

**PLANNING BOARD
RECORD OF MINUTES AND PROCEEDINGS
April 26, 2005**

The Planning Board of the Town of Weymouth held a public meeting on Tuesday, April 26, 2005, at 7:30pm at Department of Public Works, 120 Winter Street, Weymouth, MA

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

Not Present: Mary Akoury
Scott Curry

Staff: Rod Fuqua, Principal Planner

Recording Secretary: Janet Murray

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

Minutes

Paul Hurley made a MOTION to ACCEPT as written, the minutes of 3/29/05 and was seconded by Walter Flynn and UNANIMOUSLY VOTED.

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 at the last meeting on 4/12/05, each member received a memo regarding staff recommendations. This memo was updated on 4/26/05 to include mention of the 4/12/05 meeting and the site visit on 4/5/05.

Mr. Fuqua gave a brief overview of the proposed plan. He stated that this is a preliminary plan for density purposes. He also stated that staff had looked at this plan based on the assumption that the intention of the developer was to make it a planned unit development (PUD). He noted that there are deeded access points.

There is an issue with Orcutt Street as it is shown on the plans. The plans do not show any improvements to this street. If Orcutt Street is developed, this would create an intersection in a wetland area. This is a concern of the Conservation Commission. Lots 43 and 44, which have frontage on Orcutt Street, would be questionable as there is no access shown. An alternative to avoid the wetland intersection would be to require a cul-de-sac. This would remove one of the existing roads. It would go through lots 1 and 44. This would provide access to lots 43, 45, 46, and 47. This would result in a net loss of two buildable (2) lots. Lots 43, 44, 45, 46, and 47 all

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have frontage on Orcutt Street. They are grandfathered, undersized lots. With access provided to them, they could be built on because of their grandfathered status.

There is one lot north of lot 43, but it is not under the control of the applicant. It could become a buildable lot with access on Roadway A or Tirrell Street.

There are two lots shown at the end of Cottage Lane. Improvements would be required to Cottage Lane if it were to be used for access to these lots. Lot 40 has a significant wetland crossing to get from the upland, buildable portion of the lot, to Cottage lane. The length of that crossing makes it unlikely that this lot is buildable. Lot 42 is a large lot with access off of Summer Street. It is similar to Lot 40 and its buildable status is also questionable.

Mr. Fuqua explained that the preliminary plan is the process that is followed when a developer is proposing a PUD. In order to go to a PUD, an application has to be filed with the Board of Zoning Appeals (BZA). The Planning Board, going through the preliminary subdivision process, establishes the density. When the developer files for a PUD before the BZA, the density (number of units) is frozen at the number set by the Planning Board and cannot be greater than what has been approved on the preliminary plan.

Mr. Fuqua stated that based on comments received, that if this should go forward as a PUD, there should be a traffic study to consider levels of service and lines of sight at each access point. There are floodplain areas within the property (zone A). They are numbered and any work within the floodplain would require engineering calculations to determine flood elevations. The developer work would be required to follow statutes for activity within the 100 year flood plain.

If there were any changes to the roadway layouts in the PUD, this would have to be reviewed by the Planning Board.

The application as shown, shows Tirrell Street, but it would need some improvements if it is used as an access point as noted by DPW. There is also concern regarding access from Front Street, through the Aster Circle neighborhood, to Summer Street. Based on comments received, the applicant should eliminate any through streets connected to Aster Circle and limit the number of units using the access from Aster Circle for the PUD.

Walter Flynn mentioned that he has concerns regarding emergency access through Aster Circle and that this needs to be addressed. Rod Fuqua stated that this information could be forwarded as part of the findings and decision by the Board so that if it goes to BZA, they would know that this was a concern of the Planning Board. Attorney Galvin stated that there would be traffic studies which would include a review of all access points.

Walter Flynn made a MOTION to APPROVE the preliminary plan with a density of 49 units and was seconded by Paul Hurley and voted favorable on a 2-1 vote, with Walter Flynn and Paul Dillon in favor, and Paul Hurley opposed.

A resident asked for clarification on what had just happened. Mr. Dillon stated that this meeting discussed density only. Mr. Fuqua added that a PUD would require an application to BZA which

requires a statutory hearing where abutters will be notified. Due to the wetlands on site, there would be a separate filing before the Conservation Commission which would include a public hearing. There is also a possibility that the applicant would have to come back before the Planning Board. This would happen if any of the streets in the development fit the criteria of the definitive plan, on how the streets are laid out and in what fashion or format they are. This would also involve a public hearing.

Council President TJ Lacey asked for clarification on the difference between a PUD and a subdivision. Mr. Fuqua stated that under current zoning, each lot would be required to have a minimum 25,000 square feet. The proposal, as submitted to the Board, follows the subdivision rules and regulations of the Planning Board. This shows 53 lots but the Planning Board determined that only 49 are allowed for density.

In a PUD, the applicant can use those 49 units as a density. He can then put together a project with a recreation use along with the housing component. The housing does not necessarily have to be on 25,000 square foot lots. The housing could be clustered on smaller lots; but the number of units must stay the same. By building the development this way, the units could be placed on land that is less environmentally sensitive. Also you can end up with more open space, less roadways, and less utilities such as sewer, water, and storm drain systems, which typically the town takes over and has to maintain after the project is completed.

Other Business

South Weymouth Naval Air Station

Rod Fuqua stated that the vote to approve the reuse plan, the master plan, and the zoning plan is on hold. Once this is formally submitted to the Board, there will be a public hearing to review the zoning. Paul Dillon asked about a proposed schedule. May or June is the most likely time frame as South Shore Tri-Town Development Corporation (SSTTDC) is under the gun from the Navy to make a decision by this summer. A June vote is the target for a vote from the three towns.

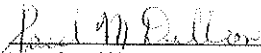
Mr. Fuqua stated that if members have specific questions, they should call Jim Clarke directly.

Walter Flynn was in attendance at the SSTTDC meeting last night (4/25/05). He gave an overview of the proceedings. He noted that there had been discussion regarding a bedroom cap and/or a school child cap.

The members of the Board had extensive discussion regarding the redevelopment of the former Naval Air Station.

ADJOURNMENT

At 8:15pm, there being no further business, a MOTION was made by Walter Flynn to adjourn and was seconded by Paul Hurley, and was UNANIMOUSLY VOTED.



Paul Dillon
Chairperson



Date