

**PLANNING BOARD  
RECORD OF MINUTES AND PROCEEDINGS  
May 20, 2008**

The Planning Board of the Town of Weymouth held a public meeting on Tuesday, May 20, 2008, at 7:30 at McCulloch Building, Whipple Center Conference Room, 182 Green Street, Weymouth, MA.

Present: Paul Hurley, Chairperson  
Walter Flynn, Vice Chairperson  
Sandra Williams, Clerk  
Mary Akoury  
Staff: Rod Fuqua, Principal Planner  
Recording Secretary: Janet Murray

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Chairman Paul Hurley called the meeting to order at 7:30 pm.

**MINUTES**

Planning Board 2/12/08

A MOTION was made by Mr. Flynn made to accept the minutes from the 2/12/08 Planning Board meeting and was seconded Mrs. Akoury and UNANIMOUSLY VOTED.

Planning Board 3/13/08

A MOTION was made to accept the minutes from the 3/13/08 Planning Board meeting as revised and was seconded by Mrs. Akoury.

Ms. Williams submitted a written document in order to clarify a vote that was taken at the meeting.

The MOTION PASSED 3-0 with Mr. Flynn abstaining.

Planning Board 4/23/08

A MOTION was made by Mr. Flynn to accept the minutes from the 4/23/08 Planning Board meeting and was seconded by Mrs. Akoury and UNANIMOUSLY VOTED.

**SUBDIVISIONS**

Beach Avenue – Field Change

Mr. Fuqua stated that this field change came about when the applicant came to the Engineering Department and asked for an inspection prior to paving. He stated that after the inspection, the Town's Engineer called him and asked Mr. Fuqua to do a site visit. As you travel down Beach Avenue, there is an existing house on the right hand side of the road. The new house is at the end of the road. The road was not raised up as per plan.

After the site visit, Mr. Fuqua stated that modifications be made. The road was shaved grade of road down by a foot, resulting in a reduced slope to the roadway. The road is not as steep as it was before. In the center it is 6 ½ %. Also there was a wall that was called for. This wall is now required. The sloping was by plan 1 ½ to 1 but suggested changes to the wall due to the

road grade. The slope is now 2 to 1. The road has been shifted a foot to the left for the additional grading.

There is concern regarding the infiltration system at the end of the road. The section with the 2-1 slope will have additional cover placed.

Mrs. Akoury asked if this is a paved road. Mr. Fuqua stated that it will be once this work is completed.

Mr. Hurley asked about the road profile; lowered by a minimum of 1 foot does this mean it will be lowered 2 feet or more. Mr. Fuqua stated that the concern is to be certain that there is adequate cover over the water line. He also stated that because of conditions, they could go with 4 feet of cover even though the cover is typically 5 ½ feet of cover.

A MOTION was made by Ms. Williams to ACCEPT the plan field change as submitted and was seconded by Mrs. Akoury and UNANIMOUSLY VOTED.

D.F. Haviland Lane – Field Change, Sidewalk Modification

Contractor for Mr. Ryder is asking that the grass strip be eliminated and the sidewalk butt up against the road. When you come in off King Avenue, along the first 300 feet there is a row of mature pine trees. Having the grass strip would require removing the trees. Mr. Fuqua stated that the contractor is ready to continue either way. He is looking for direction.

Mr. Fuqua stated that the contractor had grubbed out what is proposed to be the sidewalk. The plan shows the sidewalk going half way around the cul de sac. The field change shows no sidewalk on the cul de sac. He pointed out that typically sidewalks end at the beginning of the cul de sac. There will be a sidewalk on the straight away portion of the road.

Ms. Williams stated that she is concerned about the residents coming back at a later date and insisting that the sidewalk be completed. She pointed out that the sidewalks are for safety.

Mr. Fuqua stated that this change is based on a request of the residents of D.F. Haviland Lane.

Mr. Hurley stated that it is his contention that the developer be held to the original plans.

Mr. Fuqua stated that at the time of the original case, the Planning Board disregarded staff recommendations regarding sidewalks.

Mr. Fuqua stated that the Board could make a condition that the developer pays for 100 feet of sidewalk elsewhere in the Weymouth Landing area.

Mrs. Akoury stated that she would like to honor the request of the residents; however she would like to see conditions specifically spelled out as part of the approval.

Ms. Williams stated that there should be a stipulation that the work be completed by a specified date.

Mr. Flynn stated that the pine trees are on a downward slope. He pointed out that the root systems of the trees are helping to keep the slope intact.

There was lengthy discussion regarding the specifics of the approval as well as the basis for the findings and the conditions for the field changes.

A MOTION was made by Mr. Flynn to APPROVE the following:

1. To install the sidewalk without a grass strip from King Avenue to the first driveway on the northerly side of King Avenue.
2. The sidewalk shall end at the first driveway with the edges of the cul-de-sac to remain as lawn.

Vote of the Board is based on the findings that:

1. The request for eliminating a grass strip would allow for existing mature pines to remain along the side of the ROW where a sidewalk is proposed.
2. Elimination of a sidewalk on the cul-de-sac is a request from residents of D. F. Haviland Lane.
3. Elimination of the sidewalk on D. F. Haviland Lane conforms to current practice of the Board on new subdivisions.

The conditions the Board attaches to the field changes at D. F. Haviland Lane are as follows:

1. A length of sidewalk eliminated, approximately 100', shall be installed at another suitable location in town.
2. In waiving the grass strip, a landscaped area of comparable scope shall be installed at another suitable location in town.
3. Sidewalk installation and landscaping shall be completed by October 1, 2008.
4. The developer and the town, coordinated by the Department of Planning and Community Development, shall identify and establish the sidewalk and landscaping scope and location.

The MOTION was seconded by Ms. Williams and PASSED on a 3-1 vote.

#### **Request from Registry for Signature Authorization for Plans**

Mr. Fuqua stated that Jim Clarke is the one who typically signs the plans. The Registry is seeking a signature authorization for their records.

A MOTION was made by Ms. Williams to SIGN the signature authorization for plans for the registry and was seconded by Mr. Flynn and UNANIMOUSLY VOTED.

#### **Form A**

##### **Thicket Street**

Mr. Flynn made a MOTION to ENDORSE the Form A for Thicket Street and was seconded by Mrs. Akoury and UNANIMOUSLY VOTED.

#### **Board Training Session**

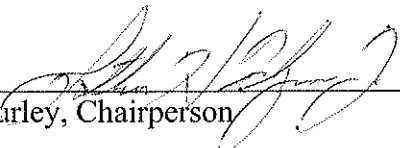
Mr. Fuqua stated that there will be a training session for the Planning Board, the Conservation Commission, and the Board of Appeals. He stated that at this meeting there will be discussion of

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the Mullin Rule as it applies to Boards and Committees that hold public hearings. This session is scheduled for June 17, 2008. The location and time will be announced.

**Adjournment**

At 8:10 pm, there being no further business, a MOTION was made by Mr. Flynn to adjourn and was seconded by Mrs. Akoury, and UNANIMOUSLY VOTED.

  
\_\_\_\_\_  
Paul Hurley, Chairperson

  
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Date