

Minutes of the Planning Board Meeting held on June 17, 2003 at 7:30 P.M. in the Third Floor Conference Room of Town Hall.

Present: Paul Dillon, Chairman, Walter Flynn and Mary Akoury

Staff: Rod Fuqua, Principal Planner

Meeting called to order at 7:30 P.M.

### **FORM A PLANS**

#### 1540 Commercial Street – Sheet 19, Block 253, Lot 35

This is a proposed change to R-2. (2 & 3 family) and would freeze the use for multi-family (R-4) for three (3) years. The property has been divided into two Lots – docks & house. Part of the lot is under water except for the mud flats. The permit is for five (5) units on the property, which the applicant could rent or sell as condominiums.

Discussion ensued relative to the above.

Motion by Mrs. Akoury seconded by Mr. Dillon to endorse the Form A. SO VOTED.

#### Bridge Street – Castle Storage

This is a piece of property that was never legally transferred from the car wash to build the side yard.

Motion by Mr. Dillon seconded by Mrs. Akoury to endorse the Form A. SO VOTED.

### **ZONING REVISIONS DISCUSSION**

Mr. Fuqua asked if there were any comments, changes or suggestions to the Use Table. The Use Table will make it easier for people to read the zoning. The Committee is looking at the following:

Adding a category Single-Family Attached so that in the business districts you could have a business on the 1<sup>st</sup> floor and a unit on the 2<sup>nd</sup> floor.

Looking over the definitions of Nursing, Home, Convalescent Home and Rest Home. These may trigger changes in the parking section. Also looking at Assisted and Congregate living for the elderly.

Apartment Hotel – there has been some debate as to the need for this term.

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Retail uses – need to look at the difference between retail business, retail service, retail sales & service? One difference - the medical offices would need greater parking, as there is a constant turnover of people.

Steam Laundries - no longer existing.

Mr. Fuqua asked the Board members to let him know if they see something that needs to be changed or if something should be allowed in one of the other districts.

Mr. Dillon asked about boats. Mr. Fuqua said it was allowed in I-2 and is something that needs to be addressed. The only places zoned I-2 are the salt marsh areas in the Idelwell Section. Zoning is only inclusionary. If it is not stated then it is not allowed.

Another area is Home Occupations. In the zoning definitions you can have two (2) types of home businesses – customary home occupation (more craft orientated) and professional home office. There will probably be some restrictions on the size of floor area that will be allowed.

Mr. Flynn asked who was responsible to check on the above? Mr. Fuqua said it comes under the Building Inspector. You can run your business out of your home but the problem arises when someone goes too far.

Discussion ensued relative to the above.

Mr. Fuqua went on to say that Municipal Use is not allowed in all districts making for a problem. In Libbey Industrial Park they are looking at putting in a sewer pump station and Use variances are not allowed. The pump station is critical for some of the flows on Pine Street. We are heading in the direction of allowing essential services everywhere in town and exempting them from the zoning. We are also looking at a size limit so that you could not put in a DPW barn without some restriction. We do not want larger uses such as the settling lagoons at the treatment plant in a neighborhood.

OVERVIEW - Mr. Fuqua

The first step is to identify the uses. The next step would be to go into the entire zoning and look at the uses that you want to group or not group. Accessory Home Occupation may be eliminated. We are also looking at Accessory Building or Structure to see what those would be. In a single family house you would expect to see a garage, a shed, a pool house and a pool. These would be interpretations through the Building Inspector.

Mr. Flynn asked what would be an excessive size for a pool house? Mr. Fuqua said currently you are only allowed a one story accessory building in a residential area.

Discussion ensued with regard to temporary structures the size of an airplane hanger.

Mr. Fuqua continued and said they are looking at eliminating the drive-in restaurant and at differentiating the difference between the restaurant drive-thru and a bank ATM.

The definition for setting the density for multi-family will be upgraded making sure the language is consistent.

Mr. Flynn suggested looking at the garage carports.

The definitions relating to repair garages and service stations will be cleaned up a bit. In some districts there is some conflict - you can sell used cars but can't have the servicing.

Discussion ensued relative to self- service and full service gas stations.

New things - Assisted Living is not currently addressed; Health Clubs are not defined. The issue with Health Clubs deals with traffic. Under Offices, the definition will be revised so that there will be a more modern definition. Self-storage is not defined at this time. Some of the definitions will be eliminated.

Mrs. Akoury asked if there was a difference between a trailer camp and a trailer park?  
Mr. Fuqua said they would be one in the same.

Mr. Fuqua asked the Board to let him know if there was anything that needed or should be defined.

With regard to Adult Uses, Solicitor Lane will be handling this to make sure we have the correct protection needed. Currently there are four (4) Adult Uses under State Law.

## **OTHER BUSINESS**

Public Hearing for the sub-division off Oakcliff Road has been set for August 19<sup>th</sup>.

Next Meeting July 7, 2003.

Motion to adjourn. Meeting adjourned at 9:00 P.M.

Respectfully submitted,

Annette M. Cignarella  
Recording Secretary

APPROVED *Saul M. Della*