

Minutes of the Joint Planning Board and Town Council Meeting on November 12, 2002 at 9:00 P.M. in Council Chambers of Town Hall

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

Staff: James Clarke, Planning Director and Rod Fuqua, Principal Planner

Town Council: Thomas J. Lacey, President, Michael Molisse, Susan Kay, Gregory Hargadon, Joseph Connolly, John Carey, Colin McPherson, Kenneth DiFazio, Michael Smart, Paul Leary and Arthur Matthews.

#### PUBLIC HEARINGS

Robert E. & Virginia Laneau  
1433 Main Street - Sheet 57, Block 624, Lot 13  
Zoning: Highway Transition (HT) and R-1

Request to move the existing HT zoning line further back on the property to a line that is 100 feet from the rear lot line, running parallel to the rear lot.

Motion made and seconded by members of the Council to open the Public Hearing. SO VOTED.

Motion by Mr. Flynn seconded by Mrs. Akoury to open the Public Hearing. SO VOTED.

Motion by Mr. Flynn seconded by Mrs. Akoury to waive the reading of the Public Hearing. SO VOTED.

Attorney, Stephen Coleman of 32 Chestnut Street in Quincy representing the Laneau's, gave a brief description of the property. The owner had requested the entire parcel be rezoned to commercial which was denied by the Planning Board. The property is under contract for sale and the intent is to have seven (7) lots of 15,000 sq. ft. or more, with side by side duplexes (14 units) and without garages. Addressing the concerns of the neighbors, there would be a 100 foot buffer zone, treed and landscaped.

There were several concerns raised by both Planning Board Members and the Council with regard to the buffer zone, pork chop lots, increase in use density of Rte 18, and spot zoning.

Councillor DiFazio suggested that Council Members send their concerns and questions to the Planning Board to be addressed.

Councilor Smart stated that at his meeting with the neighbors, they were not in favor of this change and that he had concerns about spot zoning.

Mr. Clarke stated that you have to be careful about speculating and you have to look at the merits of each individual case. This is a request to make an adjustment in the zone line where the zone line splits the piece of property. There are probably some other parcels that might have similar circumstances and the owners of these parcels could come forward and make a request for a zoning change.

Earlier Mrs. Akoury stated that the back lot was a potential buildable lot. Councilor DiFazio asked the Planning Board to look at the potential of locking-up that piece of land and giving back to the abutters, the potential that nothing would ever be built there.

Discussion continued relative to the spot zoning.

Mrs. Kay stated that in the past the Planning Board discouraged pork chop lots.

Mr. Kevin Spellman an abutter since 1966 asked if the applicant had applied for a Special Permit and had concerns about the elevation of the road. Mr. Dillon stated that the Planning Board does not control

Special Permits, it goes through the Zoning Appeals Board. Mr. Coleman stated that the Special Permit is not an allowed use in R-1.

Ms. Janet Cole would prefer single-family homes and is concerned about spot zoning. Mr. Chad Bernshaw of 428 Pond Street stated that the zoning change would establish a slippery slope. Mrs. Bernshaw was concerned the zoning change would allow for taller or more buildings and asked that they consider the drainage and water situation.

Motion by Councilor Molisse seconded by Mrs. Kay to close the Public Hearing. SO VOTED.

There were no further comments or questions from the public to the Planning Board regarding the application

Motion by Mr. Flynn seconded by Mr. Curry to close the Public Hearing. SO VOTED.

Motion by Mr. Flynn seconded by Mr. Curry to take this matter under advisement. SO VOTED.

Mr. Dillon asked that the Council have their comments to the Planning Board prior to the November 26<sup>th</sup> meeting.

Motion by Councilor Leary seconded by Councilor Smart to take this matter under advisement. SO VOTED.

Motion by Councilor Leary seconded by Councilor Hargadon for a five (5) minute recess. SO VOTED.

Motion by Councilor Leary seconded by Councilor Hargadon to reconvene the Town Council meeting. SO VOTED. Meeting reconvened at 9:40 P.M.

Motion by Councilor Leary seconded by Councilor Kay to open the Public Hearing for item #02130, Weathervane. SO VOTED.

Mr. Dillon stated that Mr. Hurley will step down as he is a direct abutter to this property.

#### GALE ASSOCIATES ON BEHALF OF BRISTOL BROTHER DEVELOPMENT

Located generally in an area north of Liberty St., west of the Hingham town line, east of Weathervane Drive and south of the Weathervane Planned Unit Development.

Sheet 55, Block 608, Lot 1 - that portion northerly of a line running from the northerly edge of Sheridan Road.

Sheet 51, Block 508, Lot 2

Sheet 51, Block 576, Lots 6, 8, 9, 10, 11, 12, 14, 15, 19, and 28

Zoning - PIP (Planned Industrial Park)

Request to rezone twelve (12) parcels from PIP to Residential R-1

Motion by Mr. Curry seconded by Mr. Flynn to open the Public Hearing. SO VOTED.

Motion by Mr. Curry seconded by Mrs. Akoury to waive the reading of the notice of Public Hearing. SO VOTED.

Mr. Jim Bristol gave a brief history of the project. They are before the Board to rezone a portion of the land for improvements to the golf course.

Mr. Bill Seymour, Director of Civil Engineering for Gale Associates is the project manager for the Weathervane project. He stated that this is currently a permanent project under construction. As a result of an acquisition of an additional parcel of land, the vision for the golf course and the community has

changed. The project is permitted for 130 acres of which 93 acres are open space. Mr. Seymour gave an overview of the project and explained the permits that have already been granted for this project..

As a result of the additional thirty-three (33) acres, the applicant proposes changes to the golf layout. The changes include an increase of the PUD by 25 units, and an increase to the cluster development by an additional three (3) eight (8) unit triplexes. The square footage of the triplexes would be the same as for the individual house units that were permitted under the original cluster development. If the rezoning is granted, the golf course layout would change from a 2,700 yards par 32 to a 3,100 yards, par 36. The redesign allows for the relocation of the clubhouse and the parking in terms of mitigating impacts on the cluster development and surrounding properties.

Mr. Seymour also stated that the applicant applied for a change in the cluster density which was approved in August by the Planning Board. This was an increase of twenty-five (25) units bringing the total to 143 units. They are before Town Council for a zoning change and they still need to go before the Zoning Board of Appeals to revisit the special permit and before the Conservation Commission for a full order of conditions.

Mr. Seymour stated several reasons why the rezoning of the Planned Industrial Park would be in the town's best interest, i.e. 25 units of age restricted housing, broader tax base, and enhancement of the golf course.

Questions concerning the golf course were asked by Councilor's Connolly, Smart, and Kay with regard to the water use, private or public course, and the conservation area.

Mr. Seymour said the water calculations would have to be done again. Mr. Bristol stated that the course would be both public and resident. He also stated that the course does abut the conservation area.

Mrs. Akoury asked about the clubhouse, the parking and the impact of traffic onto Union Street. Mr. Bristol stated that the clubhouse could support a wedding of 200 people and that the parking would be the same as in the original proposal. There is a potential of having a second egress

Motion by Councilor Leary seconded by Councilor Kay to close the Public Hearing for item #02130. SO VOTED.

Motion by Mr. Curry seconded by Mr. Flynn to close the Public Hearing. SO VOTED.

Motion by Mr. Curry seconded by Mr. Flynn to take this matter under advisement. SO VOTED.

Comments from the Town Council are to be sent to the Planning Board prior to their next meeting on November 26<sup>th</sup>.

Motion by Councilor DiFazio seconded by Councilor Kay to take item #02130 under advisement. SO VOTED.

Motion by Mrs. Akoury seconded by Mr. Flynn to adjourn. SO VOTED.

Meeting adjourned at 10:05 P.M.

Respectfully submitted,

Annette M. Cignarella, Recording Secretary

APPROVED Paul M. Dillon  
Paul Dillon, Chairman

12/16/3  
Date