

TOWN COUNCIL MINUTES
Ordinance Committee
Town Hall Council Chambers
March 7, 2016

Present: Kenneth DiFazio, Chairman
Michael Smart, Vice Chairman
Jane Hackett, Councilor
Arthur Mathews, Councilor
Patrick O'Connor, Councilor

Also Present: Joseph Callanan, Town Solicitor
Robert Luongo, Planning Director

Recording Secretary: Diane Hachey

Chairman Ken DiFazio called the meeting to order at 6:50 PM.

Issue-Request/Petition for Moratorium on New Construction Pending Review of Zoning By-Laws

Chair DiFazio reviewed the history, noting that Mr. Mathews raised this issue during a "Resident and Community Comment" session and it was later referred to his committee on March 7, 2016. He further noted that the prior Town Solicitor, Carolyn Murray, opined on the issue in writing, which was distributed to all committee members.

He stated that Ms. Murray cited in her ruling that construction moratoriums are typically conducted for specific uses or for non-certain zoning districts. This request, generally speaking, is legal but subject to numerous considerations. A building moratorium is legally valid, provided the need for a comprehensive zoning ordinance review is legitimate. Additionally, excluding Southfield, would require a rational basis for such an exemption.

Mr. Luongo wishes to meet with the citizens who filed the petition and plans on strategically analyzing specific issues within specific zones. He considers this a drastic step and fears that it would be negative for the town, as we are in a strong economic upturn. He foresees that an analysis could take upwards of two years and would require hiring a consultant. Mr. Luongo noted that surrounding towns would benefit from a moratorium in Weymouth. He wants to understand the issues, engage the public and research the matter at hand, prior to taking such a drastic measure.

Councilor Smart asked what the estimation of new growth is, to which Mr. Luongo replied \$300-600k this year, exclusive of Southfield.

Mr. Luongo agrees to a comprehensive review of the town's zoning ordinances and wants to improve such, but not at the expense of instituting a moratorium.

Councilor Hackett is excited that Mr. Luongo is on board and notes that she, and Councilor Smart have been strong advocates for zoning along major routes in the town, and raising this issue has shed light on this.

Mr. Luongo noted that the town's Master Plan (dated in 2001) needs reviewing as it is outdated and recommends a strategic plan to undertake this effort, which would protect the residents while adding a growth component.

Wayne Mathews raised the concern with one residential lot becoming numerous lots and is concerned that we are running out of land and stressed the need to make wise decisions and keep the residential side in check-- as it burdens the schools and public safety.

Chairman DiFazio requested that Mr. Luongo reach out to Mr. Mathews and a few of the petitioners, and come up with objectives and a subsequent approach, and come back to the Ordinance Committee with an update.

Mr. Mathews requested to comment on the legal opinion discussed previously. He feels we may be missing the spirit of his request: the town's zoning is outdated and he suggests a moratorium to begin the review of this undertaking. Minor revisions can result in the generation of a larger tax base.

Chairman DiFazio extended his thanks to everyone and requested a report back in one month.

ADJOURNMENT

At 7:15 PM, there being no further business, a motion was made by Vice Chairman Smart to adjourn and was seconded by Councilor Hackett. UNANIMOUSLY VOTED.

Respectfully submitted by Diane Hachey as Recording Secretary

Approved by Kenneth DiFazio as Chairman

Voted unanimously on 19 April 2016