

CHARLES RYAN
President

LELAND DINGEE
At Large

SEAN POWERS
At Large

JOHN MULLANEY
District 2

THOMAS BOWES
District 3



CHARLES KOKOROS
Vice President
District 1

HENRY JOYCE
District 4

RONALD DENAPOLI
District 5

PAUL "DAN" CLIFFORD
District 6

OFFICE OF THE TOWN COUNCIL

December 21, 2010

MINUTES

A meeting of the Town Council was held in the Horace T. Cahill Auditorium, Braintree Town Hall, on Tuesday, December 21, 2010 beginning at 7:30p.m.

Council President Ryan was in the chair.

Clerk of the Council, James Casey, conducted the roll call.

Present: Charles B. Ryan, President
Charles Kokoros, Vice President
Leland Dingee
Sean Powers
John C. Mullaney
Thomas Bowes
Henry N. Joyce
Ronald DeNapoli
Paul Dan Clifford

Others: Joseph C. Sullivan, Mayor
Peter Morin, Chief of Staff
Joseph Powers, Town Clerk
Paul Frazier, Police Chief
Christine Stickney, Director Planning and Community Development
Representative Joseph Driscoll
Representative-Elect Mark Cusack
James Clarke, Planning Director Town of Weymouth

The meeting was opened with the pledge of allegiance and there was a moment of silence for all those serving in our armed services, past and present.

CORRESPONDENCE

- **069 10 Councilor Kokoros:** Proclamation for George Kokoros
- **070 10 Councilor Mullaney:** Recognition of Officer Brian Hickman
- **072 10 Council President:** Proclamation for Representative Joseph Driscoll

ANNOUNCEMENTS

- **064 10 Council President:** Sustainable Braintree – 3rd Annual Green Gala
- **065 10 Council President:** Braintree Community Youth Center

APPROVAL OF MINUTES

- December 7, 2010

Motion: by Councilor Kokoros to Approve

Second: by Councilor Dingee

Vote: Unanimous

CITIZEN CONCERNS/COUNCIL RESPONSE

None

OLD BUSINESS

- **067 10 Clerk of the Council:** Council Rule 28 – Proposed Amendment

Councilor Dingee, Chairman Ordinance and Rules Committee, provided an overview of the proposed amendment to Council Rule #28. He reported the Committee recommended favorable action.

Motion: by Councilor Dingee to Approve

Second: by Councilor Joyce

Vote: Unanimous

- **10 067 Mayor:** Weymouth Landing – Proposed Zoning Ordinances

Motion: by Councilor Kokoros to Open Public Hearing

Second: by Councilor Bowes

Vote: Unanimous

Councilor Dingee, Chairman Ordinance and Rules Committee reported the Committee recommended favorable action and has requested that after hearing from those in attendance today, the public hearing be continued until January 4, 2011 to allow others to comment but were unable to attend tonight's meeting due to the holidays.

Councilor Clifford commented that the traffic light in the Landing is a nightmare and needs to be addressed as it has a negative impact on the small businesses in the area.

Council President asked if anyone in attendance would like to speak on the issue.

Mayor Sullivan commented that the new zoning regulation prohibits heavy industrial use and encourages a mixed use of residential housing and business. He asked for Council support on the proposed regulations.

James Lucid, 18 Quincy Avenue, commented that his property is the only single residence in the new district and he would like certain exemptions on his property:

- Signage – his current lawn sign be grandfathered, building does not lend itself to have a sign installed on the building
- Utilities – exemption from having air conditioning and heating placed on the roof of the building.
- Uses – exemption from various uses as shown on the Table of Principal Uses; One-Family, Two-Family Conversion, Community Center, Congregate Living Facility, Convalescent Home and Nursing Home, Modular Storage, Parking Facility and Printing Facility. He would like to see these uses change from not allowed to being allowed with a special permit.

Christine Stickney, Director of Planning and Community Development, stated that the subject property is currently in a "Commercial" zone and several of the uses are not allowed under the existing zoning by-law. All properties within the proposed Braintree/Weymouth Landing Zoning District are grandfathered under the existing zoning by-laws. These properties would only be subject to the new zoning by-laws if the owner alters the property.

Councilor Kokoros asked if "spot zoning" could be utilized for this property to provide Mr. Lucid relief. Ms. Stickney replied that spot zoning is not allowed under Massachusetts Law.

Michael Lang of 74 Cotton Avenue commented that if the property is a registered historical building it may prohibit the owner from changing the use of the property. Mr. Lucid stated that, although his property is eligible to be registered as a historical property he has not filed for this status.

Council President Ryan commented that the public hearing will be continued until January 4th and advised Mr. Lucid that he speak with the Planning Director and try to work out a solution before that date.

Motion: by Councilor Joyce to continue the public hearing until January 4, 2011

Second: by Councilor Kokoros

Vote: Unanimous

COMMUNICATIONS AND REPORTS FROM THE MAYOR AND TOWN BOARDS

- **071 10 Town Clerk:** 2011 Election Schedule/Website Update

Joseph Powers, Town Clerk, provide an overview of the election schedule for 2011 as well as provided an update on several changes made to the Town Clerk's web page.

NEW BUSINESS

Refer to Committee on Ordinance & Rules

- **10 078 Councilor Mullaney:** New Hire Documentation Policy

Motion: by Councilor Kokoros to refer to Committee

Second: by Councilor DeNapoli

Vote: Unanimous

Refer to Committee on Ways & Means

- **10 079 School Department:** Braintree Public School Statement of Interest

Motion: by Councilor Kokoros to refer to Committee

Second: by Councilor DeNapoli

Vote: Unanimous

- **10 080 Mayor:** Proposed bonding of synthetic turf fields

Councilor provided a "first reading" of the motion for \$2,025,000 bonding request by Mayor Sullivan as printed in his December 16, 2011 memo to the Council

Motion: by Councilor Kokoros to refer to Committee

Second: by Councilor DeNapoli

Vote: Unanimous

ADJOURNMENT

It was unanimously voted to adjourn the meeting at 9:30p.m.

Respectfully submitted,
James M. Casey
Clerk of the Council

Documents provided for Meeting

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- **December 7, 2010 Minutes**
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- **10 067 Mayor:** Weymouth Landing – Proposed Zoning Ordinances
- **071 10 Town Clerk:** 2011 Election Schedule/Website Update
- **10 078 Councilor Mullaney:** New Hire Documentation Policy
- **10 079 School Department:** Braintree Public School Statement of Interest
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