

TOWN OF WEYMOUTH
PLANNING BOARD
MINUTES

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There was a Planning Board meeting held on February 23, 1998 at 7:30 P.M. at the Town Hall.

OFFICE OF TOWN CLERK
WEYMOUTH, MASS.

Members present: Paul F. Lynch, Sr., Chairman
Paul Hurley, Sr, Vice-Chairman
Susan Abbott, Clerk
Paul M. Dillon
Patrick Leary
Mary S. McElroy
Mary Sue Ryan

Staff present: James Clarke, Director of Planning & Community Development
Roderick M. Fuqua, Principal Planner

The meeting was called to order at 7:30 P.M. by Chairman Lynch.

1. Minutes - 2/9/98

Upon motion made by Mr. Hurley and seconded by Mrs. Abbott, it was:

UNANIMOUSLY VOTED: to approve the Minutes of February 9, 1998.

2. Other Business

a. Subdivisions

Mr. Fuqua stated that he received a call from Mrs. Ryan and Mr. Leary stopped by the office regarding the condition of the Tayla Drive subdivision/Durant Road. He went out and inspected the property, and sent a letter off to the developer, Dick Burns. Mr. Fuqua stated that the detention basin has water in it because the outlet has not been constructed. and he told Mr. Burns to install a fence around the detention basin until such time as the outlet is functioning, the water drained and the slopes are stabilized.

Mr. Fuqua stated that the second problem concerns the base coat of pavement where there are several pockets of severe settling. Pockets are numerous enough and deep enough to reduce vital access to houses within the subdivision. Cold patches are needed where settling has occurred to temporarily fix the area until a leveling course may be placed when asphalt plants open.

Mr. Fuqua stated that he told Mr. Burns in his letter that he wants to

schedule this for the Planning Board's meeting on March 9th.

Mrs. Ryan stated that the neighbors are exasperated. Her impression was that Mr. Burns was going to retain as many of the trees as possible. The developer has ruined the neighborhood. It is absolutely a disgrace what has been done.

Mrs. Abbott stated that this is not acceptable. We must hold Mr. Burns responsible. She asked how you replace a 40 year old tree.

Mrs. Ryan stated that there are probably a half dozen homes that will be affected forever.

Mr. Leary stated that at the hearing there was a concern over water puddling, and we were assured that there would be no puddling.

Mr. Leary asked if we have anything specific regarding the buffer zone. Mr. Fuqua replied that we don't have anything regarding the replanting of the buffer. When he talked to Mr. Burns in the fall, he said that the Board would want some replanting.

Upon motion made by Mrs. Ryan and seconded by Mrs. Abbott, it was:

UNANIMOUSLY VOTED: to request that Dick Burns appear before the Board at the next meeting to discuss (1) a remedy for the damage he caused by misreading the plan, and (2) a schedule for the detention basin.

Mr. Leary asked if we can put something in the performance guarantee for this type of thing. Mr. Fuqua replied that there is a contingency for unforeseen things.

Discussion ensued regarding the status of South Farm Estates and the problems that have occurred with the subdivision. Mr. Fuqua stated that the developer's attorney is working on a schedule.

Mr. Lynch asked about a subdivision off Randolph Street or Forest Avenue. He stated that there is an old, vacant house and the lots are being cleared. Mr. Fuqua stated that someone called and said that a neighbor was looking to sell the property and put in a cul-de-sac, but nothing has been filed.

3. Public Hearing - 7:45 P.M.
Article 40 - Annual Town Meeting, May, 1998
Zoning Bylaw amendment to identify PUD as a special permit in R-1

Upon motion made by Mr. Dillon and seconded by Mrs. Ryan, it was:

UNANIMOUSLY VOTED: to open the public hearing at 7:50 P.M.

Upon motion made by Mr. Dillon and seconded by Mrs. McElroy, it was:

UNANIMOUSLY VOTED: to waive the reading of the public hearing notice.

Mr. Fuqua stated that this article was put forward and adopted at the ATM in 1995. Article 74 was in two parts. What is before the Board is part A. Part B included the substitute motion by the Planning Board and was voted by Town Meeting. When the article was submitted to the Attorney General, part A was not included. The article before the Board is exactly as it was written in 1995.

Upon motion made by Mr. Dillon and seconded by Mrs. McElroy, it was:

UNANIMOUSLY VOTED: to close the public hearing at 7:55 P.M.

Upon motion made by Mr. Dillon and seconded by Mrs. McElroy, it was:

UNANIMOUSLY VOTED: to recommend favorable action on the article as written.

Mr. Fuqua stated that George Lane was talking to the person at the Attorney General's office who reviews articles. There is the possibility that the Attorney General may approve the article based on the information we sent in. If the Attorney General does approve it before Town Meeting, then there will be no action on the article.

4. Discussion - Naval Air Station Reuse Plan

Discussion ensued regarding strategy for the Naval Air Station Reuse Plan. Board members will contact Town Meeting members to discuss the plan and to find out their position.

Mrs. Abbott stated that she felt it would be very helpful if the South Shore Chamber sent a letter out to all Town Meeting members.

5. Other Business

- a. Mrs. McElroy asked about the lots on Green Street and were approved by Form A some time ago, and stated that there is a drainage problem there.

Mr. Fuqua stated that the lots were approved by Form A, there were several difference builders, and no one considered the drainage. The Building Department has been working with the homeowners to see if they can work out some relief for the people, but it is really not the Building

Department's responsibility.

Mrs. McElroy asked whose jurisdiction this is. Mr. Fuqua replied that this is really a civil issue; the town has no jurisdiction over it.

Mrs. Ryan stated that this sounds like a case on Forest Street. The Board did not sign the Form A Plan, and we asked the ZBA not to approve the plan, but they did. There is one long driveway, 280 feet. There are three houses where roots have been exposed and people will lose their trees. She went up to see the Building Inspector who said there wasn't anything he could do until they issued the Occupancy Permit. Mrs. Ryan stated that it seems like the town should provide some protection for something that was approved by a town board.

Mr. Dillon stated that regarding the article on the ATM for property formerly proposed for Weymouth Square, he wants the Board to know how hard this Board fought to make that property what it is.

Mr. Fuqua stated that the prospective buyer came into the office and said he was looking to put in multi family. Mr. Fuqua stated that he told this person multi family would require a zoning change. He and Jim Clarke told this person they were not going to make any comments on this proposal, and suggested that before this person submit a request for a zoning change, that he meet with the people in the area. Mr. Fuqua stated that this person has submitted an article, and he does not know if they ever met with the neighbors. He stated that Weymouth Square was denied about the same time the property was changed to POP. We are looking to have a hearing on the zoning articles on March 23rd.

Discussion ensued regarding water issues.

Mrs. Abbott stated that when talking to DPW, they say it is up to the Planning Board to put on a moratorium.

Mr. Fuqua stated that when we send out referrals, if DPW says the developer cannot hook up to water, then the Board can turn down the plan.

6. Discussion on Naval Air Station Reuse Plan

Mr. Clarke stated that this evening the Board of Selectmen voted approval of both articles for the Naval Air Station Reuse Plan.

The Board reviewed the letter prepared by the staff to Town Meeting members in support of the Reuse Plan.

Upon motion made by Mrs. Ryan and seconded by Mr. Leary, it was:

UNANIMOUSLY VOTED: to endorse the letter to Town Meeting members from the Planning Board in support of the Reuse Plan.

Mrs. McElroy asked about sending out a letter to other departments/board asking for endorsement of the plan.

Mr. Clarke stated that there were three meetings last week for Town Meeting members, and probably only about 60 people attended.


Mr. Clarke stated that the Appropriation Committee has voted to support the LRA, but differed on the plan. They will take up the plan again this Thursday. Appropriation asked us to run some numbers again.

Mr. Dillon asked Mr. Clarke if he will be coordinating speakers for Town Meeting. Mr. Clarke replied in the affirmative.

Upon motion made by Mr. Dillon and seconded by Mr. Leary, it was:

UNANIMOUSLY VOTED: to adjourn the meeting at 8:50 P.M.

This is to certify that the foregoing is a true and complete statement of all actions and votes taken at this meeting on February 23, 1998.



Paul F. Lynch, Sr., Chairman