

**TOWN OF WEYMOUTH
PLANNING BOARD MEETING MINUTES
Town Hall, J. F. Field Room
December 13, 1999**

RECEIVED
FEB 9 10 37 AM '00
OFFICE OF TOWN CLERK
TOWN OF WEYMOUTH, MASS.

PRESENT: Susan Abbott, Chairperson
Mary McElroy, Vice Chairperson
Mary Sue Ryan, Clerk
Paul M. Dillon
Paul Hurley
Paul Lynch

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

Chairwoman Susan Abbott called the meeting to order at 7:00 p.m.

1. MINUTES - 8/16/99, 10/25/99 and 11/3/99

Upon motion made by Mary McElroy and seconded by Mary Sue Ryan, it was:

UNANIMOUSLY VOTED: to approve the minutes of 8/16/99, 10/25/99 and 11/3/99.

2. Petr: Weymouth Redevelopment Authority
Locus: Woodside Path
Sheet 34, Block 434
Zoning: R-1 and POP

Preliminary plan for road layout

Forrest Lyndwall from Mystry Associates was present as well as Elizabeth Neil and Frank Harkin from the Weymouth Redevelopment Authority. Elizabeth Neil gave the members an update of the project. Forrest Lyndwall explained that this plan was very similar to the previous plan that came before the Planning Board, but for the new access by Lane Ave. This plan had no more environmental impacts than the other plan.

Paul Lynch asked who would maintain the sediment trap at the wetlands? Mr. Lyndwall replied it was a public roadway accepted by the town. The responsibility would be that of the town.

Ms. Ryan asked was Whitman's Pond Association involved in the hearing process? Ms. Neil replied they commented on the original plan and had concerns regarding the roadway out to the proximity of Whitman's Pond and the town's water supply. She explained that this option

appeared to be a better option for them because it takes the roadway and the debris that comes with it away from the town's water supply. Although it still affects an additional wetland area it was not as large an impact.

Mr. Clarke added that members of Whitman's Pond Association attended the two public meetings. No written comments were received. Mr. Fuqua indicated that a final report from Conservation Department was required.

Mr. Clarke added that no objections were received from Mr. Marino of the Board of Health. In a letter from the DPW there nine comments from Chip Fontaine, two alternatives and eight engineer comments. The Fire Department requested a fire hydrant every 500 feet. The Tax Collector responded that everything was current and in balance. Before taking any action, Mr. Clarke suggested they ask the DPW, Fire and Police Departments, for their comments regarding the vehicle safety.

Regarding funding, Ms. Neil explained that funds have been requested from CDBG for three years. Funds were available and were allocated through CDBG.

Mrs. Abbott stated that although this wasn't a public hearing, they would entertain questions and public comments since a number of people attended the meeting tonight.

Paul Wilson from Woodside Path liked the plan and felt it was a remedy to a problem. He thanked Elizabeth Neil and Rod Fuqua for their work on the project.

John Burke of Lane Ave. noted that he sent correspondence and the petition signed by the people at the end of Lane Avenue and St. Margaret Street. He hoped this would come to a common sense solution. He felt people of Woodside Path currently did have access (through deeds) to get to St. Margaret Street. He couldn't understand why they had to connect Lane Avenue.

Katie Hyle, Woodside Path wanted to know the legalities of not having legal access. Something had to be done. The police department didn't even know they exist. She was the person who applied for the grant in 1992.

Frank Harkin commented that the original access to this area was through Lane Avenue. There was a problem with legal dumping, so Grazzino put the blocks up there. So, people never really had legal access. He felt this was the most effective route to be able to bring the police and fire departments in.

Attorney Valerie Polson, representing the residents on Lane Avenue, pointed out that Lane Ave. was narrower than St. Margaret. There were actually deeded easements for the people in that area. She didn't think there was any dispute that something had to be done, but the question was whether it had to connect to Lane Avenue.

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

UNANIMOUSLY VOTED: to take this under advisement until the next meeting. Comments would be solicited from DPW, the Police Department and Fire Department.

Mr. Clarke stated that the Planning Board had a meeting scheduled for January 10th. The intent would be to take action on the preliminary plan at that time.

3. CDGB

Chairwoman Abbott indicated that agenda item 6 would be taken out of order.

- Reallocation of Funds - Phase II Group Rehab and School Department Handicap Access

Elizabeth Neil explained that this project was originally funded several years ago. They came before the Board last year to request an additional \$25,000 because of the cost of construction being so expensive. They have gone out to bid twice. The funding came through in order to complete the job. It was estimated to be completed at \$55,000 which included the additional \$25,000 requested. The bids were still coming in extremely high. The low bid was \$88,000. The next bid was \$125,000.

Ms. Neil continued that the school department had extra funds in the account used to fix the bathrooms and elevators. They would like to recapture \$30,000 of this money to put toward this Town Hall project.

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

UNANIMOUSLY VOTED: to reallocate \$30,000 from the school department program.

4. Petr: Campanelli Weymouth, LLC
Locus: 39-141 Libbey Parkway and 3-25 Performance Drive
Sheets 33, 34, Block 432, Lot 2; Sheet 34, Block 433, Lot 15
Zoning: POP (Planned Office Park)

Decision on special permit to construct a four - (4) story 100,000 square foot Office Building, portion in floodplain

Mr. Clarke explained that at the last meeting they discussed some conditions. Since then, there was an issue with a disagreement between the DPW and the Planning Staff as far as what was felt was appropriate for the storm water runoff and protection of the well field. They have met with the DPW and it was agreed on a ground water monitoring program. He referred to the memorandum received from Paul Halkiotis.

Mr. Halkiotis commented that they've met with Steve Olson and the Water and Sewer Superintendent to discuss the ground water monitoring program. During the meeting they indicated they were in agreement with the proposed ground water sampling program. He was

instructed to follow up with the memo the Board now had. This afternoon he received a memo from Joe Mazzotta dated 12/13/99, which he read into the record. He indicated that the Board had a letter dated November 5, 1999 that recommended proposed conditions on a special permit application.

Mrs. Abbott said she'd like to see future monitoring of the crosswalk, if any adjustments needed to be made for the parking lot across the street and review of the traffic lights. She suggested this could be done at the staff level.

Jim Clarke indicated that a condition could be added that after six months of first occupancy the applicant shall meet with planning staff to review the functional aspects of the crosswalk.

Upon motion made by Mrs. McElroy, seconded by Ms. Ryan, Paul Hurley abstained, it was:

UNANIMOUSLY VOTED: to approve with all conditions stipulated by staff, in the memorandum dated November 5, 1999, the November 7th memorandum (to replace item 2 in the November 5th) and the additional statement for review after six months.

5. Public Hearing - 7:45 P.M.

Petr: Marlin Development Corp.
Locus: 500 Washington Street
Sheet 25, Block 330, Lot 13
Zoning: B-1

Request for special permit for a 12,150 square foot pharmacy and drive-thru window

Mary Sue Ryan read the notice into the record.

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

UNANIMOUSLY VOTED: to open the Public Hearing.

Rocco DiFazio, Attorney for the applicant, Robert Lacourse, Senior Project Manager and Joan Peyrebrune, Transportation Engineer with VHB were present to represent the Marlin Development Corporation.

Mr. DiFazio said the applicant proposing this construction of a one-story building would be constructed at the intersections of Route 18 and Route 53 in the same area where the building currently was located. A special permit was required for the drive-thru window for prescriptions. The site plan was submitted as well as the layout plan, drainage and grading plan, and a traffic study.

Mr. DiFazio explained that it was estimated that one to three cars per hour would go through the drive-thru. It would be open 24 hours a day. There would also be walk-in service. He explained that this was not the ordinary drive-thru window where the person has to wait. The

prescriptions would be called in and the car would drive up to the window to pick it up. There would be a drop-off window and a pick-up window. It would be protected with a high chain link fence.

Regarding fire protection, Mr. DiFazio said they proposed to put sprinkler systems inside and install another hydrant to facilitate the back area. With regards to water, he indicated that they would only need 500-600 gallons per day, which would be a lot less than the restaurant used.

Robert Lacourse, Senior Project Manager for VHB did the site plan and addressed the drainage problem. They proposed that all the storm water should be retained on site. Overall, they'd be reducing the run-off on the site 20-25%.

Joan Peyrebrune, Transportation Engineer with VHB stated that the traffic study was done in November. The study was done between 4:00-6:00 p.m. on a weekday and 11:00 to 1:00 p.m. on Saturday. The site would not generate a lot of traffic during the peak hours between 5:00 and 6:00 p.m. The current site generated about 50 vehicles and 30 vehicles on Saturday. The trip generation rates for pharmacies with a prescription pickup window was approximately 800 daily trips with 100 peak hour trips during weekdays and 110 on Saturday. That would be 50 cars coming to the site and 50 cars leaving the site during the peak hour.

Mary McElroy felt that Sunday was a busier day than Saturday.

Ms. Peyrebrune said the traffic would be coming:

- 50% to and from the North and Washington Street

- 30% to and from Route 18

- 20% to and from the South and Washington Street

Basically there would be an additional 20-25 vehicles on Washington Street in each direction during the peak hour. On Route 18, there would be 5-15 vehicles in each direction. This was not considered a large amount of traffic in terms of impact on traffic operations. There were some existing deficiencies with the site for safety reasons.

Ms. Peyrebrune went on to discuss mitigation. She indicated that Mass Highway planned to widen Washington Street and add new traffic equipment. When they begin this project, they would have the ability to provide pedestrian improvements. Ms. Peyrebrune felt Federal Street was a good location for pedestrian crossing. She indicated that they adjusted the traffic study by assuming a general growth rate of 5% over all the traffic on the roadway to accommodate for other developments.

Paul Dillon asked was the Purchase and Sale Agreement signed? Mr. DiFazio replied it was in contingency upon approval of all licensing and permits.

Mary Sue Ryan asked would the other CVS close? Mr. Gesner replied yes, if permitted. Ms. Ryan said her concern with this location was the location itself. This was a commuter road with

a great deal of traffic. The intersection was a level B. She thought it could be an attractive layout, but there were other pharmacies in the area.

Dominic Seleone of CVS, indicated that this would not be a new business. They would be moving the existing business from down the road. Before they signed the new lease on that building, they wanted to find out how the board felt about this location.

Rod Fuqua added that the Board of Health had no objections. Water and Sewer had several comments and seven questions requiring details of the water lines. They wanted to see assurance that the storm water management system did meet storm water management guidelines. The DPW had difficulty plowing the site. The address of the building should be noted as 474 Washington Street. The Fire Department requested the sprinkler plans and fire alarm system. The Police Department, Captain Callahan requested the board address the following concerns: widening and rebuilding of the sidewalks in front of the store, installation of pedestrian light at the intersection of Rte. 18 and Rte. 53, and also if the 'no left turn' could be addressed. No taxes were owed.

The hearing was opened to the public.

Eddie McDonald, precinct 5, Town Meeting Member, asked to be shown the power lines. He refuted the traffic figures. This area was of concern 12 years ago and was now probably even more so because of the increased traffic. He'd like to see more greenery. If the existing building served its purpose, then why did they need to move to this new location? Why don't they deliver prescriptions? Did they look into putting a drive-thru window at the present site?

Vincent O'Keefe was concerned with traffic issues. He asked what about the traffic at 7:00 a.m. when the expressway filled up? This was considered one of the worst intersections in Massachusetts.

Phillip Healey, So. Weymouth, asked did the public notice call for one window or two windows? He asked was the sound level of disturbance met? Mr. DiFazio replied it was within the ten decimals required. Mr. Healey questioned whether anyone would use the pedestrian crosswalk at that location. He felt there should also be a protected left turn on the southbound traffic. On the traffic study, there was no mention of the Mills Corporation and traffic generated from it. A trash transfer facility was going in at the Abington-Weymouth line.

Joe Sheehan, representing the South Shore Building Trades, had members with him from the electric union, Ironworkers and plumbers. They were very concerned that the people building this may do what they did to the building trades in Quincy. They were double-crossed. The builders made a commitment to do a job under the project agreement with local people and the building trades. People were brought in from Rhode Island and Maine. They wanted to make an arrangement with them to use local people that work in the community. The developer had made a commitment to meet with him tomorrow. He asked if the board could seek legal counsel to determine if the condition to use local unions could be put in the permit.

Mr. Clarke agreed to speak with counsel and check with the situation in Quincy and report back to the board.

Jim Cummings, President of the Homestead Civic Association, said the board wasn't against it, but thought the building needed upgrading.

John Verdun, of Federal Street was concerned that the traffic problems would overflow onto Federal Street. He had no problem with CVS being closer to his home, but he asked the board to give strong consideration to rectifying the traffic situation at that location.

Kitty Stephanie, Front Street, precinct 9, Town Meeting Member, was concerned with the drainage in the south corner. She asked were they going to wait for the state to put in the pedestrian walkways? Mr. DiFazio replied they couldn't put a pedestrian crosswalk in on a state highway without the approval from Mass Highway.

Bernie Noumi said this intersection has always been defective. It was a dangerous intersection. There were a lot of problems and he didn't see them being solved with this type of development. This pharmacy would have more traffic than the bar.

James Murphy, precinct 7, Town Meeting Member, felt they were losing sight of the main problem, which was traffic. He hasn't heard any concrete plans for improvements to the intersection itself. It was nice to have crosswalks for pedestrians, but that was not the problem. Regarding Avalon, it was a \$4 1/2 million development. He asked why don't they have this development put money into improving this intersection. He felt CVS would be a welcome addition to the town, but he felt they should fix the traffic problem.

Jim Murphy added that he had hoped to see a new improved intersection.

Paul Dillon asked was this CVS store presently in Weymouth one of the top ten retail business-wise? Mr. Seleone replied yes.

Robert Lacourse explained that CVS stores had five locations throughout New England with pick-up windows. There were never more than three vehicles in queue at one time.

Mary McElroy asked if Avalon could be made to contribute to the intersection? Mr. Clarke replied they could evaluate this as part of the permit process.

Upon motion made by Paul Dillon and seconded by Mary Sue Ryan it was:

UNANIMOUSLY VOTED: to continue the hearing until January 10th at 9:00 p.m.

6. Public Hearing - 8:45 P.M. (cont.)

Petr: Supreme Enterprises
Locus: 1680 Main Street
Sheets 61, 64, Block 641, Lot 17

Zoning: B-1

Request for special permit for retail building with two drive-thrus

Upon motion made by Paul Dillon and seconded by Paul Lynch it was:

UNANIMOUSLY VOTED: to open the Public Hearing.

Brian Dunn, Project Engineer; Richard Bryant, Rizzo Associates; and Gregory Galvin representing the applicant were present.

Mr. Galvin indicated that the engineers reviewed the plans to deal with the questions raised at the last hearing. Brian Dunn, Project Engineer, said that through conversation with the abutters, they have agreed to turn off the volume at 7:00 P.M. every evening. Also, as requested by the Planning Board, on C4 the parking space was moved and the zoning table has been adjusted to reflect this. Richard Bryant, Rizzo Associates, reviewed the plans.

Mr. Galvin explained that the client hoped to lease the space to retail tenants and perhaps a donut shop. The ATM drive-thru was eliminated. He felt there was significant precedence for approval without knowing who the tenants were and he listed several projects in Weymouth where that was done. Mrs. Ryan and Mrs. Abbott noted that those projects did not have drive-thrus.

The hearing was opened for public comment.

Harry Welch, 674 Pond Street, felt the stockade fence would not lower/stop the noise level. Paul Dillon added that they could add restrictions requiring dumpster pick-ups at specific times of the day.

Dennis Lynch, 664 Pond Street, suggested these conditions should be in writing.

As far as the drive-thru, Sue Abbott commented that they needed to confirm that the noise level was not greater than 10 decibels at the property line.

Mr. Welch asked how was the lighting going to be situated? Mr. Dunn replied that the handles would face straight down toward the rear of the property.

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

UNANIMOUSLY VOTED: to close the Public Hearing.

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

UNANIMOUSLY VOTED: to take the request for a special permit under advisement.

7. Master Plan Update

Jim Clarke stated that they were moving forward on the data collection. They met with the Weymouth Business Council. An advertisement was placed in the newspaper asking for citizens to be involved in a Steering Committee.

8. Other Business

Jim Clarke explained the status of the Planning Board. The Board would stay in affect until such time as the mayor submits a name for appointment as Planning Director. There will be a meeting on January 10th. Another meeting might also be scheduled. This board's work should be completed sometime in January. The state law states that a town or a city over 10,000 must have a Planning Board. Research was still being conducted on this issue. Mr. Clarke would like to see the Zoning Board of Appeals reconstituted as a permitting agency dealing with the special permits the Planning Board now does. The Planning Board could then serve as more of a planning board to look at long range planning. He believed the mayor was going to send a letter to all existing board members inquiring if they were interested in continuing to serve. Mr. Clarke stated that there was a recommendation from the Transition Committee that there be a five-member board. The mayor had to also decide whether there should be a Conservation Commission and also a ZBA. It was the mayor's intention to deal with these priorities shortly after the New Year.

On Forrest Street, Paul Hurley stated that it was brought to his attention that at the first house on the left, the man was running a yard sale every day. He asked was this under the building inspector? Mr. Clarke replied yes.

6. Adjournment

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

UNANIMOUSLY APPROVED: to adjourn the meeting at 10:25 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 December 13, 1999.

Respectfully submitted,



Donna M. Lee
Recording Secretary



Susan Abbott
Chairwoman

Public Meeting
Citizen Attendance

Date: Dec 13, 1999

Location: PLANNING BOARD / TOWN HALL

Name	Address	Organization	Phone #
Edward Dineen	17 Granite St	Resident.	337-4127
Vincent J. D'Keefe	18 DANA Rd	Resident	337-9027
EZZAT K. HARBOWB	11 Main St	Wey	331-0220
T.J. Lacey	174 Horland Rd	Wey Town Councillor	812-1022
Kathie Stehney	365 Front St		331-1503
Ken D. FABIO	53 Meetinghouse Lane	Wey / Councillor	335-2160
Bob Connolly	2005 Main St	Wey	617-689-9579
Raymond O'Keefe	15 Lyndall Lane	Wey	337-7467061
Rory Nouri	12 Ruggiano Circle	Wey	337-8716
JAMES MURPHY	17 RUGGIANO CIR	Wey	337-8716
William J BRANCH	396 Front St	Wey	331-3085
Scott PARKER	121 FEDERAL ST	Wey	331-6249
Jon VERDUN	134 FEDERAL ST	Wey	331-5915
Jim Cummings	125 Front	Wey	335-0723
Joseph S. Conley	117 Homestead W	Wey	337-6733
Joe Sheehan	113 Horsey LA	Wey	781-8710563
S. Abbott	24 Filomena St.	Weymouth	
D. Schiavone	Woonsocket RI		770-2046
DONALD Sheehan	145 BAID ENGIE Rd.	Wey	331-6659
SAL TOLLO	38 WEST LAKE DR.	Wey	335-7844
JAMES MURPHY	17 RUGGIANO Circle	Wey	337-6052
Demond Nouri	22 Ruggiano Cr.	Weymouth	
Patrick N. O'Leary	530 Broadway	Pro. R.I.	401-512-8100

Public Meeting
Citizen Attendance

Date: December 13, 1999
Location: Town Hall 'Field Room

Name	Address	Organization	Phone #
Tim Hartnett	26 ST MARGARET ST.		781-337-6081
Helen Johnstone	70 Lane Ave		335-5979
John Burke	63 Lane Ave		335-2973
Valerie Powsow	425 Summer St., Boston	Lawson & Weitzen	617-439-4990
Ellen Burke	63 Lane Ave		335-2973
William Goodwin	54 Lane Ave		337-0579
Edward D. MacDonnell	17 Granite St Wey		337-4127
Vincent J O'Keefe	18 Dana Rd Wey		337-9027
EZZAT K. HARBOUB	11 Main St Wey		331-0220
Marilyn Gennelly			
Patricia Healy	15 Wycliffe St		340-6255
Russell Burns	1 Woodside Path		335-7732
Brian Sullivan	10 Wycliffe St		682-7998
Paul Wilson	33 Woodside Path		337-8740
MR. & MRS. R. W. Sullivan	64 ST MARGARET ST		337-4392
Philip N. Healy	21 McDougall Ct.	Concerned Citizen	

Public Meeting
Citizen Attendance

Date: 12/13/99

Location: Planning Board / Town Hall

Name	Address	Organization	Phone #
Yiannis Davos	855 Broadway, Stoughton		508-888-8888
JEROME DIXON	68 Main, N. Easton	ARCHITECT'S studio	1-800-996-9684
Rick Bryant	Rizzo Associates	Boston	617 352 0720
BRIAN DUNN	J.K. Holmgren	Beockra	508-583-2595
Harvey Welch	674 Pond St.		335-6694
DENNIS LYNCH	664 POND ST.		331-1875