

**TOWN COUNCIL MINUTES
ORDINANCE COMMITTEE
Town Hall Council Chambers
March 19, 2007**

Present: Sue Kay, Chairperson
Michael Smart
Arthur E. Mathews
Greg Shanahan
Kevin Whitaker

Also Present: Paul J. Leary, Councilor
Kenneth J. DiFazio, Councilor
James Clarke, Director of Planning and Community Development

Recording Secretary: Janet Murray

Chairman Kay called the Ordinance Committee Meeting to order at 6:00pm.

07 004-Proposed Ordinance Amendment to Section 13-105-Buses

Councilor DiFazio gave an overview of the issue which he proposed. He noted that a flyer was being distributed around town, especially in East Weymouth, for the drop-off and pick-up for bus trips.

This proposed ordinance would allow for a provision for enforcement and fines if someone is seen using a public way as a bus stop.

Councilor DiFazio clarified that drop-off and pick-up on private properties is not affected by this ordinance.

Councilor Kay asked who would be fined, the bus driver or the bus company. Councilor DiFazio stated that he was not sure, but this could be clarified with Sergeant Concannon.

Councilor Whitaker asked if Solicitor Lane has had a chance to review this ordinance. Councilor DiFazio stated that Solicitor Lane has not had a chance to look at it.

Councilor Mathews stated that he agrees with this proposed ordinance, and does not want to see the use of municipal lots.

Councilor Shanahan agreed with the need for this ordinance. He suggested that the fine structure be increased.

Councilor Leary stated that there was a concern about this previously regarding buses along Middle Street near Wal-Mart.

President Smart noted that a driver is responsible for speeding and parking tickets even when driving a company-owned car. He stated that this should be clarified as to who is actually being fined.

A MOTION was made by Councilor Shanahan to CONTINUE this item and was seconded by Councilor Smart and UNANIMOUSLY VOTED.

07 024-Rezoning Request/1132 and 1136 Middle Street

Chairman Kay recognized Mr. Clarke, Director of Planning and Community Development. Mr. Clarke stated that there is a Planning Board Meeting tomorrow evening. This matter will be discussed at that time. After the meeting, the Planning Board Chairman will contact the Council in regards to having a joint public hearing.

Kathleen Gould-Norve, 1132 Middle Street, and Barbara Gould, 1136 Middle Street appeared before the Ordinance Committee regarding the issue of the taking of their property.

Ms. Gould handed out a packet with information regarding this request. She reviewed the documents. She noted that the buffer zone that had existed between the homes and Route 18 would no longer exist when the proposed land takings occur.

She noted that she is requesting that the zoning be changed to Highway Transition (HT). She stated that the sidewalks will come right up to the homes. She also stated that if only a little more land was taken, the house would have been taken.

Ms. Gould-Norve spoke regarding the changes that will be made. She noted that there were a row of life-long trees that blocked the view of the gas station. These trees are now gone. She noted that the taking will affect the driveway and the number of cars able to be parked there.

Councilor Mathews noted that it is clear that the taking would have a huge impact on the properties in question.

Councilor Whitaker commented that it might make sense to look at the other intersections that will be effected further down Route 18. He stated that moving forward on this case makes sense.

President Smart agreed with Councilor Whitaker in that the takings will have impacts further down Route 18 as well as along Route 18-where the widening will take place.

Councilor Shanahan asked if impact on the other intersections could be made available before future meetings.

Councilor Mathews asked if the other takings are in B-1 zoning districts. Mr. Clarke stated that this is true.

At 6:30pm, there being no further business, A MOTION was made by Councilor Shanahan to ADJOURN and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Approved by: _____
Sue Kay, Chairperson