

WEYMOUTH PLANNING BOARD
Department of Public Works
June 28, 2005 Meeting

PRESENT: Chairman Paul Dillon, Vice-Chairman Paul Hurley, Scott Curry, Walter Flynn and Mary Akoury

ALSO PRESENT: Jim Clarke, Director of Planning & Community Development
Rod Fuqua, Principal Planner/ Dept. Planning & Community Development
Bob Lundquist, Chairman/Tri-Town Committee
Terry Fancher, Director, Tri-Town Committee

Chairman Dillon called the June 28th, 2005 meeting of the Planning Board to order at 7:30 PM.

Recommendation on Zoning Article for the NAS

Request to Amend the Weymouth Zoning Ordinance by the Adoption of the
"Zoning and Land Use By-Laws for NAS South Weymouth Zoning Map"
to supercede the 1998 NAS Zoning By-Laws in their entirety

Mr. Clarke addressed his June 27, 2005 memo to the Planning Board outlining his recommendation for the NAS (revised) zoning request. He was recommending the Board vote Favorable Action to amend the Weymouth Zoning Ordinance and once done, to forward that recommendation to the Town Council for their review and vote. He explained that the zoning change was only one part of the multi-layered regulatory process meant to insure that the Base is developed as envisioned in the Master Plan submitted by LNR on 3/27/05 - and approved as the Reuse Plan by the Corporation on 5/5/05. He said that federal and state regulatory review would include involvement in the MEPA process, whose objective is to flush out areas where mitigation is necessary.

Mr. Clarke went on to say that many workshops and public hearings were held with LNR and various Town bodies. He told members that he thought this zoning change incorporated smart growth principles and helped to integrate the proposal into the fabric of the community. He commented that he felt this bylaw fed off the 1998 zoning bylaw document approved by all three towns; i. e., Rockland, Abington and Weymouth. He stated that the new document was developed by a working group over the winter that included LNR and corporation consultants as well as local town representatives, regional planning agencies and the EPA - who reviewed drafts and various documents to insure that the zoning would implement the reuse plan. He wanted the members to know that not all of their objectives were included, but he felt what was before them now was a marked improvement over 1998. He explained that land uses continue to be updated, including the form-based code. He commented that he felt visuals were very helpful as opposed to text. He also stated that his personal concern was the Town Council members ability to interpret "Form Base Code" and he explained this process. He told members that they are trying to make sure LNR is following through with what they say they are going to do.

Lastly, Mr. Clarke reported that at the 6/16/05 public hearing, a lot of comments were heard. Prior to this hearing there was a Town Council meeting at which time setbacks were questioned re. the biopharmaceutical buildings near existing residences. He said that a 500' property line setback for this type of building has been included. Mr. Clarke wanted the members to know that some of the suggestions made were not included in the bylaw, but he didn't feel they were fatal to the completed document. He felt some of these suggestions were minor in nature; such as, cemetery use. Additionally, Town Council wanted to review the plan every three years instead of every five years. He informed the Board that Weymouth has two reps on the Corporation to keep the Town updated.

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Additionally, he felt it important to note that the Town has the ability for input via the Special Permit process. He told members that they have the vehicles in place to attract the types of use they would like to see at the Base, adding that each community will have the ability for review. Also incorporated are today's regulatory proceedings. For these reasons, he reiterated that he was recommending Favorable Action and that the Planning Board forward their recommendation to the Town Council so they, in turn, could act on the zoning.

Mr. Flynn referred to the 'no development plan' in the Shea commercial area. He said to Mr. Clarke 'you say we have two (2) representatives and we should be updated', but he didn't see any mention of hearing notifications included in the plan.

Mr. Clarke told him that this is done via the Special Permit Process.

Mr. Flynn commented that the Development Plan mentioned '40A', adding that he was not knowledgeable about this. He then referred to the Site Plan review – where only two days notice was required without a public hearing and 14 days if there was a public hearing. He told Mr. Clarke that he felt 14 days was insufficient time for review and this concerned him (referring to Section 2.1.E)

Beth Mitchell/Legal Council for SSTDC referred to the notification stating that when this information is submitted to the corporation, this can be handled in more detail through the regulations.

Mr. Flynn commented that he saw the reference to 2 days and 14 days re. public hearings for corporate meetings – adding he didn't see anything specific on when the Town would be notified.

Atty. Beth Mitchell told Mr. Flynn that the Development Plan Review procedures were taken directly from the existing bylaw provided under 'Special Permits'. She told the members that they were trying to mirror this.

Mr. Clarke explained that it is the same process that all communities deal with – with notification being approximately 14 days prior to the date of the hearing. He told members that 14 days is the state law, referring to Chapter 40A, Chapters 9 and 11. He said that anything else is Site Plan Review.

Mr. Flynn said he would like to see some kind of consistency re. notification dates and Mr. Clarke responded that he felt Mr. Flynn raised a good point.

Mr. Flynn stated that one single structure in the Shea Commercial District is as significant to him as the entire Development Plan. He said that he hoped that the regulations modify slightly the opportunity for the Town's review regarding those structures. He went on to point out that he wanted to see commercial development and for the zoning to facilitate that, but they still need to look at it.

Mr. Dillon said his role on the Naval Air Station went back to 1990 and he felt that the Board at that time did a good job, adding that they got a 500-ft. setback, which was important to him – as well as information on the Shea Village Commercial District.

Mr. Flynn referred to the Village Center District and 'no set backs' re. the first retail facility. He felt when the regulations are developed they need to be sufficiently strict with regard to maintenance with no setback, emphasizing that this must be done in a timely manner, especially when there is a residential facility above it (2nd floor). He clarified he was referring to a building with a business such

as a restaurant on the first floor. He felt deed restrictions might be helpful under those circumstances. He wanted to make sure that those who live above are protected.

Mr. Clarke felt these concerns were pertinent to health regulations.

A MOTION was made by Mr. Curry for Favorable Action with regard to the zoning and land use bylaw for the Naval Air Station in South Weymouth bylaw.

Chairman Dillon called for a roll call vote:

Paul Hurley – Yes

Mary Akoury – Yes

Walter Flynn – Yes

Scott Curry – Yes

Paul Dillon – Yes

UNANIMOUSLY VOTED

Chairman Dillon then spoke about the 1998 zoning, referring to his trip to Maryland when town officials visited a military site that the US Navy eventually took back, adding that he would be extremely concerned for the Town if this proposal for the use of the Base didn't pass this time. In closing he said he was happy with the proposal before them.

Mr. Clarke asked if he should use the 6/21/05 memo that he drafted for the Planning Board for the Town Council and members agreed that he should. Chairman Dillon added that he was also in favor of using Mr. Clarke's memo, but would like to work with him on making some minor revisions – this will be done.

At this point Mr. Bob Lundquist/Chairman of the Tri-Town Development Corporation spoke. He said on behalf of the Corporation he wanted to thank the Planning staff for their hard work and involvement in the process, adding he really appreciated Weymouth's input. He felt they did an outstanding job and now they have a great document. He told Mr. Flynn that his comments would be addressed and worked into the regulations where possible.

Mr. Dillon wanted to acknowledge that on 6/16/05 they met with the Town Council, adding at that time his goal was to stick to the issues and noted that he might have come off a little strong, but that was not his intention.

Mr. Fancher stated that the towns of Abington and Rockland had their town meetings last night. He said he wanted to speak to the Navy about the rumors he has been hearing, adding that the people he spoke to told him that they should make sure the community does what fits for best for them, but cautioned him by adding they must be aware that the Navy will act if they don't.

The meeting concluded.

Petr: Dawn Gillan
Locus: Massapoag Street
Sheet 44, Block 505, Lot 1
Zoning: R-1
Request for Road Conditions

Mr. Fuqua explained to members that the owner of property, Velma Corey, has it up for sale and Dawn Gillan has expressed interest in the lot. Ms. Gillan has asked the Planning staff what would be necessary for her to build on this lot.

Mr. Fuqua said in order to develop the lot they would need to establish a roadway and utility conditions to build on this unimproved road. He described the lot to the members, noting that presently Massapoag Street is paved from Forest Street past Harvest Lane – for a distance of 350 feet. At the end of the pavement, Massapoag then becomes a paper street, which ends at the Weymouth/Braintree town line. He went on to say that there is approximately 300 ft. of unimproved roadway to the front corner of the lot.

Next Mr. Fuqua gave the members his recommendations on what it would take to make the lot buildable:

- 1) the road be extended no less than 40 ft. from the end of the pavement, across the frontage of the lot
- 2) municipal sewer and water should also be extended just past the pavement extension
- 3) a PE should determine if a storm drain system is required
- 4) all municipal utilities should be designed and constructed to DPW specifications
- 5) all pavement and utilities should be shown on a plan drawn to definitive subdivision criteria
- 6) any decision of the Board should be considered preliminary and a final decision will be made after review of the required plans

Mr. Flynn questioned the location of the driveway and asked - if Ms. Gillan does all the work that is recommended what is the responsibility of the potential purchaser next door and Mr. Fuqua responded 'he would get a free ride'.

Mr. Flynn asked if the sewer went beyond the pavement at this time and Mr. Fuqua said it did.

Mr. Clarke commented that the topography is ledgey with boulders, adding they would probably have to assemble the property to the north for it to be buildable.

Mr. Flynn asked about the size and was told it was approximately 20,000-25,000 sq. ft.

Mr. Clarke told members it was not a subdivision, but basically all upland.

Mr. Fuqua stated that the lot on the other side of the road could be two - three lots.

A MOTION was made by Ms. Akoury of Favorable Action to support the recommendations re. for work to be done at Massapoag Street - Sheet 44, Block 505, Lot 1 as proposed by Mr. Fuqua:

- 1) the road be extended no less than 40 ft. from the end of the pavement, across the frontage of the lot
- 2) municipal sewer and water should also be extended just past the pavement extension
- 3) a PE should determine if a storm drain system is required
- 4) all municipal utilities should be designed and constructed to DPW specifications
- 5) all pavement and utilities should be shown on a plan drawn to definitive subdivision criteria

- 6) any decision of the Board should be considered preliminary and a final decision will be made after review of the required plans

Mr. Curry seconded.

UNANIMOUSLY VOTED

Other Business

Mr. Clarke told members that he would like to schedule a joint meeting with the Conservation Commission, Zoning Board of Appeals and Planning Board this summer for the purpose of discussing Open Space as well as other projects/issues ongoing in the Town - possibly for the end of July.

Members were in support of this idea and agreed that the first week or August would fit best with their summer schedules.

With regard to Planning Board meetings for the summer – it was agreed they would meet one or two times in July and August.

Mr. Flynn next asked Mr. Clarke/Mr. Fuqua about the status of the capital budget.

Mr. Fuqua told him that there was nothing scheduled until August. He said he would take Mayor Madden's operating budget and see if there were any available funds and the potential for FY2006. He planned on sitting down with Jim Keefe to review and discuss the list of projects and funding.

Mr. Clarke told members that as part of the joint meeting (workshop) he was proposing for the three boards, he would include on the agenda a Capital Budget Update.

Mr. Flynn said he would also like to see included the purchase of a 100' ladder, possibly two – based on the outcome of the recent fire that took just place at Sacred Heart. He said he felt it was important when you also take into consideration the future of the NAS.

Mr. Dillon asked if they appropriated money for a 100' ladder and Mr. Flynn told him that at one time there were some deals in the works – one with the state of New Jersey, but he has never heard anymore about that.

Mr. Clarke said they would be receiving a complete update at the August meeting.

ADJOURNMENT

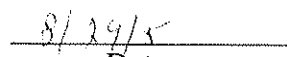
Mr. Curry moved to adjourn at 8:15 PM.

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Respectfully submitted,
Susan DeChristoforo
Acting Recording Secretary



Paul Dillon, Chairman


Date