

Minutes of the Planning Board Meeting Held on July 16, 2002 at 7:30 P.M. in the Council Chambers of Town Hall

Present: Paul Dillon, Chairman; Mary Akoury, Walter Flynn and Scott Curry

Staff: James Clarke, Director of Planning

Meeting commenced at 7:30 P.M.

1. REORGANIZATION

Motion made by Mr. Curry, seconded by Mr. Flynn to nominate Paul Dillon for Chairman.

Mrs. Akoury asked that the reorganization be tabled until the next meeting on July 23rd.

Mr. Curry withdrew his motion.

FORM A

1. 21-23 Pond - one lot to be subdivided. Both lots have 40ft. frontage.

Motion by Curry seconded by Mrs. Akoury to approve the Form A.

All in favor. SO VOTED.

2. Mutton Lane & Pleasant Street - Sheet 31, Block 407, Lot 1 & 68, Zoning R1
This is not a buildable lot.

Motion by Mr. Curry seconded by Mr. Flynn to approve the Form A.

All in Favor. SO VOTED.

3. Joan Terrace - Sheet 30, Block 382, Lot 16 (Off Washington St. & Echo Ave.)

This was a Board of Appeals case. The three lots are just under 15,000 sq. feet. The applicant needs to come in for the road conditions. There is no representative in attendance for Joan Terrace.

Motion by Mr. Dillon seconded by Mr. Curry to approve the Form A .

All in favor. SO VOTED.

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4. Off Westminster Road - A. J. Dignan Construction Co. - Sheets 27 & 31, Block 351, Lots 1, 2, 3, & 11. Sheets 27 & 31, Block 350, Lot 4, Zoning R1.

This is a preliminary plan for eleven (11) lot single family subdivision.

Mark Arnold stated that the property is off Pleasant Street at the intersection of Granite Post Lane. Roadway A is off Granite Post Lane and Roadway B is off Westminster Road. . There are two (2) existing dwellings on the property that would be cut out. There is a wetland on both the southerly border and northerly border connected by a ditch.

The proposed Roadway A is approx, 620 feet and the elevation is from 82 to 110. There are three (3) sets of catch basins. This roadway will serve five (5) single family house lots. Roadway B (Westminster & Jacobs Lane) is under construction. The utilities at 4 Jacobs Lane extend S.E. 230 ft. and the elevation starts at 104 and drops to a low point at 102.73. The catch basin will fall into the second detention basin. Roadway B will serve four (4) single family house lots.

The lots will be on Town sewer and water. The applicant is requesting a waiver from sidewalks and granite curbing. All lots will conform to zoning bylaws.

Mr. Clarke asked if the sidewalk waiver was for both roads. Mr. Arnold said "yes".

They will not be connecting through the wetlands ditch. Two dead end streets are proposed.

A lengthy discussion ensued relative to the ledge. Mrs. Akoury had concerns about blasting so close to residential neighborhoods and Whitman's Pond.

The roadway into Jacobs Lane is being constructed by Bristol Bros.

Mr. Arnold discussed the layout of the property and storm water management in response to a few questions from Mrs. Akoury.

With regard to Mrs. Akoury questions regarding flooding, Mr. Arnold stated there is no flooding. The detention pond will allow the water to run off gradually.

Mrs. Akoury asked if the rear of the lots that are above the minimum size would remain wooded? Mr. Arnold said that Mr. Dignan would replace the trees he cuts down. They will not take all the trees down.

Mrs. Akoury stated that there is a private way with one house that abuts the new proposed roadway. Would it be feasible to approach the abutter to see if they would be willing to have the entrance to their property come from the roadway instead of the private way? It may be helpful and beneficial to that abutter.

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The utilities will be underground.

With regard to questions raised with the ledge and the detention basins, Mr. Clarke will need to express the Board's concerns to and get some comments back from the Department of Public Works.

Motion by Mr. Curry seconded by Mr. Flynn to take the Form A under advisement.

All in favor. SO VOTED.

5. ZONING AMENDMENT DISCUSSION

Mr. Clarke stated that the Council had asked that the Board look at whether there should be zoning regulations for tattoo parlors. As there was a brief discussion regarding this issue at the last meeting, Mr. Clarke prepared a brief memo. He has spoken with Mr. Lane and Mr. Coates and all three agree that using zoning is not a good idea at this time. Under the zoning act there is a provision in Chapter 40A, Section 9A to allow for special permits and specific distance requirements for adult uses. It would be inappropriate to use this provision for tattoo parlors. The special permit process allows communities to review a proposed use with the benefit of a public hearing and the notification of abutters. The community can then approve or deny the project and set conditions on a use that is permitted. Through the licensing process the community can accomplish the same goals.

Mr. Clarke said that at this time he sees no need to have any type of zoning regulations on tattoo parlors. If he saw a need, he would question whether we had a legal ability to do so.

Motion by Mr. Curry seconded by Mr. Flynn that the Board not proceed with any action.

All in favor. SO VOTED.

Mr. Clarke will send a memo to the Council with regard to the above.

6. HOLLY ESTATES EXTENSION – BOND REDUCTION

After discussion at the last meeting, the Board eliminated the sidewalk and asked for an increase in the width of the pavement around the cul-de-sac. The catch basins and the manholes are all raised properly and the contractor went in and dug out a little more of the cul-de-sac and put down a base and finish coat. There are a couple of other items i.e. street signs, that will cost about \$5,000. The bond was for \$30,000.

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Motion by Mr. Curry seconded by Mr. Flynn to reduce the bond from \$30,000 to \$25,000.

All in favor. SO VOTED.

7. OTHER BUSINESS

With regard to the preliminary plan for the eleven (11) lot single family subdivision off Westminster Road, Mr. Clarke will call Mrs. Akoury to go over some of the conditions.

Mr. Dillon asked if a waiver of the sidewalks could be granted on Roadway B and not on Roadway A?

Mr. Clarke said it could be done as the Board would be giving their indications on the preliminary plan. There still has to be a definitive plan and a public hearing process.

Mr. Clarke will get some information on blasting. This was a critical issue with the Board..

Next meeting on Tuesday, July 23, 2002.

Motion to adjourn. SO VOTED.

Meeting adjourned at 8:20 P.M.

Respectfully submitted,

Annette M. Cignarella
Recording Secretary

APPROVED Paul M. Dillon