

**PLANNING BOARD  
RECORD OF MINUTES AND PROCEEDINGS  
MAY 11, 2004**

The Planning Board of the Town of Weymouth held a public meeting on Tuesday, May 11, 2004, at 7:30 p.m. at McCullough Building, Whipple Center Conference Room, 182 Green Street, Weymouth, MA.

Present: Paul Dillon, Chairperson  
Paul Hurley  
Walter Flynn  
Mary Akoury

Staff: Rod Fuqua, Principal Planner

Paul Dillon called the meeting to order at 7:30 p.m.

Paul Dillon asked for a staff overview on the entire Holly Estates area. R. Fuqua reviewed a memo that outlined the different subdivisions in the area:

- Holly Estates, Sheri Lane;
- Holly Estates Extension, Chelsey Way and Ashley Circle;
- Tanner Terrace.

The review identified the developer, times of approval with modifications and performance guarantees for completion of the roadways and utilities.

**Tanner Terrace - Public Hearing Cont.**

A MOTION was made to open the public hearing and was seconded by Walter Flynn and UNANIMOUSLY VOTED.

Paul Dillon explained that he, Walter Flynn and Paul Hurley were the Board members eligible to deliberate and vote on this application.

Gregory Galvin and Jennifer Huff were present representing the applicant. Mr. Galvin noted the plans were revised so that lot 10 now conforms to zoning. All drainage reviews were complete with no negative comments or suggested revisions.

Paul Dillon asked if there were any questions.

Rod Fuqua noted that all requests and revisions were in place with all reviews complete. There are no adverse comments.

There were no further comments.

A MOTION was made by Walter Flynn to close the public hearing was seconded by Paul Hurley and UNANIMOUSLY VOTED.

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The Board began deliberations on the subdivision application. Paul Dillon asked for staff comments and Rod Fuqua went through a memo with comments. Summarized as:  
Attached below are the review comments on Tanner Terrace definitive subdivision plan. Based on the application, discussion at the Planning Board meetings on March 9, March 30 and referral comments from other town agencies, the following findings are noted:

1. All final plans should be titled "Definitive Subdivision Plan, Tanner Terrace, Weymouth, MA" and numbered sheet 1 of total number, etc. A separate surveyor definitive and engineers construction plan becomes confusing.
2. The name of the roadway was changed to Tanner Terrace. The change is noted on revised plans.
3. The water main is shown on plan with an extension from the subdivision property across abutting lots fronting Elmer Road and connecting to the main in Elmer Road. There should be a condition that the water main construction outside the subdivision is subject to the Town securing all rights, access and easements for the developer of Tanner Terrace to install the water main as shown on the plans.
4. The Planning Board should reserve the opportunity to review the proposed street light at the intersection of Tanner Terrace and Chelsey Way. Exact location and type of light should be subject to Planning Board review and DPW approval.
5. Final plans should include all DPW technical notes as contained in a Memo from B. O'Connor, dated April 14, 2004, to J. Clarke.
6. A sidewalk waiver should be reviewed. Chelsey Way does not have a sidewalk and in fact, the sidewalk was waived by the Planning Board.
7. A request to waive the island in the cul-de-sac. If an island is required then it should be no larger than forty (40) feet in diameter.
8. All conditions should be noted on the definitive plan before Planning Board endorsement.

The Board discussed the definitive subdivision application and noted the following findings:

Paul Hurley noted that DPW does not require a fire flow test on water. He also noted that DPW must be satisfied since they requested the water loop to Elmer Road.

All Board members felt that sidewalks are important in subdivisions, but noted that sidewalks on Chelsey Way were waived in 2002. Given that there were no sidewalks there was consensus not to require sidewalks on Tanner Terrace. Each of the members noted their concern for sidewalks and felt strongly that sidewalks should be considered critical on all new subdivision applications.

After some discussion the Board reached consensus that a cul-de-sac island would be an asset to the subdivision.

A motion was made by Walter Flynn, seconded by Paul Hurley to approve Tanner Terrace Definitive Plan with the following conditions:

1. All final plans shall be titled "Definitive Subdivision Plan, Tanner Terrace, Weymouth, MA" and numbered sheet 1 of total number, etc.
2. Water main construction outside the subdivision is subject to the Town securing all rights, access and easements for the developer of Tanner Terrace to install the water main as shown on the plans.
3. Exact location and type of street light at the intersection of Tanner Terrace and Chelsey Way shall be subject to Planning Board review and DPW approval.
4. Final plans shall include all construction details as per Department of Public Works specifications for roadway construction and utility installation.
5. A waiver of sidewalks is granted, section 5.12 of the Rules & Regs.
6. A waiver of a landscape island is granted to allow an island no larger than forty feet in diameter, section 5.4.4 for the rules and regulations.
7. A deed restriction shall be placed on all lots within the subdivision that makes lot owners responsible for the landscaping within the island at the center of the turnaround.
8. All conditions shall be noted on the definitive plan before Planning Board endorsement.

The Board took up other business with a continued discussion of allowing medical offices in Libbey Park. Rod Fuqua presented a proposal from staff that would permit medical offices in the park. A proposed zoning amendment would read:

ARTICLE XX: (By Request of the Planning Board): To see if the town will amend the zoning ordinance by changing in Planned Office Park District (POP), Section 120-35.2.1. Permitted uses. , subsection A. "Office buildings for general office purposes."

To read as follows

One of options.

- In Neighborhood Center District (NCD), Section 120-22.2. E. "Clinic or office of business, professional or financial organizations."
- In Limited Business District (B-1), Section 120-23. E. "Clinic or office of an architect, attorney, physician, dentist or other similar professional persons or firm, real estate, insurance or other agency office, bank, office building, post office or similar establishment."
- In Limited Industrial District (I-1), Section 120-28.c. "Office building."
- In Planned Industrial Park District (PIP), Section 120-31.C. "Office building."

Staff recommendation is to use the term "Office building." That is the same wording contained in the PIP District. In 1979 the PIP District was created and some industrial land was rezoned from Limited Industrial to the newly created PIP District. One of those areas rezoned was the area known as Libbey Industrial Park. As Libbey Park developed there was a mix of light industry, warehouse and office uses. Among uses in the park are some medical offices that were permitted as of right. In 1985 the POP District was created and the area known as Libbey Industrial Park was rezoned from PIP to POP. This change in terminology used for offices

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rendered all the medical offices in Libbey Park as nonconforming uses. Now there are some existing medical uses that would need relief from the Board of Zoning Appeals for any expansion or change. Additionally, the wording prevents new additional medical offices from locating in the park. The recommended change uses the same wording as in the PIP District which in effect when Libbey Park began to develop.

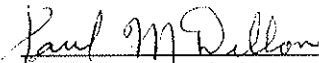
Although the Medical Services District permits exclusive medical use near the hospital, the town's other general business districts allow medical uses as part of the use mix. Since there appears to be a high demand for medical related uses, Libbey Park would benefit from the addition of this use to the list of permitted activities. Parking for the medical uses will be regulated by the parking standards in the zoning ordinance.

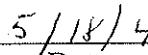
The Board was supportive of a zoning change, but requested more information on the difference between an office, a clinic and a hospital. The staff offered to provide further information to the Board.

A MOTION was made to accept the minutes from the April 20, 2004 Planning Board meeting and was seconded and UNANIMOUSLY VOTED.

At 8:30 p.m, there being no further business, a MOTION was made by Mary Akoury to adjourn and was seconded by Walter Flynn, and UNANIMOUSLY VOTED.

Approved:

  
\_\_\_\_\_  
Paul Dillon, Chair

  
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Date