feet and square shape with 85% upland or it will be required go to BZA for variance. The test of a variance is much harder to meet. Pre-existing lots are not covered. He is unsure what else they can do to protect the R-1 district. He can do some additional work to the R-3 district. The R-2 properties don't pose a problem, since most are located along major roadways and not within residential single-family type neighborhoods. Business zones are the only other area to review which would have opportunities for growth. These are located on Route 3A, along Columbian Street by the Braintree line, and pockets along Route 18 in South Weymouth. He is reviewing with George Berg at the request of the Mayor; to determine what enhanced mixed-use development opportunities might exist and to fine tune the types of mixed use allowed in these districts to create opportunities that protect abutting R1 districts (height restrictions). While commercial is not robust at this time, mixed use is in order.

Mr. Luongo further stated that any recommended changes will be brought to the Planning Board and Council for consideration. He is unsure how this addresses a moratorium, but it is more important to protect the R-1 district. There has been discussion of South Weymouth areas along Route 18 which could benefit from less or more dense development, without harming existing R-1 areas and also incorporated along Route 53 (HT zoning) conversions from residential to commercial, which haven't been successful. They are not recommending a moratorium and the Mayor is in agreement. They don't want to hamper development and revenue which supports town programs. They are doing this in a logical fashion. There are protections that can be put in place rather than calling for a development moratorium. The R-1 guidelines are so restrictive now, that no one is investing. The key to create better growth is to unlock development and they would like the opportunity to discuss this in a public forum.

Chairman DiFazio noted that his constituents object to the development along the fringes of the B-2 zone which have less green space and more units. Mr. Luongo noted that the residents became overly involved in the development of the Jackson Paint property, for example. The B-2 zoning allows for a more generous development; and in this commercial area it should have some density. The concern is how it abuts with the encroaching R-1 district. Certain growth is needed in certain areas. He hears their constituents concerns but the development affects all residents.

Councilor Hackett agreed that a moratorium is not necessary. She asked how long the next phase of the zoning review will take. Mr. Luongo responded that they should have some B-1 recommendations to bring forward within the next month. They know the area well and they intend to present something that will work. The Planning Board will also review and they plan to hold informational public meetings for the general public.

Vice Chairman Smart asked if the new perimeter calculation formula that was presented for the R-1 zoning changes has added a decent layer of protection. Mr. Luongo responded that it absolutely has.

A Motion was made by Councilor Hackett to keep this matter in committee while the balance of the zoning ordinances are reviewed, with no action recommended at this time and was seconded by Vice Chairman Smart. UNANIMOUSLY VOTED.

#### ADJOURNMENT

At 7:14 PM, there being no further business, a MOTION was made by Councilor Hackett to adjourn and was seconded by Vice Chairman Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Chairman Kenneth DiFazio, Ordinance Committee

Voted unanimously on 3 April 2017