

**TOWN OF WEYMOUTH
PLANNING BOARD
MINUTES**

There was a Planning Board meeting held on December 14, 1998 at 7:30 P.M. at the Town Hall.

Members present: Mary S. McElroy, Clerk
Paul M. Dillon
Patrick Leary
Paul F. Lynch, Sr.
Mary Sue Ryan

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

The meeting was called to order at 7:30 P.M. by Mrs. McElroy.

1. Form A Plans

a. Pond Street – Sheet 53, Block 587, Lots 31 and 32

Mr. Fuqua stated that the Form A Plan is subdividing one lot into two lots. Both lots have frontage on Pond Street.

Mrs. McElroy asked if it was correct that the plan is for two lots with a long driveway. Mr. Fuqua replied in the affirmative.

Mr. Leary stated that the driveway is approximately 200' long.

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

UNANIMOUSLY VOTED: to take no action on the Form A Plan for Pond Street – Sheet 53, Block 587, Lots 31 and 32.

b. Moore & Woodrock Road – Sheet 35, Block 446, Lot 9

Mr. Fuqua stated that the Form A Plan is to subdivide one lot into two lots. The new lot 3D will have access off Moore Road.

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

UNANIMOUSLY VOTED: to endorse the Form A Plan for Moore and Woodrock Road – Sheet 35, Block 446, Lot 9.

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- c. Green & Miles Keene Lane – Sheet 11, Block 119, Lots 2 & 38

Mr. Fuqua stated that Miles Keene Lane is the entrance to the McCulloch School. The plan is a rearrangement of lot lines, and will create one additional lot.

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

UNANIMOUSLY VOTED: to endorse the Form A Plan for Green & Miles Keene Lane – Sheet 11, Block 119, Lots 2 & 38.

2. Public Hearing – 7:45 P.M.

Petr: Kenneth Ryder

Locus: off Meredith Way

Sheets 21 & 25, Blocks 284 & 285, Lots 3 & 4

Zoning: R-1

Definitive subdivision plan for a nine (9) lot subdivision

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

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

Mrs. McElroy read the public hearing notice.

The applicant, Kenneth Ryder was present along with his engineer, Kenneth Teebagy from Teebagy Associates, and project surveyor, Doug Bailey from Robert C. Bailey Co.

Mr. Teebagy stated this project is located off Essex Street and Meredith Way. The preliminary plan was filed in February, 1998 and approved in March, 1998. They have made modifications to the preliminary plan. The main purpose was because the Planning Board want them to obtain written approval for the use of the stub to Essex Heights Drive. There are some ownership issues over the stub. The applicant has tried and has been unable to resolve those issues with Mr. Messina, so therefore, they have scaled the subdivision back. They have 22.3 acres of land, and in this proposal the large parcel is now undeveloped.

(Mr. Dillon arrived at 7:50 P.M.)

Mr. Teebagy stated that the proposal is for nine lots with eight new building lots, and a total roadway length of 474'. He explained the drainage for the proposed roadway which will be picked up by the proposed roadway system and discharged to a basin. The sewer and water will be connected to the existing system in Meredith Way, and extended into the subdivision.

Mr. Teebagy stated that in summary, this is a scaled down plan from the preliminary plan that was approved last March. The number of lots have been cut back to nine and the roadway is under 500' in length.

Mr. Clarke asked about a sidewalk. Mr. Teebagy replied that a sidewalk is proposed on the northern side of the subdivision from the beginning of their subdivision to the cul-de-sac.

Mr. Fuqua reviewed comments received from town agencies. Comments were received from the Board of Health, Tax Office, Street Lighting Committee, Police Department, Fire Department, and DPW.

Mr. Fuqua read a letter received from an abutting property owner, Dennis and Eda Hogan, 41 Meredith Way, expressing their concerns over the proposed subdivision.

Mr. Teebagy responded to the concerns of the Hogans. He stated that their property is at the entrance to the subdivision on the right side. Regarding the condition of the existing Meredith Way, the end of the road is in pretty tough shape, and they will be working to tie that into the new subdivision. Regarding removal of trees, very little of the site will be disturbed for the road construction. The detention basin shown on the plan is the absolute minimum it can be and satisfy DEP.

Mr. Lynch asked if the house on lot 46 is going to stay. Mr. Teebagy replied in the affirmative. He stated that it will become lot 8.

Mr. Leary asked if it was correct that there will be eight new lots. Mr. Teebagy replied in the affirmative. There will be eight new lots plus the existing lot for a total of nine lots.

Mr. Lynch asked about plans for the middle of the cul-de-sac. Mr. Teebagy replied that it will be a landscaped island. Mr. Lynch asked who will maintain it. Mr. Teebagy replied that the applicant will maintain it until the road is accepted as a public way.

Mr. Lynch asked if it can be put in the deed to the properties that the residents will maintain the landscaped island. Mr. Teebagy replied that they cannot do that.

Mr. Clarke stated that they have found recently that most of the property owners have taken upon themselves to take care of the landscaped island and to maintain it. He stated that a landscape plan for the island should be submitted to make sure that the landscaping is started properly.

Mrs. Ryan asked what the length of the road was in the original plan. Mr. Teebagy replied that in the preliminary plan the road length was 1,090'.

Mrs. Ryan asked about blasting. Mr. Ryder replied that with the preliminary plan there probably with have been substantial blasting, but with this plan there is only one outcropping in the gravel driveway. The sewer is not very deep so he thinks there will be only minor blasting.

Mr. Dillon asked what the length of the road was from Essex Street from where Meredith Way stops to the cul-de-sac. Mr. Bailey replied that from Grampian, and Meredith Way to the end of their cul-de-sac was approximately 798'. Mr. Dillon asked if it was approximately another 200' out to Essex Street. Mr. Bailey replied in the affirmative.

Mr. Dillon asked about the radius of the cul-de-sac. Mr. Teebagy replied that the radius of the cul-de-sac was 50'. Mr. Dillon asked if there was an island in the middle of the cul-de-sac. Mr. Teebagy replied in the affirmative.

Mr. Dillon asked if the Fire Department has addressed the size of the cul-de-sac. Mr. Fuqua replied that it is the standard size cul-de-sac. Mr. Dillon stated that the Fire Department has two new ladder trucks, and he would like to have the Fire Department's comments on the cul-de-sac with regards to its adequacy with new vehicles.

Mr. Dillon asked if there would be granite curbing around the landscaped island. Mr. Teebagy replied that the Planning Board regulations call for cape cod berm. Mr. Dillon stated that he understands that, but it will be abutting Essex Heights Drive.

Mr. Dillon asked about a stop sign at the intersection of Essex Street and Meredith Way.

Mr. Clarke stated that one of the concerns that we ran into with a recent subdivision was construction activity for the detention basin. He thinks that the Board would want to make sure that as much of the existing vegetation remains as possible.

Mr. Fuqua asked what was the slope of the detention basin on the site that abuts the residential property. Mr. Teebagy replied that it is a 3 to 1 slope. Mr. Fuqua asked if they could get the slope at 4 to 1 on the residential side so that it is a much gentler slope. Mr. Teebagy replied that they could do that, but it would cut into the vegetated buffer area.

Mr. Clarke stated that he would rather have the buffer area.

Mrs. McElroy opened the meeting to the public.

Mr. Jeff Davis, 38 Meredith Way, asked where they plan to tie in with the underground utilities on Meredith Way. Mr. Teebagy replied that a new drop pole would be added at the start new road.

Mr. Davis stated that he is concerned with blasting. When another house was put in on Meredith Way, there was extensive blasting done. He stated that there is a lot of ledge in the area.

Mr. Davis stated that he wants to make sure the lower end of Meredith Way is not widened.

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

UNANIMOUSLY VOTED: to close the public hearing at 8:30 P.M.

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

UNANIMOUSLY VOTED: to take the definitive subdivision plan under advisement.

3. Discussion of Open Space priorities

Mr. Clarke stated that as part of the process for trying to wrap up the Open Space Plan is that he sent to the Boards/Commission a request for a list of properties they thought were priorities. He has not received comments from everyone, but he would like to go over what he has received. Properties submitted as priorities were: Iantosca's parcel in East Bay, property that was the Wessagussett Settlement, Mt. Vernon property/King Oak Hill, and Durante's property. With the approval of Bristol's golf course, there is a good piece of property behind Ralph Talbot School. He has had discussions with DPW with regard to property around Whitman's Pond. He asked the Board what their priorities were.

Mrs. Ryan stated that East Bay and the Durante property are a priority.

Mr. Clarke stated that one other item that is not shown in the plan, but he intends to raise through the Open Space Planning Committee is bike paths.

4. Subdivision Status Report

Mr. Fuqua stated that there are three subdivisions that are being monitored very closely. One is South Farm Estates. He has completed the process to take the performance guarantee. What he needs to do now is get price quotes and submit those to the bank to get the money. Tilcon has looked at the project and will be submitting a price quote. The work will be done in the spring .

Mrs. Ryan asked about the billboard in Abington. She asked if there was any way to have that removed. Mr. Fuqua replied that he will follow up to see if there is anything that can be done on the billboard.

Mr. Fuqua stated that on Rhitu Drive there was a problem with water ponding at the end of the cul-de-sac. The Board took the performance guarantee last year and it was put out for price quotes the same time as Heather Estates. Invernizzi has finished the work at Rhitu Drive. The work was coordinated with DPW. Mr. Fuqua stated that he just received the bill from Invernizzi for \$1,500, and he would like a vote of the Board to pay the bill.

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

UNANIMOUSLY VOTED: to pay the bill for \$1,500 to Invernizzi.

Mr. Fuqua stated that Tayla Drive is the third subdivision that has been closely monitored. He spent a good portion of the summer talking with Dick Burns who kept saying that it was going to get done. Last month he did talk to the Mr. Burns' contractor and told him that if he didn't see some progress he was going to the Board for legal action. Since that time, the contractor has been there working. Today the contractor installed the leveling course on the roadway, and in the spring the road will be finished.

Mr. Fuqua stated that the remaining subdivisions have been moving ahead smoothly.

5. East Bay – permit to proceed with response actions

Mr. Fuqua read a letter to Ms. Davis at DEP from the Planning Board in support of the letter from the Board of Selectmen and Board of Health opposing the reclassification of Weymouth Landfill Site from Tier 1A to Tier 1B stating the need to continue strict DEP compliance on the site.

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

UNANIMOUSLY VOTED: to send the letter to DEP and to authorize the Clerk to sign the letter for the Chairman.

6. Board of Zoning Appeals cases

Granite Post Road. The Board reviewed the plan which calls for straightening out the lot lines and had no comments.

20 Homer Street. The plan for 20 Homer Street, off Liberty Street, is for a garage to store contractor equipment at the site, and would also require a

frontage waiver from the Board.

Mr. Fuqua stated that if they are storing contractor equipment, the Board might want to consider sending a letter to the BZA with the comment that they consider requiring that contractor equipment be stored in the garage.

It was the consensus of the Board to send a letter to the BZA with the comments as stated by Mr. Fuqua.

Parker Street. The Board reviewed the plan for Parker Street which includes an addition to an existing house 7½' from the roadway. The Board had no comments.

McDonalds – Bridge Street/Harborlight Mall. The Board reviewed the plan for McDonalds to install a free-standing sign with an overall height of 25'.

Mr. Fuqua stated that sizes are limited to 20' in height.

It was the consensus of the Board to send a letter to the BZA requesting that the BZA consider reducing the maximum height of the sign as a condition of granting the requested variance.

7. Other Business

Central – Well. Mr. Clarke stated that at a previous meeting a question was raised regarding the Soccer Association using the well at Central. It is under the control of the Park Department, and the soccer program put the well in with the approval of the Park Department.

Bicknell Meeting. Mr. Clarke stated that there is a meeting scheduled for tomorrow evening at 7:30 P.M. concerning a dispute over pedestrian access. Mr. Clarke stated that there is a plan on file that was approved for the transfer of the property that shows a vehicular easement from Sea Street down to the parking area. It shows the parking easement and pedestrian easement going from Lochmere Avenue up to the fields and along Sea Street.

Mr. George Lane, Town Counsel, stated that the argument from the condo owners is that the access is limited only to the ball fields and the parking lot.

8. Executive Session

Reason: Discussion of item in litigation

A motion was made by Mr. Leary and seconded by Mr. Lynch to go into executive session for the purpose of discussing pending litigation and to come out of executive session to adjourn the meeting.

The Clerk called for a roll call vote.

Mary S. McElroy, Clerk - aye

Paul M. Dillon - aye

Patrick Leary - aye


Paul F. Lynch, Sr. - aye

Mary Sue Ryan aye

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

UNANIMOUSLY VOTED: to adjourn the meeting at 9:20 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 14, 1998.



Mary S. McElroy, Clerk