

TOWN OF WEYMOUTH

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WEYMOUTH, MASS.

There was a Planning Board meeting held on April 21, 1998 at 7:30 P.M. at the Town Hall.

Members present: Paul Hurley, Sr, Vice-Chairman
Susan Abbott, Clerk
Paul M. Dillon
Patrick Leary
Mary S. McElroy
Mary Sue Ryan

Staff present: James Clarke, Director of Planning & Community Development
Roderick M. Fuqua, Principal Planner

The meeting was called to order at 7:30 P.M. by Vice-Chairman Hurley.

1. Other Business

a. Heather Estates

Upon motion made by Mrs. Ryan and seconded by Mr. Dillon, it was:

UNANIMOUSLY VOTED: to authorize awarding the contract to Invernizzi at a price of \$14,500 for work at Heather Estates.

b. Unicorn Avenue

Mr. Fuqua stated that in reviewing this ZBA case, the applicant will have to come before the Board for a frontage waiver. Instead of sending a letter to the ZBA in opposition, he would like a vote from the Board to send a letter informing the ZBA that the applicant must come before the Planning Board for a frontage waiver.

Upon motion made by Mr. Dillon and seconded by Mrs. Ryan, it was:

UNANIMOUSLY VOTED: to send a letter to the ZBA informing them that the applicant for Unicorn Avenue must come before the Planning Board for a frontage waiver.

c. Mr. Dillon stated that two things happened this past week that he would like to discuss with the Board. He feels the Board should meet with the

Board of Selectmen and Board of Public Works to get a line of communications going. The first incident that happened concerned the Board of Public Works saying there was no problem for Nextel to put antennas on the water tower on Essex Street.

Mr. Dillon stated that the other thing that upset him was a massive banner in Jackson Square promoting Media One's event at the Sons of Italy. He asked the Building Department to check this out and found that the Board of Selectmen approved the banner. It was out of the Building Department's jurisdiction because it was on town property in the town's right of way. We have bylaws in this town and also we are trying to beautify this town.

Mr. Dillon made a motion that after Town Meeting, the Board of Selectmen, Board of Public Works and Planning Board have joint meeting to discuss issues.

Mrs. Ryan seconded and stated that she certainly agrees with Mr. Dillon.

Mr. Dillon suggested that the three Boards have a joint meeting in June.

Mrs. Ryan stated that more communication is needed. A case in point occurred when the DPW approved a cell tower on the water tower and that is clearly prohibited. She feels that more communication and coordination would certainly be in the best interest of the town.

Upon motion made by Mr. Dillon and seconded by Mrs. Ryan, it was:

UNANIMOUSLY VOTED: to have a joint meeting with the Board of Selectmen, Board of Public Works and Planning Board to discuss issues.

d. Naval Air Station

Mr. Clarke stated that because the Rockland Planning Board will be holding a public hearing on the NAS zoning on April 28th, he has pushed the NASPC meeting to April 30th. Mr. Clarke stated that he has talked to John Reilly about postponing Weymouth's vote on the NAS zoning to Tuesday, May 5th since the zoning article for both Abington and Weymouth are scheduled for May 4th. There was a hearing on the legislation for the LRA corporation before the Joint Committee on State Administration and the legislation was approved. It is now before the Ways and Means Committee. Mr. Clarke stated that he is hoping to have some action on this by next month.

e. Memorial Wall

Mr. Fuqua stated there is a grant application through DEM for historic

landscapes, and he has been working with the Permanent Wall Committee on the grant. The committee is made up of Bill Leamy, Veterans Agent, and several representatives from veterans groups, and Peg Goudy from the Board of Selectmen. They are looking at putting together a grant that would restore the Civic Center which is the area in front of Abigail Adams Intermediate School and on the side of the Town Hall. He explained what they are looking to do and stated that the grant is due May 15th.

2. Public Hearing - 7:45 P.M.

May 4, 1998 Special Town Meeting Zoning Article for NAS

Upon motion made by Mr. Dillon and seconded by Mrs. McElroy, it was:

UNANIMOUSLY VOTED: to open the public hearing at 7:45 P.M.

Upon motion made by Mr. Dillon and seconded by Mrs. Ryan, it was:

UNANIMOUSLY VOTED: to waive the reading of the public hearing notice.

Mr. Clarke stated that there were several Selectmen that wanted to be here tonight, but they have a Selectmen's meeting. He asked Sue Kay to make an announcement at the Selectmen's meeting that the Planning Board has a meeting this evening so they couldn't be at the Selectmen's meeting for the discussion with the MWRA.

Mr. Clarke stated that tonight they would like to present an overview of the zoning document. He introduced people in the audience who would be participating in the presentation. Those people are Dick Cook, member of the NASPC from the town of Hingham and Chairman of the Land Use Subcommittee; Karen Goode, Weymouth representative of the NASPC and member of the Land Use Subcommittee; and David Spillane, consultant from VHB. Mr. Spillane, along with Susan Mygatt from Goodwin, Proctor and Hoar were the principle drafters of the bylaw. He turned the meeting over to Mr. Cook for opening comments.

Mr. Cook stated that as Mr. Clarke indicated there was a Subcommittee responsible for a recommendation on the zoning. The Land Use Subcommittee also dealt with the reuse plan. He explained the process the Subcommittee went through in preparing this plan. One of the first things they did was to identify certain land on the perimeter of the base that was adjacent to all of the existing residences in the three communities and they created, consistent with the reuse plan, an open space district, and there were some other uses such a senior housing and commercial complex on Route 18 in Weymouth. Rather than delegate to the Development Corp., they decided it would be best handled by individual communities. They also created some protection by creating an appeals process. The appeals board would be comprised by a representative of

each of the three communities to be appointed by the Selectmen and taken from the sitting Board of Appeals in each of the three communities. In the reuse plan, there is some power to subdivide land and review wetlands issues. The power to create regulations are in this documents. The regulations are not in this document but there are references to the Subdivision Control Law and Wetlands Protection Act to provide some guidance as to how the regulations should be established. He thinks you will see a process that's consistent with development in the communities.

Mr. Clarke stated that he passed out two documents tonight - the Executive Summary prepared by Susan Mygatt, and the full warrant for the Special Town Meeting. The article the Board is hearing tonight is Article 1 of the Special Town Meeting. Article 1 is broken into two portions. The first part is Part A which is to adopt a Zoning and Land Use Bylaws for the NAS South Weymouth. The second Part B is to amend the zoning map in the Town of Weymouth by changing the R-1 zoning of the South Weymouth NAS to the proposed zones as described in Parcels A - M.

Mr. Clarke presented the Land Use Plan which is comprised of open space, retail, senior residential housing, wetlands, Coast Guard housing. He explained how they took the Land Use Plan and set up the regulations. The other unique aspect is they are proposing a connector to Route 3. To enhance the quality of development, they have higher standards for lot sizes, landscaping, curb cuts, and type of uses that can be within Area A. Area A runs 500' to the north and south of the connector road. He explained the proposed zones.

Mr. Clarke stated that as Mr. Cook said that there will be a corporation that will handle the permits within the central area, and the perimeter areas will be under local control. One of the points he would like to make is that decisions that are made by the corporation, especially special permits that have to be approved by the corporation, the corporation has to make a finding that it follows and implements the reuse plan. Mr. Clarke read the goals and objectives from the bylaw and stated that it makes it very clear what the purpose of the document is. He stated that there are several areas of the document that he would like to comment on. He explained Section 5 - Water Resource Protection District. The proposed Water Resource Protection District includes all the wetlands areas delineated on the base plus the two aquifers. Section 7 - Wireless Communications is pretty much from the Weymouth bylaw. The other area he would like to comment on briefly is the landscaping standards. Within the SPUD area there are type A, B and C requirements for landscaping. On the perimeter area there is at least a 30' requirement for dense landscaping. Within the type B area which is the area around the connector road, there is a 50' requirement for landscaping. For the rest of the area there is a 20' requirement.

Mr. Clarke stated that another point he would like to make is that this is not just a zoning document, it also describes some of the subdivision control issues. One of the important items they spent time discussing was concern about having other access roads onto the base. They have never contemplated that. This makes it clear in Section 18 that you cannot bring a road through an open space area from the central area out onto one of the roads within the community, and specifically Union Street. There were some residents, particularly in Rockland who had some strong concerns about opening up Union Street.

Mr. Cook stated that there was a concern over how these regulations could be amended. The last section states that if it is a substantial change, it must go back to all three Town Meetings for a vote. A modification of the Reuse Plan would require a majority vote, and not the two-thirds vote required for the bylaw.

Mrs. Ryan thanked the members of the subcommittee for the excellent job putting together the bylaw. However, she does have some concerns with regards to the parking criteria, but in no way does she want it interpreted that she is not in favor of this zoning document. She wants it in the minutes of our meeting that it could be a concern, especially in the periphery area where we would be the permitting authority. The areas of concern are with regards to senior housing. She questioned whether the parking for employees and guests is sufficient. With regards to medical uses, the medical community has changed and she is concerned with the amount of parking for emergency type uses. Recreational uses such as health clubs are getting bigger and attracting more and more people, and she wants to make sure there is sufficient parking. She is also concerned that there is sufficient parking for day care uses, and noted that the Board is in the process of revising parking for day care centers. For restaurants she feels there should be something to include that parking be based on the square footage of the entire restaurant. Satellite parking was a concern but she thinks that has been addressed. She is also concerned with recycling.

Mrs. Ryan stated that she is pleased with the work and thinks this is an excellent plan overall. This is so much more than she had hoped for with all the open space area and control for the communities. She thanked all those involved in this plan for all their work and time.

Mr. Cook stated that he would like to take this opportunity to thank Karen Goode. He was very impressed with her thoroughness.

Mr. Leary stated that the committee has done a wonderful job and he is very impressed. He understands the development corporation will also act as the Board of Appeals and asked about the process. Mr. Cook explained the process and stated that there would be no use variances allowed.

Mr. Leary stated that he is concerned with contaminated groundwater. Mrs. Goode explained that the Navy is required to clean anything that they contaminated.

Mr. Leary stated that he is very excited about this plan. He never thought that it would come out so well.

Mrs. McElroy stated that she personally wants to thank Dick Cook and Karen Goode.

Mrs. Abbott stated that she would like to hear a little more about wireless communications section of the bylaw. It seems to be taken from the Weymouth bylaw.

Mr. Clarke stated that he would like to respond to some of the issues raised. Recycling was an issue the committee discussed at some length, and determined that they did not want recycling facilities at all. With regards to parking for medical facilities, it is more related to square footage of the facility than on number of beds.

Mr. Cook stated he shares the members concerns over parking because it seems that whenever you permit a facility there is a problem with not enough parking. He explained what is proposed for parking requirements.

Mrs. Abbott stated that she is concerned when there is a change over. The new use may meet the same square footage, but the use change may require additional parking. She asked how that is addressed. Mr. Cook addressed Mrs. Abbott's concern.

Mr. Dillon asked about adult entertainment. Mr. Clarke replied that there is a provision in the bylaw that prohibits adult entertainment.

Mrs. Abbott asked about wireless communication. Mr. Clarke replied that the only area where they allow free standing structures is in the SPUD B area by special permit.

Mr. Hurley opened the meeting for questions/comments from the public.

Mr. Walter Bainter, 114 Bald Eagle Road, and Mr. Henry Dunker, 44 Bradmere Way, both raised issues and concerns over the proposal.

Upon motion made by Mr. Dillon and seconded by Mrs. Ryan, it was:

UNANIMOUSLY VOTED: to close the public hearing at 9:00 P.M.

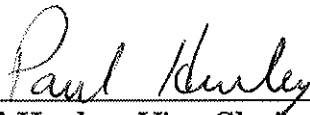
Upon motion made by Mrs. Ryan and seconded by Mr. Leary, it was:

UNANIMOUSLY VOTED: to recommend favorable action on the Special Town Meeting Article 1, Part A and Part B.

Upon motion made by Mrs. McElroy and seconded by Mrs. Ryan, it was:

UNANIMOUSLY VOTED: to adjourn the meeting at 9:05 P.M.

This is to certify that the foregoing is a true and complete statement of all actions and votes taken at this meeting on April 21, 1998.



Paul Hurley, Vice-Chairman