

**PLANNING BOARD
RECORD OF MINUTES AND PROCEEDINGS
April 12, 2005**

The Planning Board of the Town of Weymouth held a public meeting on Wednesday, April 12, 2005, at 7:30pm at McCulloch Building, Whipple Center Conference Room, 182 Green Street, Weymouth, MA

Present: Paul Dillon, Chairperson
Paul Hurley, Vice-Chairperson
Walter Flynn
Mary Akoury

Staff: James Clarke, Director of Planning & Community Development
Rod Fuqua, Principal Planner

Recording Secretary: Janet Murray

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

Ryder Development Corporation

Tirrell Woods, off Tirrell Street

Sheets 28 and 32, Block 361, Lots 1 and 2; Block 410, Lot 9; Block 423, Lots 40, 44, 47, 49, 50, 51, 53, and 54; and Block 424, Lot 15.

R-1 Zoning - preliminary subdivision plan to establish density for a Planned Unit Development

Rod Fuqua stated that this is a request to establish density. The preliminary plans were filed on January 25, 2005. This plan was on the 3/8/05 agenda and was discussed at that meeting. A decision needs to be made by April 28, 2005. There has already been one extension.

The proposed plan calls for 53 housing units on the 65 acre parcel. There would be three (3) points of access at Cottage Lane, Aster Circle, and Tirrell Street. Within the proposed subdivision there would be three (3) cul-de-sacs of less than 800 feet.

Mr. Fuqua noted that this request for density is a first step in this process. The developer is looking to proceed with a Planned Unit Development. Once the density is set, the applicant would need to appear before the Board of Zoning Appeals (BZA) for approval.

Mr. Fuqua stated that the plans were routed to various town boards and the following comments were received:

- The Tax Department stated that taxes are due on several of the lots. A municipal lien certificate would be required.
- The Police Department expressed concerns that Tirrell Street is narrow and should be widened; the line of sight at Tirrell Street and Front Street should be addressed; overall concern with impacts on Aster Circle and Front Street and suggested a traffic assessment with any future plans.
- The Conservation Commission noted that there are concerns with the Orcutt Street access because of wetland issues. Lots 40 and 42 are questionable because of wetland crossings.
- The Fire Department stated that they would request fire hydrants and alarms boxes.

- The School Department noted which school children would attend.
- DPW had general comments about specifications of water and sewer services. Tirrell and Sportsmens Way will need improvements. Paper street abandonment should be addressed.

Both the Fire Department and DPW comments would show more specific details at the time of the final plans.

All the review has been done based on the fact that this is a planned unit development. There was no assessment done in terms of what traffic should go where or how it should be distributed because this plan is subject to significant changes. It would appear that all of the access points shown on the plans have deeded rights. Orcutt Street is not shown for any improvements on the plan but the plans show several grandfathered lots there. Orcutt Street, as shown, would create an intersection in a wetland area and could present significant wetland issues in regards to the permitting for any development.

Lots 43 through 47 have frontage on Orcutt Street. The plans do not show road improvements so there is a question regarding access. This is further compounded by the concerns raised by the Conservation Commission. As an alternative to avoid the intersection in the wetlands, that would require bringing in a cul-de-sac. One such option could be to provide access through lot 1 and lot 44 to have access to lot 43, 45, 46, and 47. This would result in a net loss of two buildable lots.

There is one lot north of lot 43, not within the control of the applicant. It could become a buildable lot as a result of this particular development. However, it does not impact the development; this is just an observation.

Improvements would be needed on Cottage Lane. Lot 40 has access from Cottage Lane. Lot 42 has access from Summer Street. Both lots have considerable amounts of wetlands and would require significant wetland crossings to get to each of the lots.

Based on the staff review, there would be a net loss of four (4) lots bringing the density from 53 to 49.

James Clarke noted that he had spoken to Council President TJ Lacey and Councilor Sue Kay. Mr. Clarke stated that Councilor Lacey and Councilor Kay are both actively reviewing this proposed development. There is a meeting this evening regarding the proposed reuse of the South Weymouth Naval Air Station, which is why they are not present tonight.

Mary Akoury noted that the parcels in question have steep slopes and drops. She noted that lots 7 and 8 should be one lot. She also noted that there was a stone wall and it had been noted that this was from previous farming use. She questioned if this could potentially be an historic site. It was noted that the Historical Commission has not been asked to comment as the density has not been set.

James Clarke stated that the town does maintain a listing of archeological sites. He noted that this list is not a public record. He was not aware that this site had any unique circumstances.

Paul Hurley questioned the number of proposed roadways that would require wetland crossings. It was noted that there are three (3) proposed; Tirrell and Roadway A; Roadway B; and Roadway C to Roadway D.

Paul Hurly also questioned the placement of buildings and roads on easements. Attorney Galvin stated that this is allowed as long as access for the purpose that the easement was granted is maintained. Mr. Hurley also questioned building in the vicinity of the 150 foot towers. Rod Fuqua performed a review to show building areas of the particular lots near the towers. He noted that the one that looked the most questionable was lot 31. However, the plans submitted show sufficient area.

Paul Hurly stated that if this plan were to be brought in as a conventional subdivision plan, it would be a difficult piece of property to develop. The applicant noted that this is why their intention is to use a planned unit development.

Walter Flynn asked for clarification on why there should be no through traffic from Aster Circle. Mr. Fuqua stated that the concern is that this access could become a shortcut between Front Street and Summer Street. The idea is to limit traffic access for the development only. Mr. Flynn stated that his concern is for emergency access especially for ambulances.

Mary Akoury asked for clarification on lots 7 and 8. Mr. Fuqua stated that although both lots are on a hillside there is still a significant portion of the lot to incorporate something within the development. Lot 8 is a lot that is split and has two access possibilities.

Mr. Clarke stated that the staff has tried to detail how the lots could be laid out and that this lay out is reasonable.

Attorney Galvin stated that the current street layouts predate the existence of Route 3. He noted that the state took land and this has put the lots in a situation where the only access is through a wetland crossing. The owners of these lots are now suffering because of these takings.

Mr. Clarke stated that lots 1, 40, 42, and 43 are the lots that are deemed not buildable. He discussed how lots 1, 43, 44, 45, 46, and 47 could be designed and configured to make the plan work in a conventional development.

Mary Akoury made a MOTION to TAKE UNDER ADVISEMENT the request to establish density for Tirrell Woods, off Tirrell Street and was seconded by Paul Hurley and UNANIMOUSLY VOTED.

Bristol Brothers Development Corporation

Off Weathervane Drive

Sheet 51, Block 576, Lots 19, 20, 21, 22, and 24; Block 607, Lot 1; as well as parts of paper streets Elgin, Homer, Chestnut, and Campbell

R-1 Zoning, Watershed Protection District – Preliminary subdivision plan for density purposes to expand a planned unit development

Paul Hurley recused himself as he is an abutter to this project.

Paul Dillon asked what the distance between every unit is. Mr. Bristol stated that there is no minimum distance required. The lots are pie-shaped.

Tom Hennigan of Gale Associates appeared before the Board on behalf of Bristol Development Corporation to request approval for six (6) additional lots off of Weathervane Drive. The intent of the plan is to establish density for the development with the inclusion of the additional six (6) lots. The original project is located on 130 acres and is permitted for 119 age-restricted units and was shown on a map that was handed out in orange/pink. Additional land owned by the applicant was rezoned to R-1 to allow an additional 25 units and was shown on the map in blue. These additional six (6) lots were shown in green on the map.

The additional six (6) lots are on approximately 6 ½ acres and as configured on the plan are laid out in accordance with current zoning. Each lot meets all of the minimum requirements for upland area, lot width, lot frontage, and there is no need for variances or waivers. This layout shows the feasibility of developing these 6 ½ acres as a conventional subdivision.

Walter Flynn asked for clarification of the differences between the 12/27/04 plan and this plan handed out tonight. Mr. Hennigan stated that this current plan shows more details.

Mary Akoury asked for clarification on the location of the wetlands. Mr. Hennigan stated that in this layout, all of the buildings are outside of the 25' no build zone.

Mr. Hennigan stated that this plan is submitted to establish density and the applicant would return for approval of a planned unit development. However, it is required that the applicant show a reasonable plan to develop the parcel according to conventional zoning requirements.

Mr. Flynn questioned the potential wetland crossing on the plan presented. It was noted that the wetland crossing, as presented, would require culverts.

Mr. Dillon asked what the timetable was for the project. Mr. Bristol stated that he is completing about 30 houses a year. There are currently about 70 families moved in at present.

Rod Fuqua stated that the updated plan before the Board tonight was requested by the Planning Department

The applicant will need to appear before the Board of Zoning Appeals for the 25 re-zoned units and the additional 6 units for a total of 31 units.

The access road from Liberty Street will be for the use of maintenance trucks, and emergency access. It was also noted that there is emergency access to the Constitution Avenue neighborhood.

A MOTION was made by Walter Flynn to APPROVE the preliminary subdivision plan and was seconded by Mary Akoury and was UNANIMOUSLY VOTED. Paul Hurley abstained.

Stephen Zebroski

Martin Street

Sheet 33, Block 425, Lot 4

R-1 Zoning – Request to set road condition

Mr. Scott Arnold of C.F. Arnold Associates appeared before the Board for road conditions to be set for Martin Street which is off Front Street. This is a current paper street. Recently, there was an approval for an extension of Martin Street to provide access and utilities to a vacant lot owned by the Kovacs. To date, the road is gravel. The proposal includes extension of the water, sewer, and pavement to provide proper access for a single family residence. A pair of catch basins would be installed near the intersection at Front Street.

The road is proposed at 20 feet in width with a Cape Cod berm on each side. The length of the road would be approximately 66 feet from Front Street.

Mr. Flynn asked about the Foley lot. This is a potentially buildable lot.

Mr. Fuqua stated that Martin Street first came before the Board sometime in the mid 1980's. It was noted that drainage calculations need to be submitted, and all municipal utilities must conform to DPW standards. The conditions would be set as per the plan submitted. There are no conservation issues.

Mary Akoury asked for clarification on conservation issues. Mr. Fuqua stated that this issue pertains to Tirrell Street not Martin Street.

There would need to be a 20' easement from Martin to Lambros along the property line.

Paul Hurley made a MOTION to APPROVE the plan to set road conditions as follows: 1) the water main should be extended to the property line of Lot 16 of Block 425 with a hydrant installed near the front corner of the lot; 2) A 20 foot water easement to be granted to the town along the southerly property line and running between Martin and Lambros Streets; 3) drainage calculations will be submitted; 4) all municipal utilities (storm drain, sewer, and water) must be designed and constructed to DPW specifications and was seconded by Walter Flynn and UNANIMOUSLY VOTED.

Form A Plan – Haviland Lane

Haviland Lane – Sheet 20, Block 282, Lots 16, 39, 40

This is a request to re-configure the lot lines to set the house on lot 8A to the center of the lot. This does not change the number of lots.

Paul Hurley made a MOTION to APPROVE the request to reconfigure the lot lines to set the house to the center of the lot and was seconded by Walter Flynn and UNANIMOUSLY VOTED.

ADJOURNMENT

At 8:40pm, there being no further business, a MOTION was made by Walter Flynn to adjourn and was seconded by Mary Akoury, and UNANIMOUSLY VOTED.



Paul Dillon
Chairperson



Date