

**PLANNING BOARD  
RECORD OF MINUTES AND PROCEEDINGS  
March 13, 2008**

The Planning Board of the Town of Weymouth held a public meeting on Thursday, March 13, 2008, at 7:30pm at McCulloch Building, Whipple Center Conference Room, 182 Green Street, Weymouth, MA.

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|----------------------|---|
| Present:             | Sandra Williams, Acting Chairperson<br>Mary Akoury<br>Frank Hawkins   |
| Not Present:         | Paul Hurley<br>Walter Flynn   |
| Staff:               | James Clarke, Director of Planning and Community Development<br>Robert Luongo, Economic Development Planner |
| Recording Secretary: | Janet Murray  |

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WEYMOUTH, MASS.

Ms. Sandra Williams called the meeting to order at 7:30pm. She noted that she is acting chairperson this evening in the absence of Mr. Hurley and Mr. Flynn.

**Discussion/Decision** - On the application for Preliminary Determination of Eligibility to adopt the provisions of the Smart Growth Zoning Overlay District Program (M.G.L. Chapter 40R) for a district known as the Clapp Memorial Smart Growth Overlay District at 203 Middle Street, Weymouth, MA.

Mrs. Akoury stated that she would like to see something about the impact of school children if the state funding were not forthcoming from the Chapter 40S proposed funding mechanism. She stated that she would like to see a stronger statement.

Mr. Clarke made the following change to page 7, 3<sup>rd</sup> paragraph of part D; "A grave concern of the board is, if the funding for the children is not received from the state, the town will have to fund that cost through the town budget process."

Mr. Hawkins stated that he agrees with Mrs. Akoury.

Mr. Hawkins pointed out several typographical errors. At the bottom of page 1 area "of" concentration instead of "on" and remove extra zeros.

Ms. Williams noted on the Section C public hearing summary the need to differentiate between the public hearing meeting comments and Planning Board comments. Mr. Clarke stated that he would add "1/15/08 and 2/27/08 where the Planning Board discussed their recommendations are attached".

Mr. Hawkins stated that he is very concerned about the density that already exists in Central Square.

Mr. Clarke stated that there has been discussion with the developer regarding a possible decrease in the proposed number of units, which is now at 46.

Mrs. Akoury asked what would happen next.

Mr. Luongo stated that the Planning Board is recommending whether or not the Mayor should send the 40R application to the state and proposed zoning ordinances for review by the state for conformance.

If the proposed zoning ordinances are returned as acceptable to the state, there would be further meetings and public hearings at the Town Council and Board of Zoning Appeals. If the zoning ordinances are approved then the project proponent would submit the application.

Mr. Clarke pointed out that zoning changes require a 2/3 vote of the Town Council.

Mr. Clarke suggested that a petition in support of Chapter 40R zoning submitted by contractor, Mr. Barry at the public hearing be included. Ms. Williams said that it should be noted that it was submitted by the developer.

Ms. Williams stated that she is concerned regarding the density and congestion and the availability of state funding for school children. She also expressed concern that the developer does not appear to display adequate concern for workers, licensing, and job site safety.

Mr. Clarke stated that the purpose of this meeting is to vote on the draft letter which is based on items discussed at the last meeting.

Mr. Luongo stated that the Mayor is committed to a vigorous discussion and debate on Chapter 40R so that the community understands what this means. He pointed out that there was a roundtable discussion which included himself, Mr. Clarke, the Mayor, and the town planner from Norwell as well as a representative of the state.

Mrs. Akoury asked if it was possible to meet with the Mayor regarding this topic. Mr. Clarke stated that if the Board were to meet with the Mayor, it would need to be in a public forum setting.

Mr. Clarke pointed out that in the letter he states that the Board has reservations and concerns and the Mayor should proceed carefully.

Ms. Williams asked if a vote could be taken on the issue of 40R itself and then a separate vote taken for approval of the letter.

Ms. Williams asked for a motion from a board member whether to take a vote on the principles of 40R as it relates to funding, density, quality of life of the community of Weymouth. Mrs. Akoury made a MOTION as to a vote should be made on 40R and Frank Hawkins seconded. The vote to take this vote passed UNANIMOUSLY (3-0).

Mrs. Akoury made a MOTION to vote in favor on the Chapter 40R principles as it relates to funding, density, and quality of life for the community of Weymouth and was seconded by Mr. Hawkins. The MOTION FAILED on a 0-3 Vote.

Mrs. Akoury asked Mr. Clarke to add the following statement to the last paragraph, although the new Chapter 40R law has potential for this site and could merit more detailed examination, the Board has concerns on the impact Chapter 40R will have on the neighborhood and the community at large.

Mr. Hawkins made a MOTION to submit the letter to the Mayor as amended and was seconded by Mrs. Akoury and UNANIMOUSLY VOTED.

Mrs. Akoury asked Mr. Clarke to find out if the Mayor would be willing to meet with the Board to discuss this matter further.

### Minutes

#### Planning Board Minutes - 11/13/07

A MOTION was made by Mrs. Akoury to accept the minutes from the 11/13/07 Planning Board Meeting and was seconded by Mr. Hawkins and UNANIMOUSLY VOTED.

#### Planning Board Minutes – 12/11/07

A MOTION was made by Mrs. Akoury to accept the minutes from the 12/11/07 Planning Board Meeting and was seconded by Mr. Hawkins.

Paul Hurley needs to be added as being present.

The MOTION as amended PASSED UNANIMOUSLY.

#### Planning Board Minutes – 1/15/08

A MOTION was made by Mrs. Akoury to accept the minutes from the 1/15/08 Planning Board Meeting and was seconded by Mr. Hawkins.

On page three, a reference to a letter received after the closing of the public hearing needs to be deleted.

The MOTION as amended PASSED UNANIMOUSLY

#### Planning Board Minutes – 2/27/08

A MOTION was made by Mrs. Akoury to accept the minutes from the 2/27/08 Planning Board Meeting and was seconded by Mr. Hawkins.

On page 2, the number should read 10,000 and the sentence, area “on” concentration should be changed to area “of” concentration.

The MOTION as amended PASSED UNANIMOUSLY.

**Form A Plan** - 70 Holmes Avenue – Sheet 8, Block 116, Lots 11 & 31

Mr. Clarke stated that this is a piece of town land sold to the abutter. The land is adjacent to Esker Park but is not actually part of the park.

Ms. Williams asked if a vote needed to be taken. Mr. Clarke stated that a vote was not needed as this was just for information purposes.

**Performance Guarantee** – Derek Drive – release bond

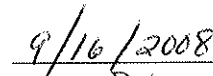
Mr. Clarke stated that Derek Drive has been approved as a public way so the bond can be released. The bond is in the amount of approximately \$5,000.

Mrs. Akoury made a MOTION to RELEASE the bond for Derek Drive and was seconded by Mr. Hawkins and was UNANIMOUSLY VOTED.

**Adjournment**

At 8:30 pm, there being no further business, a MOTION was made by Mr. Hawkins to adjourn and was seconded by Mrs. Akoury, and UNANIMOUSLY VOTED.

  
Sandra Williams, Acting-Chairperson

  
Date