

TOWN OF WEYMOUTH  
PLANNING BOARD  
MINUTES

RECEIVED

There was a Planning Board meeting held on Monday, August 16, 1999 at 7:00 P.M. at Abigail Adams Intermediate School.

OFFICE OF TOWN CLERK  
WEYMOUTH, MASS.

Members present: Susan Abbott, Chairwoman  
Mary S. McElroy, Vice-Chairman  
Mary Sue Ryan, Clerk  
Paul M. Dillon (arrived at 7:40 P.M.)  
Paul Hurley  
Paul F. Lynch, Sr.

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

The meeting was called to order at 7:05 P.M. by Chairman Abbott.

1. Public Hearing – 7:00 P.M.  
Petr: Charlotte Delaney  
Locus: 280 River Street  
Sheet 3, Block 1, Lot 18  
Zoning: R-1

Special permit to construct an addition to an existing single family dwelling within a Special Flood Hazard Zone

Mr. Gregory Galvin stated that he is an attorney and he is representing Charlotte Delaney. With Ms. Delaney is her engineer, Doug Schrouder from Merrill Associates and architect, Robert Rose. Mr. Galvin stated that they are here for a special permit in the floodplain. The Board received a copy of the plan for not only the site but the addition Ms. Delaney wants to put on this structure. They have spoken with the neighbors and he has a petition signed by most of the neighbors.

Mr. Galvin stated that currently there is a structure on site. The applicant is seeking an addition on the structure, and with this addition, it will slightly impact the floodplain zone. The applicant's property is situated as such that as you face the applicant's property from River Street, the property to her left is at a higher elevation. Any work on Ms. Delaney's property would not impact that property because it is at a higher elevation. The property to the right, there is a concrete abutment and that property also sets back from the water line so that if there was to be any impact, the property would be protected. The primary work that is anticipated to be done in the floodplain is footings for the deck. The applicant has already gone to the Conservation Commission and received an Order of Conditions.

Mrs. Abbott asked about the number of levels to the house and living space in the lower level. Mr. Galvin replied that there is no living space in the basement.

Mrs. Abbott asked if this is a multi-family house. Mr. Galvin replied that it is not.

Mrs. McElroy asked if it is not a multi-family house, please tell her why listed at this address as voters are Steve Pattyson, Mark Coady, Laura Gassett, Julie Ryan, and Chris Toland. Ms. Delaney replied that only two people live in the house.

Mr. Galvin stated that this is a single family home. It is designed to be a single family, not a multi-family.

Mrs. McElroy stated that there are seven people listed as living in the house presently, and now they are adding more rooms. She asked how many more people are going to live in the house.

Mr. Galvin stated that all those people don't live in the house.

Mrs. McElroy stated that if people listed in the Voters Registrars Book do not live in the house, if the town is notified they will eliminate those names from the list.

Mr. Galvin stated that his clients claim they are the only ones living there. If the Registrar of Voters has some other information, his clients say it is incorrect.

Mrs. McElroy stated that she would like to see the names of people listed as living in the house taken care of before she votes on this application.

Mr. Lynch asked for the list of conditions from Conservation. Mr. Galvin replied that Conservation only recently issued their conditions and he does not have a copy yet.

Mr. Hurley asked if it correct that they are only digging the footings in the floodplain. Mr. Galvin replied that is correct. He stated that everything else is outside the floodplain. Mr. Hurley asked if that means they won't have to have a break away foundation. Mr. Galvin replied that is correct, because it is not in the floodplain.

Mr. Clarke stated that it is just the deck in the front that it is in the floodplain and under the Board's jurisdiction.

Mr. Clarke stated that on the plan showing the north/south elevations, he wants to make sure that it will that be open where the floodplain is. Mr. Galvin replied that his client is agreeable as long as aesthetically it looks well.

Mr. Clarke stated that what he sees in the floodplain jurisdiction, there appears to be no living or storage space in the basement area, but the elevation plans are not clear.

Mr. Fuqua reviewed the comments received from departments. DPW Water and Sewer Division sent a letter back stating that the property is still not hooked up to sewer.

Mr. Galvin stated that in discussing that with his client, he was told that Ms. Delaney has engaged a contractor. He was told by his client that because she knew she wanted to put on the addition and now knowing what would be dug up, she delayed hooking up to the sewer. His client is in the process of hooking up to the sewer. One of the problems she faces because of the delay is she now has to comply with the consent decree.

Mrs. Abbott questioned whether the Board could approve the special permit if the applicant is in violation of the requirement to hook up to sewer. Mr. Galvin replied that he thinks the Board has the ability to approve the special permit with the condition that no building permit be issued until the work is done to hook up to the sewer.

Mr. Clarke stated that there are issues that need to be resolved. He suggested that the Board continue the hearing to September 13, 1999 at 7:45 P.M.

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

UNANIMOUSLY VOTED: to continue the public hearing to September 13, 1999 at 7:45 P.M.

(Mr. Dillon arrived at 7:40 P.M.)

2. Public Hearing – 7:15 P.M.

Petr: Paul Kerrigan  
Locus: 337 Summer Street  
Sheet 28, Block 358, Lot 4  
Zoning: R-1

Request for a waiver of the 72 foot minimum frontage requirement

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

UNANIMOUSLY VOTED: to open the public hearing at 7:40 P.M.

Mr. Brian Mansfield stated that he is an attorney from Rodick, Rodick and Mansfield and he is representing the applicant, Paul Kerrigan who is present along with his engineer, Robert Crawford from ENT Engineering.

Mr. Mansfield stated that they are seeking a waiver of frontage for property located at 337 Summer Street. This is a vacant lot and Mr. Kerrigan is proposing to build a single family residence. There is a requirement for 72' of frontage, and the property has 26.5'.

Mr. Clarke asked Mr. Mansfield to give a little more detailed presentation, and the status of the application before the Board of Zoning Appeals.

Mr. Mansfield stated that this is a pork chop shaped lot with 26.5 feet of frontage. There is an application pending before the Board of Zoning Appeals for a variance, however the BZA requested that they come before Planning first. He pointed out Mr. Kerrigan's lot on the plan and existing dwellings abutting Mr. Kerrigan. There are three properties to the left that bear the address off Summer Street. They have been in contact with the neighbors trying to respond to their concerns on this project. As to the question presented as to a subdivision plan, there was a plan before the Board seven or eight years ago that he believes was approved. The lot is owned by Mr. Collins and Mr. Kerrigan has the property under a purchase and sales agreement pending the zoning variance and frontage waiver. The subdivision included a larger lot back and to the left that was owned by Mr. Collins and a front lot that is not shown on the plan. Mr. Collins no longer owns the lot in the back or the

front lot. This is the last lot Mr. Collins owns.

Mr. Mansfield stated that this property is currently under a DEP Superceding Order of Conditions and is in effect through December, 2001.

Mr. Hurley asked if the Superceding Order of Conditions was granted for the subdivision. Mr. Mansfield replied that there was a Superceding Order of Conditions granted in 1995 for the construction of a single family house on this lot.

Mr. Mansfield stated that in 1995 the Board of Zoning Appeals did grant a variance for this property, however, there was a different applicant at that time, and no building permit was ever pulled.

Mr. Hurley asked about the status of the subdivision plan. Mr. Clarke replied that the subdivision plan was never endorsed by the Planning Board, and after one year if the plan is not recorded, it becomes null and void.

Mr. Hurley asked why the lot can't be accessed from off Summer Street. Mr. Mansfield replied that for access off Summer Street, it would require an easement from all three or at least two of the abutting properties.

Mrs. Ryan stated that the amount of access onto Summer Street is very small and it is a concern of hers. The frontage requirement is much higher than what is proposed.

Mr. Crawford stated that they are trying to make the best with what they have to work with. He has recommendations in a letter and also showing on the plan is that the southerly drive off Summer Street be made one way. He also recommended that the other little ramp be made a one way exit, but the abutters don't like that because they say that in the winter they don't get a very good plowing job on the westerly ramp and therefore they use the other entrance.

Mr. Mansfield stated that to accommodate the abutters that have that concern, they would recommend that their suggestion for the exit only be removed and that it be a two way entrance.

Mrs. Ryan stated that where they have the exit only on the plan, it would be an entrance/exit. Mr. Mansfield replied in the affirmative.

Mr. Hurley asked about utilities and drainage. Mr. Crawford explained their plans for utilities and drainage.

Mrs. Abbott asked if they have gone to the Conservation Commission. Mr. Mansfield replied that the original plan is under the DEP Superceding Order of Conditions.

Mr. Fuqua stated that there is a retaining wall on the eastside where the drain outlet is. He asked if there is also a retaining wall proposed on the opposite of the house. Mr. Crawford replied in the affirmative. Mr. Fuqua stated that at the front there is a retaining wall noted on the plan as a railroad tie retaining wall. He asked what type of retaining wall is proposed for

each side of the house. Mr. Crawford replied that those retaining walls would be railroad ties. Mr. Fuqua asked for a detail on the plan with regards to the retaining walls. He asked what the height of the walls would be. Mr. Crawford replied that in each case the height varies. It ranges from 0 to approximately 3'. Mr. Fuqua requested a detail showing the minimum and maximum height. He stated that once you have a 4' difference on a wall, it requires a handrail on the top.

Mr. Fuqua asked if it was correct that there are three retaining walls proposed. Mr. Crawford replied that there are four retaining walls – two at the entrance and one on each side.

Mr. Fuqua stated that the area on Summer Street between the two grassed islands marked exit only that they are proposing to take out, that is currently used as both in/out, and they are now proposing to leave it that way. He asked if the one that is marked entrance only can presently be used both in/out. Mr. Crawford replied in the affirmative.

Discussion ensued regarding the differences in the plans presented to the Board. It was suggested that the applicant withdraw and come back with a plan that includes everything on one plan.

Mr. Mansfield suggested that rather than withdrawing, the Board continue the hearing and the applicant will come in with an updated plan. The plan submitted to the Board included issues that were before the Planning Board. They did not mean to confuse the Board. The intent was always to amend the ZBA plan if this plan was approved by the Planning Board. If the Board would rather have just one plan that would satisfy both boards, they will provide that.

Mrs. Abbott opened the meeting for questions/comments from the public.

Mr. Bill Taber, 30 off Summer Street, stated that he has a couple of issues. He would like to see the retaining wall on the westerly side clearly marked on the plan, and also he would like to see the exit only be used for both entering and exiting.

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

UNANIMOUSLY VOTED: to continue the public hearing to August 30, 1999 at 9:30 P.M.

3. 7:45 P.M. Public Hearing (cont.)

Petr: American Stores Realty Co.

Locus: 574-588 Broad Street

Sheet 22, Block 241, Lots 14, 15, 16, 17, 21, 29, 32

Zoning: B-1

Request for special permit for Osco Drug Store with drive-thru service

Mr. Galvin stated that as he indicated PAL Associates has filed a report indicating how far they have gone, what they determined with that investigation, and what would be required to move forward with the special permit process.

Mr. Georgy Bezkorovainy stated that this is his fourth appearance before the Board. At the previous three, he just got right into the numbers, analysis and results. At this time, he would like to give the Board the qualifications of Bruce Campbell Associates and himself, and who they are. He gave a brief presentation of the background of Bruce Campbell Associates, the number of people at Bruce Campbell Associates, their qualifications, and other projects they have done.

Mr. Bezkorovainy stated that this project has had a lot of data collection. There are four volumes of different reports that the Board has before them. There is a very large response that the applicant has agreed to do every time. In his experience, and he has worked on many projects, and there have been some million square foot commercial developments that have gone through MEPA reviews and Mass. Highway reviews that have had less of an effort than they have put in for this project. The Board has a lot of very good information on traffic volumes, delays, and queues so the Board has a very good database. Whether they are working for a community or a developer, the procedure is basically the same. They look at the traffic data, accidents, pedestrian volume, etc., and do an analysis and what the numbers come out is what they report to their client. With all this information, he thinks there is a very solid database and the results they have been presenting to the Board from day one are very similar. The intersection of Middle Street and Broad Street works very well during some of the peak hours and it works poorly during one or two peak hours. Next year when the project comes in, for one of the peak hours the intersection still works well, but it fails during some of the other peak hours. The proponent has proposed mitigation. They are going to upgrade the traffic signal and improve the level of service to better than what it is today. The queues will be equal to or better than what they are today.

Mr. Bezkorovainy stated that he thinks there are only three outstanding issues. They have prepared a report. The first one deals with the bus stop. He got a message from the MBTA and the MBTA said they would relocate the bus stop to between the two driveways on Broad Street if the town requests. The second issue is the Middle Street exit drive. There is a sight distance problem if a certain type vehicle is parked in one space. They feel that a sign saying only that small cars can only park in that space will mitigate that problem. The Board took issue on that so the other alternative is to remove that parking space.

Mrs. Abbott stated that to mitigate this project, you have to impact other businesses. Mr. Bezkorovainy replied that is correct. There is one space where there would be no trucks or vans allowed to park.

Mrs. Abbott stated that it is clearly an impact on existing businesses. Mr. Bezkorovainy replied that it is an impact.

Mr. Galvin stated that with regards to the locus on Middle Street, most of those trucks park illegally. They park on the left side of the street heading in a southerly direction. That is an illegal parking maneuver. It is not so much that they are asking that a business give up a parking space as much as that they comply with the current law. It is an enforcement problem. The trucks can park on the right side of Middle Street heading southerly or there is an entrance to the rear of these properties where there is parking. They are not trying to interfere with another business' ability to continue to operate, but you are dealing with a business that allows trucks to park on the wrong side of the street.

Mr. Bezkorovainy stated that the third issue is the treatment of the eastbound approach. Their view is that it should be modeled such a way that if the first vehicles in line wants to turn left, the other cars can get around it. BSC's approach is that it should be modeled as a 12' lane and as such if there is a vehicle is turning left, the computer does not allow other vehicles to get around. In BSC's response they suggested two possible avenues and Mr. Bezkorovainy stated that they did not have time to respond to that. One is that it could be resolved during final design and the second is that there is a procedure for collecting additional data called saturation flow studies that would more accurately model how many cars per hour that intersection could handle.

Mrs. Abbott stated that she can understand Mr. Porter's concerns.

Mr. Bezkorovainy stated that when Mr. Porter analyzes his approach the result comes out as LOS D with delays of 25 seconds and queues of 15 or 20 cars. When a person goes in the field, he sees 3 or 4 cars and delays of 8 seconds. He questioned whether it should be analyzed by the book with numbers that are there today or model the approach by going there, observing the length of queues and measuring how long vehicles are delayed. Mr. Bezkorovainy stated that they will work with Mr. Porter to resolve that issue.

Mr. Dillon questioned moving the bus stop so that the applicant can put in a drug store.

Mr. Bezkorovainy explained how the suggestion of moving the bus stop came about. He believes it was the Board's consultant that recommended moving the bus stop, but if the Board does not want it, that's okay.

Mr. Lynch stated that with regards to the no left turn, a few years ago there was a project that had a no left turn leaving the site drive, and there was no enforcement of the no left turn. He asked how their no left turn will be enforced.

Mr. Galvin explained the no left turn issue Mr. Lynch referred to and stated that he does not think you see as many left turns as there were prior to the no left turn sign. He stated that the enforcement of a no left turn would be the responsibility of the police department.

Mrs. Ryan stated that she is concerned with the recommendation to restrict the parking space in front of the karate shop to compact cars only in order to have proper sight distance from the Middle Street entrance/exit. To restrict parking spaces to compact cars any place in this town is ludicrous. She asked Mr. Bezkorovainy if he realized how impractical that would be to enforce. She asked if Mr. Bezkorovainy realized how impractical enforcement is when you right or left hand turns only. That certainly does not help a traffic situation that already exists. That is her experience and observation. She does not have Mr. Bezkorovainy's background. She just drives cars in Weymouth and places and she see those situations and they don't work very well.

Mr. Bezkorovainy stated that the alternative is to restrict that parking spot as the consultant suggested. A third alternative is to do nothing. He does have some information in his report that says that the other drive coming from the Karate Studio where both left turns and right turns are permitted has had no accidents in three years, and we need to look at

that. We need to look at accident data for information that helps us. In this case, it shows that turn at that location has not been a problem.

Mrs. Ryan stated that she takes issue with the tone of Mr. Bezkorovainy's comments. We have tried to explore this, as responsible Planning Board members should. She would not care how many meetings it takes. She feels we have every right to be critical of any mitigation that is proposed.

Mr. Bezkorovainy stated that the Board has the right to reject the information he has provided and his experience. The first three meetings he presented the figures. He then thought that he had not done a good enough job presenting the information because he never presented their qualifications.

Referring to the sketch of the building, Mr. Dillon asked if the Board approves the special permit is this the building that will be constructed at this location. Mr. Galvin replied that is correct.

Mrs. Abbott opened the meeting to the audience for new information, not repeat information.

Ms. Karen Quigley, 16 Cain Avenue, asked if there is still going to be a driveway to the parking area for the Puopolo building. Mr. Galvin replied that is private property and they can't control what other people do with their property.

Ms. Quigley expressed concern that there would be two driveways out to Middle Street – one for the Puopolo building and one for Osco.

A resident of 575 Broad Street stated that he has listened to all of the information, but he has not heard the applicant address what effect the Greenbush line, if it goes in, would have on traffic. Mr. Bezkorovainy explained that their design was for the year 2000, and the Greenbush station will not be on line at that time.

Ms. Peg Goudy, Board of Selectmen, stated that she would like to make a couple of points. One concerns the possible restoration of the Greenbush line. It is not speculation. There are still plans for a 300+ car parking lot in lower Jackson Square. Her other point is that she heard about the levels regarding the lights. She would like the applicant to go over all of the levels of service at the intersection for the peak hours. She is a lifelong residents of East Weymouth. She does not ever remember in all her years of anyone ever asking to have the bus stop relocated. She, as one member of the Board of Selectmen, voted against this project.

Mr. Bezkorovainy went over the levels of service for the Broad Street/Middle Street intersection.

Ms. Linda Pats, 851 Middle Street, expressed concern over the number of children that will be walking past that intersection twice a day.



Ms. Rosella Cicchese, 958 Commercial Street, spoke regards to the traffic study that was done for the Braintree Osco.

Mrs. Abbott stated that she has been to the Braintree Osco and the traffic is bad.

Mr. Bezkorovainy stated that they worked on the Braintree Square project and to his knowledge, their recommendations have not been implemented.

Mr. John Logan, 156 Middle Street, stated that if the bus stop is moved, he hopes that it is not moved in front of 156 Middle Street.

Mr. Keith Rogers, Cain Avenue, stated that if the special permit is approved and Osco opens, but does not make it, it would leave another empty building in town.

Mr. Hene stated that Osco is the owner of the property and they have every intention of being a very long fixture in the community.

Ms. Jodi Purdy-Quinlan, 152 Middle Street, addressed the Board concerning the archeological study by PAL, and stated that in her opinion the study has not addressed the issue of the tomb.

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

UNANIMOUSLY VOTED: to close the public hearing at 9:30 P.M.

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

UNANIMOUSLY VOTED: to take the special permit application under advisement.

4. Petr: Bristol Brothers Development Co.  
Locus: Harris Farm, off Burkhall Street  
Sheets 38 & 42, Block 467, Lots 2 & 3; Block 469, Lots 2, 21,  
22 & 23  
Zoning: R-4

Preliminary plan for a residential subdivision – review and decision

Present were Attorney David Kelly and his clients Jim Bristol, Jr. and Jim Bristol, III.

Mr. Kelly stated that he is representing the applicant, Bristol Brothers Development. They are here tonight with a preliminary plan. They believe the plan complies with the required submittals for a preliminary plan. His client has met in neighborhood meetings to resolve issues.

Mr. Kelly stated that with him tonight is Mr. Bristol who would like to make a few comments regarding the progress of the development in terms of its conceptual stages and the ideas he has for moving towards a definitive plan.

Mr. Bristol, III reported on the status of the project. As they stated recently at Town Meeting, they plan to move forward with the definitive filing. They will be proposing about 50% of the potential buildout on the entire 30 acres which could be built out to about 500 units. They have met with the neighbors, and the definitive plan will address their concerns.

Mr. Clarke read the comments received from DPW.

Mr. Clarke asked the engineer to respond on the comment on Harris Lane which he believes shows drainage going to the east through Burkhall Street and exiting out onto Burkhall Street and into the cul-de-sac that's in that location. He asked if that was correct. Mr. Dale Harris, engineer for the project, replied in the affirmative, that is how it's shown.

Mr. Clarke asked if it was correct that they will be looking at a cut that's about 20' for the drainage in that direction. Mr. Harris replied in the affirmative.

Mr. Clarke reviewed the drainage plans and stated that there have been discussions between the staff and Engineering Dept. There is some additional research that is needed. For the Board's information, the old 1972 plans that were approved for Tall Oaks Drive and Burkhall Street did show various drainage layouts off of those two roads.

Mrs. Ryan stated that she is concerned how this can go forward even under a preliminary plan when she looks at the easement that runs in back of the property on Linnway Street. She stated that the flow of water is not contained in that easement. It is in their backyard. What she is concerned about is how that going to get out if Mr. Bristol is going to use that drain easement for his drainage.

Mr. Bill Seamour from Gale Associates stated that the current drainage is very problematic. The neighbors concerns are very evident. The water is dumped at a single point and into the neighbors backyards.

Discussion ensued regarding the drainage and the water runoff problems the neighbors have in the area.

Mr. Hurley stated that he was disappointed that the applicant did not have some kind of a presentation for the Board. He feels that there was almost nothing for the Board to look at such as the size of the drainage, location of the basins, where the water is going to go to, will there be any mitigation of the flow that is there, etc.

Mrs. Ryan stated that she shares Mr. Hurley's concerns. She made a motion to deny the preliminary plan on the basis of the comments by DPW Engineering.

Mr. Hurley seconded the motion.

Mr. Kelly stated that the Board's questions are all well taken. They acknowledge that the preliminary plan is not as detailed as it could be. Much of what the Board is talking about will be addressed in the definitive plan.

Mr. Kelly stated that if the Board approves, the hearing could be continued and they would provide more detail.

Mr. Clarke explained the options. He stated that the applicant can still submit a definitive plan with 7 months whether this Board approves or denies the preliminary plan. He supports the motion that's on the table.

Mr. Dillon made a motion to grant the applicant's request for an extension.

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

UNANIMOUSLY VOTED: to deny a preliminary plan entitled: "DEFINITIVE (sic) SUBDIVISION PLANS 'HARRIS FARMS'" submitted by Dale Harris, Gale Associates; filed with the Town Clerk on June 14, 1999, concerning property located off Burkhall Street, shown on the Weymouth Town Atlas Sheets 38 and 42, Block 467, Lots 2 and 3, Block 469, Lots 2, 21, 22 and 23 for the following reason:

Comments contained in a memorandum dated August 12, 1999 to James Clarke from Chip Fontaine regarding preliminary subdivision review of the Harris Farm plan.

5. Petr: Eugene Mattie  
Locus: Vernon Street  
Sheet 13, Block 184, Lots, 11, 19, 58, 59  
Zoning: R-1

Request to set road conditions under Section 60-3

Present were the applicant, Eugene Mattie and his attorney, Philip Tracy.

Mr. Clarke stated that Vernon Street is before the Board for a Form A Plan and to set road conditions.

Mr. Tracy stated that Mr. Bernstein from Daylor Consulting is here also. He stated Mr. Mattie is proposing to improve Vernon Street and to build three homes. The area is an extremely thick, wooded area with two homes on this dirt road that comes off Green Street. What they propose to do is to give the three new homes the same kind of seclusion without taking away from the two homes. At the same time they will improve the access for the three new homes, and it will be better for the two existing homes. This proposal is not overmatched to the land. There are issues concerning drainage. Their engineer is here to answer any questions.

Mr. Mattie stated that at the entrance they are proposing a 20' wide flared entrance at Green Street which will neck down to 18' to the intersection of Vernon Street. They are proposing an 18' wide road with 20' at the entrance.

Mrs. McElroy asked about the lot size. Mr. Mattie replied that the smallest lot was 26,504 square feet with 20,710 square feet of upland. The other two are 27,765 square feet with 22,337 square feet of upland; and 42,064 square feet with 40,535 square feet of upland.

Mr. Dillon asked if there is only one access. Mr. Mattie replied in the affirmative.

Mr. Hurley asked if the road is private. Mr. Mattie replied in the affirmative. Mr. Hurley asked if the road will remain private. Mr. Mattie replied that is not his intention.

Mr. Hurley asked where the frontage was. Mr. Mattie replied that the frontage is on Vernon Street.

Mr. Hurley asked about the angle of the street where it intersects Green Street and if there was anyway it could be made to come out at a right angle. Mr. Clarke replied that the problem is the wetlands and slope.

Mrs. Abbott asked about comments from Engineering. Mr. Clarke replied that Mr. Fontaine will have his comments by Wednesday. If the Board approves this, he would like it to include the review by Engineering.

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

**UNANIMOUSLY VOTED:** to set road conditions under Chapter 60-3 of the Code of the Town of Weymouth for three lots on Vernon Road, shown on the Town Atlas Sheet 13, Block 184, Lots 11, 19, 58 and 59. Roadway conditions are based on a plan entitled "SITE IMPROVEMENTS AT VERNON STREET IN WEYMOUTH, MA" drawn by Daylor Consulting Group, Inc., dated August 9, 1999, with the following conditions:

1. The Planning Board vote pertains to roadway pavement layout and design only.
2. All utility layout and extensions are subject to review and approval of the Town of Weymouth DPW Engineering.
3. Prior to the Planning Board releasing said lot, a performance guarantee will be required for any unfinished roadway construction and/or utility installation.

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

**UNANIMOUSLY VOTED:** to endorse the Form A Plan for Vernon Street.

6. Review of MEPA filing – Weathervane

Mr. Clarke stated that he was at the MEPA scoping. He does not see anything to be gained by making them go through the MEPA process, and he recommends that the Board send a letter stating that the Board is supportive of their filing a single environmental report.

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

**VOTED:** 5-0-1 (Mr. Hurley abstained) to send a letter to MEPA stating that the Board is supportive of their filing a single environmental report.

7. Form A Plan

- Main Street – Sheet 61, Block 639, Lots 9, 10, 36

Mr. Fuqua stated that this is a subdivision of three lots into six lots. The property is located in the Highway Transition District and the required frontage is 60'.

Mr. Clarke stated that the Board will see a site plan for this property at a later time.

Mr. Hurley made a motion to deny the plan based on the shape of the lots.

Mr. Clarke stated that the Board cannot deny the plan – it has the proper frontage.

Mr. Hurley withdrew his motion.

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

VOTED: 3-3 (Mr. Hurley, Mr. Lynch and Mrs. Abbott opposed) to approve the Form A Plan. No motion passed.

8. Other Business

Hanifan Lane

Mr. Clarke stated that at the last meeting the Board requested that the 200' line from the Plymouth River be shown on the plan and that has been done.

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

UNANIMOUSLY VOTED: to approve a preliminary plan entitled: "Preliminary Plan Hanifan Lane, Weymouth, Massachusetts" submitted by Gregory Galvin, plan revised July 22, 1999; filed with the Town Clerk on June 18, 1999, concerning property located at Hanifan Lane, shown on the Weymouth Town Atlas Sheet 31, Block 406, Lot 2 with the following conditions:


1. Applicant is informed that a filing with the Conservation Commission will be required, and further the applicant is advised to proceed with all filings with Conservation Commission to determine wetland impacts on the proposed design and layout.
2. Definitive plans should note all required setbacks and/or buffer areas as required by the Rivers Protection Act and the Wetlands Protection Act.
3. Sewer layout should be reviewed with Asst. Water & Sewer Superintendent for acceptability.
4. All 2" PVC water lines in Hanifan Lane should be replaced with 8" D.I.
5. New 8" water main should be looped to either existing main on Rosina or Shubert Roads.

6. A sewer connection should be extended off the paved portion of the roadway for house at 7 Hanifan Lane, Sheet 31, Block 406, Lot 3.
  7. A landscaped island with sloped granite curbing should be included in the cul-de-sac.
  8. Spelling of Hanifan Lane should be corrected.
  9. Board of Zoning Appeals case number should be included on the definitive plan.
  10. Drainage system should be reviewed for any changes in peak rate of runoff when storm water leaves the site.
  11. Compliance with all DPW policies for “no net gain” on water and infiltration/inflow sewer abatement is the responsibility of the applicant.
9. Other Business
- a. Mr. Dillon asked if there has been a response from our Senator and two Representatives regarding Avalon. Mr. Clarke replied that there has not been any response. Mr. Dillon stated that he is disappointed in all three of them. Mr. Clarke stated that he will send a follow up letter.
- Mr. Dillon stated that he questions the percent of affordable housing that is in the town.
- b. Mrs. Ryan asked about external signs. Mr. Clarke stated that he will speak to Mr. Coates about signs.

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

UNANIMOUSLY VOTED: to adjourn the meeting at 11:05 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 August 16, 1999.

  
Susan Abbott, Chairwoman

**Public Meeting  
Citizen Attendance**

Date: 8-16-99  
Location: Abigail Adams

Name	Address	Organization	Phone #
Michael Radner	2310 Washington St., Newton	Geller Assoc.	617-244-8521
Charlothe Delory	280 River St Wey		781-331-6869
Steel PATTISON	280 River St Wey		781-331-6869
Robert Rose	Boston, MA	ARCHITECT	617 742-6064
Douglas E. Schroeder	Hanover, MA	Engineer/Marill Assoc. Inc	(781) 826-9700
Clare Blummingham	28 Norma Av		
Robert Sullivan	573 Broad St		781-331-3683
Marjorie Sullivan	"	"	"
Shirley Barlett	109 Broad St.		
Susan Murphy	109 Broad St 1029		
Mrs. Rita Kelly	25 Idlevell Blvd Wey		
Arlene Y Pillsbury	45 Lafayette Ave		337-0792
Richard M. Pillsbury	45 Lafayette Ave		337-0792
Angela Ciccare	958 Commercial St.		335-1306
Linda Patts	851 Middle St. N000		337-2884
Shirley J Sullivan	63 Laurel St. N000		335-7516
Norma M Sullivan	63 Laurel St. Wey, N000		335-7516
Tom + Donna Nickelson	2 Elm Ave Wey		331-5008
Neil Russo	81 High St.		335-9320
Daniel J Keating	2 CANA CUM RD		340-9583
Kathy Argue	34 Canine		335-1681
Mary M. Good	Broad St.		

**Public Meeting  
Citizen Attendance**

Date: 8-16-99  
Location: Abigail Adams

Name	Address	Organization	Phone #
Rita O'Neil	38 Cain Ave.		335-9157
Margaret Paul	573 Broad St		337-7822
(MURKIN)	575 Broad St		337-1418
Marie Richmond	130 Chard St. (BPO)		
Jocith LEPINE	573 Broad St		335-4577
Lynard Shanahan	92 Penn Rd		
Marjorie Shanahan	" "		
Rose Pontale	573 Broad St #234		335-3920
Luis Cadden	575 Broad St #311		
W. Patricia M. Lissod	575 Broad St #310		337-7210
Loretta D. Rizzi	575 Broad St #316		337-5258
Felix Lenc	26 Laurel St		331-5640
Ken D. FAZIO	53 Hootingshow Lane		335-2121
Doris Campbell	16 Laurel St E-Way		337-2706
Raren Ziegler	16 Cain Ave No-0-0		337-7052
Ellen Murphy	6 off Summer St, Wey, Ma		335-0033
Jeanne R. Leach	Weymouth Mass		
Jean and Sheldon Henderson	480 Commercial St		337-4438
Rita Kiker	573 Broad St Wey		331-6588
Joe Moccia	Wey Glen		331-3189
BURT SEGEL	573 BROAD ST		337-1167
BERNARD E DODD	575 BROAD ST		



## Public Meeting Citizen Attendance

Date: 8-13-99

Location: \_\_\_\_\_

Name	Address	Organization	Phone #
Paul G. Galt	54 Humphrey St		(781) 331-3695
Cathy Dugan	575 Broad St		

Christine Straub 587 Broad St. Noosaco (781) 337-0717

Math C. 587 Broad St. No Asco (781) 337-0717

Mike Jensen 41 Canal St. 781-327-7380

ERIK CLAUSEN, OFCO of SENATOR HEDLUND 617-722-1646

Barbara Farrell 162 Middle St. 340-7478

Donna Wolfe 918 Main St S. Weymouth