

TOWN COUNCIL MINUTES
Ordinance Committee
June 22, 2023

Present: Ken DiFazio, Chair
Gary MacDougall, Vice Chair
John Abbott, Councilor
Lisa Belmarsh, Councilor
Arthur Mathews, Councilor

Also Present: Richard McLeod, Town Solicitor
Robert Luongo, Director of Planning
Owen MacDonald, Traffic Engineer
Lt. Brian Morse, WPD

Recording Secretary: Mary Barker

Chair DiFazio called the meeting to order at 6:32 PM.

Councilor MacDougall motioned to take measures 23 070 and 23 092 out of order and Councilor Mathews seconded. Unanimously voted.

23 070- School Zone (20 MPH Speed Limit) on Portions of Pleasant, Commercial and Washington Streets

The measure was referred to committee on April 24, 2023. The committee met on May 30, June 16, 2023. A public hearing was conducted on June 20, 2023. Owen MacDonald and Lt. Morse confirmed nothing has changed since last meeting.

Vice Chair MacDougall motioned to forward the measure to the full Town Council with a recommendation for favorable action and was seconded by Councilor Belmarsh. Unanimously voted.

23 092-Traffic Regulations – Lane Beach Vicinity

This measure was referred to committee on May 15, 2023. The committee met on May 30, 2023 and June 16, 2023 and a public hearing was held on June 20, 2023. A revision to the measure was submitted by Owen MacDonald on June 7, 2023. Nothing new has occurred since the public hearing. A citizen brought some concerns out at the public hearing so he invited Recreation Director Reilly. Mr. Reilly said that at this time there are no plans to change operations. It's not perfect, but DPW has plans to work on the seawall, parking, structures and drainage. A more permanent solution will be done shortly. Revenues aren't benefitting and are dedicated to recreation. Money stays within that fund and used there for maintenance. It's a misconception that there is there is money to be made on this. The chair asked if there is a plan to better enforce parking. Lt. Morse responded that most of the problem is along Fort Point Road. The police department has

received a lot of calls. There is always room for improvement and he would like to see more enforcement. Councilor Mathews suggested opening the gates 6-9 PM, so that people can park in the lot to view the sunset. Mr. Reilly responded that it would have to be done manually. There is no automatic feature. It's restricted after 9 PM. They could do it manually. Mr. Reilly would be happy to look into it, but the biggest benefit to locking it at the end of the day is the lack of debris littering the lot. Councilor Mathews would like to see if the WPD would be amenable to it. Councilor Belmarsh understands trying to limit trash and loitering. The orange cones and jersey barriers are taking away from a beautiful spot and they if can get the cars parked in the lot where they should be, it should be considered.

Councilor Belmarsh motioned to forward the measure to the full Town Council with a recommendation for favorable action and was seconded by Councilor Mathews. Unanimously voted.

23 022- Zoning and Land Use by-Laws and Map for South Weymouth Naval Air Station, as Amended

The measure was referred to committee on April 24, 2023. The committee met on May 16, and May 30, 2023, June 15, June 20, 2023. A public hearing was conducted on Jun 20, 2023.

Chair DiFazio summarized where the discussion left off at the last meeting. The proponents agreed to a peer review and present to the council their submittals to the Environmental Secretary. They also discussed alternatives such as a CAS to monitor progress. They also presented the opportunity to have a peer review and pay it. He asked the proponents to review what is being recommended, for the record.

John Twohig and Tim Sullivan summarized in the letter dated June 20th. Discussion about reviewer deal with anything. They agree to a peer reviewer at Mr. Luongo's suggestion. They will work with him and committee and pay the cost. Not specifically mentioned was the timing of this. If the committee accepts, they can start working with Mr. Luongo right away so there is adequate time. They also touched on and committed to periodic Council or Ordinance Committee appearance for project updates. They also submitted attached to letter with 14 questions and comments raised during review. It incorporated Planning Board comments and to memorialize the many discussions during review. The letter is intended as a commitment. They can start as soon as next week. There are materials out there to start the review. It's a good process; unusual, but want to be sure that the council is aware.

Chair DiFazio asked if there is a limit to the cost they would pay for the review, would the subjects in the review include an array of items Weymouth chooses, and who would make the selection of the peer review evaluator? Mr. Twohig responded that selection and timing could be chosen and identified fairly quickly. The subjects will not just focus on the MEPA certificate- there will be about twelve different sections that will be up for review. Their expectation was all would be considered. The cost is what it is; they

understand legitimate review proposals will have pretty standardized costs for a time and materials exercise. He guesses it will run about \$50-100,000.

Councilor Mathews reported he emailed the Secretary of Environmental Affairs office today. The letter submitted by the proponent does give him some assurances. He noted there are some logistical items that need to be worked out and he will seek advice from the Town Solicitor whether the cost is subject to procurement guidelines. He also didn't feel subjecting it to a CAC would slow the process; last time the MEPA certificate was issued 2 months later. Having had some time to reflect, and 17 years since the last CAC, he thinks this is the best alternative. There is nothing else they can do as a community for involvement. He has learned through experience that they vote on a zoning change, and that's it; it falls to the SRA board and master developer to move forward, but having this review gives them the opportunity to be more involved after a vote on the zoning change, and that's what he sought. If the council passes this measure, he intends to form a 5-member committee of the council, to focus on the draft Notice of Project Change beginning with the 2017 one, and getting the RFP going while the proponents bring the zoning change to Abington and Rockland, and moving on from there. By the time the proponents complete the zoning change with the other towns, the peer reviewer should be chosen. He appreciates seeing this in writing and understands it's a big ask.

Chair DiFazio suggested Councilor Mathews would be his recommendation for the suggested committee.

Councilor MacDougall asked why the change of heart by the proponent in agreeing to a peer review. It was discussed at the meeting on May 30th and the response then was that it was unnecessary. Mr. Twohig responded that the initial suggestion was a peer review to focus on the zoning and the materials submitted, and some of those materials were applicable and going to the MEPA process. Having heard that people want to be involved they talked and decided to commit. It's an outgrowth of listening to this committee. Councilor MacDougall felt the need to make sure that protections that may not have been there in the past by councils were considered. It wasn't dragging their feet, as he heard, but more to make sure protections were put in place looking at it holistically. He was not familiar with the process and appreciates the resolution.

Councilor Mathews added that once a Notice of Project Change is filed, there is a deadline and so having the opportunity to look at the draft before it's filed allows them sufficient time to put comment together and it's key. Hiring a peer reviewer after it's filed, wouldn't. Mr. Twohig responded that's why it's important to get someone on board sooner rather than later gives them time to comment. It can be extended if needed.

Councilor Belmarsh acknowledged the full room for a subcommittee meeting hearing firsthand the conversation. She elaborated the process. This is the 5th meeting. The first 3 went through the changes. This is the 2nd major zoning change and collaboration of the proponents for getting into the details. This is the finality. Positive progress has been made. It's important to hear from people, and know that voices matter. The last few meetings have been more difficult because of the history. It's important to note there are

2 members who have the history since the start. The oversight and detail from an independent site that will protect the residents of the base and the whole town is a good thing to come up with the best solutions for everyone – it has the right parties all around. She appreciated that the proponents have shown up for every meeting and engaged.

Chair DiFazio noted the committee has received recommendation from the Planning Board. He noted the committee once formed will need the cooperation of the administration. Director Luongo responded that unless the mayor says otherwise, he will be their representative. He asked whether the council can set this up at their next meeting? Councilor Mathews responded that the agenda has already been posted for the special town council meeting on the 26th, so it cannot be considered then; however, there are other pending matters before the council that will require attention and he anticipates having meetings over the summer- at least one each in July and August. He intends to have a committee up and running by September. Director Luongo reminded the committee that the recommendation to the full council will include a vote of zoning and the map change.

Councilor Abbott thank the committee for the time spent on this. He has fully supported it since the first. All of w is better with the success of this. There are other hurdles before seeing any progress and other issues that will have to continue along. He is glad the structure is put in place and all have the sense it can move forward together with the shared goal of what works for all of Weymouth and the over 2000 resident who already live there today and have made their voices loudly heard to all members of the Town Council.

Councilor Mathews another task of the committee once established will be to have them look at the legislation and make recommendations to the state legislation of changes the council would suggest in the special enabling legislation for the protections of Weymouth.

Councilor Belmarsh asked if the vote to the full Town Council would reference the peer review. Chair DiFazio responded that it is part of the meeting record. Director Luongo added that the developer has committed through the letter. Solicitor McLeod responded that there is no harm including that it is subject to the condition of adopting the terms of the letter.

Councilor MacDougall pointed out that the process has been arduous and long but at the end of the day, the issues he had around protections to the town, and a committee as Councilor Mathews suggested and he is comfortable. He wants to see success like everyone else does.

Councilor Mathews motioned to forward measure 23 022- Zoning and Land Use by-Laws and Map for South Weymouth Naval Air Station, as Amended, to the full Town Council with a recommendation for favorable action; to include the Planning Board recommendation and map and the letter received from the developer, dated June 20, 2023. The motion was seconded by Councilor Abbott and unanimously voted.

ADJOURNMENT

At 7:14 PM, there being no further business, Councilor Mathews motioned to adjourn and was seconded by Councilor Abbott. Unanimously voted.

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Ken DiFazio as Ordinance Committee Chairman
Voted unanimously on 31 July 2023