

TOWN OF WEYMOUTH
PLANNING BOARD
MINUTES

There was a Planning Board meeting held on Monday, September 27, 1999 at 7:00 P.M. at the Town Hall.

Members present: Susan Abbott, Chairwoman
Mary S. McElroy, Vice-Chairman
Mary Sue Ryan, Clerk
Paul M. Dillon (arrived at 8:15 P.M.)
Paul Hurley
Patrick Leary
Paul F. Lynch, Sr.

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

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The meeting was called to order at 7:30 P.M. by Chairwoman Abbott.

1. South Farm Estates Update

Mr. Fuqua updated the Board on South Farm Estates. He stated that he sent a letter to the bank regarding the bond and he is waiting for action on it. They are also working with Ed Jordan who is looking to take over the subdivision.

2. Bonds

a. Tayla Drive – request to reduce bond

Mr. Fuqua stated that based on the work completed, the bond may be reduced from \$34,350 to \$9,910 which would be a reduction of \$24,440.

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

UNANIMOUSLY VOTED: to reduce the bond to \$9,910 which would be a release of \$24,440.

b. Burns Way – request to reduce bond

Mr. Fuqua stated that there has been no change in this subdivision and he recommends tabling the request for a bond reduction.

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

UNANIMOUSLY VOTED: to table the request for a bond reduction.

4. Public Hearing – 7:45 P.M.

Petr: Garo-RB Weymouth LLC

Locus: off School House Road

Sheets 17 and 21, Block 220, Lots 10 and 11

Zoning: POS (Public Open Space)

Special permit for ten (10) units of condominium dwellings

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

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

Present were: Attorney Stephen Marcus, Gary Rothkopf from Garo Development Corp., David Kelly from Bradford Saivetz, Paul Casale from Welch Healthcare, and William Scully from MS Transportation Systems.

Mr. Stephen Marcus stated that he is an attorney and he is representing the applicant for the special permit application for ten condominium units. He passed out copies of an updated traffic assessment.

Mr. David Kelly stated that he is a civil engineer with Bradford Saivetz and Associates. Since they were here last, they have met with DPW, and they feel they have addressed all items of concern. They have also, at the Board's request, prepared a traffic statement. They have employed a traffic consultant and found that the traffic generated will be minimal.

Mrs. Abbott asked if it was correct that the new submission concerns traffic. Mr. Kelly replied that is correct. The traffic report was prepared this week.

Mr. Kelly stated that since the last hearing they have prepared a rendering of what the condominium units will look like. There was a question on the driveway lights and they are still trying to determine who is responsible for those lights. The driveway lights are too bright for the condominium units and also for the Allerton House. To date they have discovered that the Weymouth Soccer League pays for the lighting. They are willing to rectify the problem as soon as it is determined who is responsible for the lights.

Mr. Kelly stated that there was a question on the deed restriction for 55 years or older. He explained that the development will be subject to a covenant included in the Master Deed establishing the condominium which requires that the units be occupied by at least one person 55 years or older.

Mr. Kelly stated that there was a question on how the driveway works. On the revised plan they show no parking on the street side with the driveways. He noted that on the day he was there, there were about twelve cars parked along the driveway for overflow parking.

Mr. Kelly stated that there was a question on the sewer easement for 304 Rear Broad Street. There was a sewer easement created during the definitive subdivision process.

Mr. Kelly stated that they are here to answer any questions the Board may have. Mr. Scully is here this evening to discuss traffic. They feel, at this point, that they have made every effort to answer the questions raised by the Board.

Mr. Bill Scully from MS Transportation Systems stated that they were retained to review the traffic and prepare a traffic assessment of the proposed project which is ten units of condominiums for people 55 years and older. They have reviewed some past studies. The original study was done in 1997 for the assisted living facility which is a seventy unit facility. He understands that it is about 50% occupied presently. In the report they discussed the issue of traffic related to the project and the amount of traffic to be generated. The type of use is different from single family houses and from a retirement community. He explained the methodology used when preparing this assessment. He stated that they estimated about 58 vehicle trips per day which means 29 vehicle trips in and 29 vehicles trips out. For the peak hour traffic, they predicted four trips in the morning and a few more than that in the afternoon peak hour. You won't have 100% of the residents working so you don't tend to have the high volume of traffic during the peak hours. They did a level of service analysis and found that exiting the site would be a LOS B and entering the site would be a LOS A. He stated that the sight distance along Broad Street is very good – it exceeds over 400' in both directions. In terms of the project itself, parking is going to be provided for each of the units. Based on their analysis, they don't see any change in the roadway system serving the site needed to accommodate the project. However, they would suggest on the approach of School House Road to Broad Street that a stop sign be installed. It is presumed that it is a stop approach, but they would like to see a stop sign installed.

Mrs. Abbott stated that she sees that it might work well six months of the year, but how do you co-exist with what goes on there during the spring and fall. They must be aware that there are quite a significant amount of trips generated by the soccer league. Mr. Kelly explained that the peaks occur during change over times of the games. Mrs. Abbott stated that games are going on from 8 A.M. to 4 P.M., and residents of the Allerton House don't have cars. She was looking for something from the traffic report that dealt with the co-existence problem. Mr. Kelly replied that the athletic uses have been there and will continue to be there. In terms of co-existing, the units have their own parking in an area not used for parking by the athletic use. The parking demand of the condominium use is extremely small. In terms of co-existence problem, they are not taking away any parking. He stated that when you have overlapping games, you may have a small queue on School House Road getting onto Broad Street.

Mr. Lynch asked about the house on Broad Street and whether it was currently sewered. Mr. Kelly replied that the house is not currently sewered. They have provided the ability for that house to hook up to sewer.

Mrs. McElroy asked about dust control and the hours of construction so that there isn't any disruption to the neighborhood. Mr. Fuqua replied that is something the Board could include as a condition in the decision.

Mrs. Ryan asked about lighting and stated that she wants to make sure that it is compatible with the neighborhood. Mr. Gary Rothkopf replied that he does not think that the lighting is

compatible now, and he is willing to fix it once it is determined who is responsible for the lighting.

Mrs. Ryan stated that she understands this is not a huge development, but she shares Mrs. Abbott's concern regarding accessibility and the fact that there will now be people living on that road.

Mrs. Abbott asked if it was correct that the road is 900'. Mr. Fuqua replied that it is over 800' from Broad Street, School House Road is the right of way and coming off School House Road is the driveway that serves both the Allerton House and the condominiums.

Mrs. Abbott asked about a sign. Mr. Rothkopf replied that they will put their sign back towards the development and not out on Broad Street.

Mrs. Ryan asked what the build-out time was. Mr. Rothkopf replied that the build-out time is about twelve months from the time the building permit is issued.

Mrs. Abbott asked if the staff had any comments.

Mr. Fuqua stated that at the last meeting it was brought out that DPW had asked for fire flow information. The applicant provided fire flow information from hydrants on Broad Street to DPW. We have received correspondence back from DPW. DPW has asked the applicant to go back and do a fire flow test using hydrants on the site. Based on that fire flow test results DPW Water Division would then review the request to loop the water main. Currently they have asked that the water main be looped down School House Road to Broad Street. If that fire flow test shows there is sufficient pressure in the needs in the event of an emergency, then there would be no need to loop the water line.

Mr. Fuqua stated that the other item he has concerns Mr. and Mrs. Mezetti. There is a right of way on 304 Broad Street which comes up Broad Street and it goes back to the property, runs along part of the Housing Authority property, and comes out near the entrance onto Essex Street. They have asked, if possible, if they could use School House Road for the access. That is an issue that could be worked out with the owners. If that is something that is agreeable to all the parties involved, they could come back to the Planning Board and make that presentation regarding eliminating the right of way that goes through the elderly housing and use School House Road instead. He has forwarded that issue to Mr. Marcus. He asked Mr. Marcus if he could look into that matter and determine if it was a viable option.

Mr. Marcus asked if the request is to relocate the existing easement. Mr. Fuqua replied in the affirmative.

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

Mr. Jim Sweeney, 304 Rear Broad Street, asked if the easement was going to be relocated for the Mezettis, he also would like to have his driveway relocated to School House Road. If the Mezettis eliminate the easement, it would affect him.

Mr. Fuqua stated that would be a separate issue that would need to be resolved between the two property owners and the owners of School House Road.

Mr. Rothkopf stated that Welch Healthcare own School House Road. He thinks that Mr. Casale would be more than willing to discuss anything that is possible, but they don't own School House Road.

Mrs. Abbott asked if this would affect the special permit for Welch Healthcare. Mr. Fuqua replied in the affirmative.

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

UNANIMOUSLY VOTED: to close the public hearing at 8:20 P.M.

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

VOTED: 5-1-0 (Mrs. McElroy opposed and Mr. Dillon abstained) to take the special permit application under advisement.

5. Public Hearing - 8:15 P.M.

Petr: South Shore Hospital

Locus: 55 Fogg Road

Sheet 45, Block 515, Lot 2; Block 518, Lots 11 & 14; Block 519, Lots 1, 3, & 5; .
Block 520, Lots 1, 3, 8, 9, 10, 11, 12 & 14

Zoning: MSD (Medical Service District)

Special permit to construct an addition adjacent to and on top of the Emilson Building and to renovate existing interior space at the 55 Fogg Road campus

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

UNANIMOUSLY VOTED: to continue the public hearing at 8:25 P.M.

Mr. David Kelly, attorney for South Shore Hospital, stated that they are here this evening to request that they be allowed to withdraw their special permit application without prejudice. Upon review of the abutters list, they found there were some entitled to notice that were not notified. Upon further review, they felt that the defective notice might jeopardize the decision and that the prudent thing to do would be to withdraw and resubmit their application in the next few days.

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

UNANIMOUSLY VOTED: to grant the applicant's request to withdraw the special permit application without prejudice.

Mr. Fuqua stated that if the hospital is prompt resubmitting their plans, a hearing could be held either October 18th at 9:00 P.M. or October 25th at 7:45 P.M.

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

UNANIMOUSLY VOTED: to hold a public hearing on the re-submitted special permit application for the South Shore Hospital on October 25, 1999 at 7:45 P.M. contingent upon the Hospital re-submitting their plans.

(Mr. Leary left the meeting.)

6. Route 3 Corridor Study Comments

Mr. Fuqua stated that a letter has been prepared to Bob Durrand, Secretary, Executive Office of Environmental Affairs, for the Board's review and the Chairwoman's signature.

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

UNANIMOUSLY VOTED: to authorize the Chairwoman to sign the letter to Bob Durrand, Secretary, Executive Office of Environmental Affairs regarding comments for the Route 3 Corridor Study.

7. Other Business

Mrs. Abbott asked about the letter sent to the Representatives/Senator regarding Avalon. Mr. Fuqua replied that we have not received anything back from the Senator/Representatives.

Mrs. Ryan stated that she understands the State is saying the town is approximately 8% for low income housing, but she would like to see an itemized list from the State.

Mr. Dillon stated that the MWRA has already started work and we have never seen a plan. As a courtesy the MWRA should present a site plan to this Board.

Mr. Hurley requested that a letter be drafted to the DPW regarding the status of the town's water. With everything coming before this Board, he would like to know how much water we have.

Mrs. Ryan requested that Steve Olson, Water Superintendent, come before the Board to discuss water issues.

8. Petr: Kenneth Ryder
Locus: 1555 Main Street
Sheet 61, Block 639, Lots 9, 10 & 36
Zoning: HT (Highway Transition)

Site plan review for construction of four (4) residential duplexes

Present were Kenneth Ryder and his engineer, Kenneth Teebagy.

Mr. Fuqua stated that this property is in the Highway Transition District and because it is new construction, it is before the Board for a site plan review.

Mr. Teebagy explained the site plan, and stated that this property was before the Board for approval of a Form A Plan not too long ago to separate the parcel into five lots with an existing house on the corner. They are now showing houses on lots 1, 2, 3, and 4. The plan before the Board is for one two family house on each lots for eight units. The plan is to loop the driveway for parking around the units. There is public water and sewer available to the site. He explained the drainage which would contain all drainage runoff on the site.

Mr. Lynch asked if the center area would be paved. Mr. Teebagy replied that it would be grassed with landscaping.

The Board continued discussion of this site plan to after the 9:30 P.M. public hearing.

9. Public Hearing – 9:30 P.M. (cont.)

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 Mrs. Ryan, it was:

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

Mr. Brian Mansfield stated that he is an attorney and he is representing the applicant, Paul Kerrigan who is proposing to construct a single family residence in the R-1 District. This lot would be in keeping with the character of the neighborhood. It is a pork chop lot with 26' of frontage on Summer Street. They are seeking relief from the Planning Board and Board of Zoning Appeals for frontage. He introduced Mr. Kerrigan's engineer, Bob Crawford.

Mr. Crawford explained the plan and stated that the entrance would only serve two drives.

Mrs. Abbott asked for comments from the staff.

Mr. Fuqua stated that all issues raised by the Board at the previous hearing have been incorporated in the plan.

Mrs. Abbott opened the meeting for comments/questions from the public. There was no one who wished to speak.

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

UNANIMOUSLY VOTED: to close the public hearing at 9:35 P.M.

Mrs. Abbott asked if all of the information has been submitted. Mr. Fuqua replied that all of the issues raised by the Board have been addressed.

Mrs. McElroy made a motion to approve the plan as submitted.

There being no second to the motion, Mrs. McElroy withdrew her motion and made a motion to take the plan under advisement.

Mr. Dillon stated that he can't approve this pork chop lot.

Mrs. Ryan stated that she could not approve the plan either and made a motion to deny.

Mr. Lynch seconded the motion to deny the plan.

Mr. Clarke stated that this lot has been in existence for quite some time. As some Board members know, this was part of a subdivision. The applicant has addressed all of the Board's concerns. Rather than deny this plan, he suggested that the Board take the plan under advisement and think about it for a week before voting.

Mrs. Ryan withdrew her motion to deny.

Mr. Lynch seconded the motion to take the plan under advisement.

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

UNANIMOUSLY VOTED: to take the plan under advisement.

10. Petr: Kenneth Ryder
Locus: 1555 Main Street
Sheet 61, Block 639, Lots 9, 10 & 36
Zoning: HT (Highway Transition)

Site plan review for construction of four (4) residential duplexes (cont.)

Mr. Dillon asked if the front of the units would be brick. Mr. Ryder replied in the affirmative. He stated that the property is adjacent to the bank. If approved, he will own the property and he wants to make it as maintenance free as possible. Regarding the use of the property, there are strip malls all around it. He thinks there is a need for three bedroom rental unit in town. He stated that he does not need four drives off Main Street. There are two curb cuts there now and he will maintain two curb cuts.

Mrs. Ryan stated that this will be an improvement to the area.

Mr. Clarke stated that he thinks this is a good of the Highway Transition zone.

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

UNANIMOUSLY VOTED: to approve the site plan as submitted.

12. Other Business (cont.)


Mr. Clarke stated that Walmart is coming to the former Lechmere site. It will be a special permit because they want a garden center. The plans will probably be submitted within a couple of months. Walmart is looking to open in the fall of 2000.

Mr. Clarke stated that Rod and Paul met with developers for the Arbor Hill site. They said that the plan meets all of the concerns of the neighbors.

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

UNANIMOUSLY VOTED: to adjourn the meeting at 10:00 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 September 27, 1999.



Susan Abbott, Chairwoman