

**TOWN OF WEYMOUTH, MASSACHUSETTS  
BOARD OF ZONING APPEALS  
NOTICE OF DECISION ON SPECIAL PERMIT  
25 MAIN STREET**

(To be mailed forthwith to the owner and applicant, if not the owner.)

<b>Owner:</b>	Brewster Main Street LLC	<b>Date:</b>	July 29, 2015
<b>Address:</b>	25 Main Street Weymouth, MA 02188		
<b>Applicant:</b>	George W. Brewster	<b>Case #:</b>	3257
<b>Address:</b>	25 Main Street Weymouth, MA 02188		
<b>Representative:</b>	Gregory F. Galvin, Esq. 775 Pleasant Street Weymouth, MA 02189	<b>Site Address:</b>	25 Main Street
		<b>Sheet:</b>	29
		<b>Block:</b>	327
		<b>Lot:</b>	24, 35

RECEIVED  
TOWN OF WEYMOUTH  
TOWN CLERK'S OFFICE  
JUL 29 AM 8:50

**Zoning District: B-1 (Limited Business)**

Board of Zoning Appeals application filed on May 20, 2015.

After a public hearing on July 8, 2015, and advertised in the Weymouth News on June 24, 2015 and July 1, 2015, the Board of Zoning Appeals at its meeting of July 8, 2015:

VOTED TO GRANT THE SPECIAL PERMIT under Weymouth Zoning Ordinance Article VII Section 120-24 (A) Indoor maintenance and washing of vehicles & (D) Dispatching, to allow demolition of an existing block building and to construct an 80' x 60' metal pre-fabricated building, meeting all setback requirements, to be used as a dispatch center and for ambulance maintenance, and to close the existing northernmost entrance/exit to Main Street.

**CONDITIONS:**

1. Maintenance of any vehicles is from 7:00 A.M. – 6:00 P.M., unless an emergency exists.
2. No sirens of emergency vehicles while onsite, especially during 9:00 P.M.-7:00 A.M.
3. Use existing snow removal site.
4. No parking or storing vehicles in the portion of the lot zoned R-1.

**SPECIAL PERMIT FINDINGS:**

The Board found that:

1. The specific site is an appropriate location for such a use.  
*It is not much different, but an improvement with the lack of vehicles on site.*
2. The use involved will not be detrimental to the established or future character of the neighborhood or town.  
*It is an improvement to the existing structure and design is pleasing.*
3. There will be no nuisance or serious hazard to vehicles or pedestrians  
*The traffic engineer's study and our traffic engineer's agreement with this study.*

4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.  
*There is adequate drainage and it needs Conservation Commission approval.*
5. The public convenience and welfare will be substantially served.  
*We welcome a facility of this type in this community and the commercial tax base will be improved.*

Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

After the twenty (20) day appeal period has passed, the Town Clerk will send to the petitioner: (1) the certificate that no appeal was filed, (2) the certificate of granting of variance and/or special permit, and (3) the Record of Proceedings. The petitioner shall record these documents with the Norfolk Registry of Deeds, Dedham, MA, with the appropriate filing fee.

When a receipt from the Registry of Deeds is presented to the Building Inspector (to show that the decision has been recorded), the proper permit will be issued.

Decision filed with the Town Clerk on July 29, 2015

IMPORTANT: Notice is further given that any person aggrieved by this decision may appeal, according to MGL Chapter 40A, Section 17, and said appeal, if any, must be filed with the Town Clerk within twenty (20) days after the filing of the decision with the Town Clerk.



James Clarke, Director of Planning and Community Development

**BOARD OF ZONING APPEALS (BZA)**  
**RECORD OF MINUTES AND PROCEEDINGS**  
**Wednesday, July 8, 2015**

**Members Present:** Richard McLeod, Chairman  
Kemal Denizkurt  
Chuck Golden  
Jonathan Moriarty  
Ed Foley  
Brandon Diem

**Also Present:** Jim Clarke, Director of Planning  
Eric Schneider, Principal Planner  
Lee Hultin, Recording Secretary

Chairman McLeod called the Board of Zoning Appeals meeting to order at 7:04 p.m. at the McCulloch Building and explained the procedures that would be followed to the people present.

**Case # 3257– The petitioner, George W. Brewster, for property located at 25 Main Street,** also shown on the Weymouth Town Atlas Sheet 29, Block 327, Lots 24 & 35, located in a B-1 (Limited Business) zoning district. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

**Special Permit:** Article VII Section 120-24, (A) Indoor maintenance and washing of vehicles & (D) Dispatching

The petitioner seeks to demolish an existing block building last used for an automobile dealership and proposes to construct an ~80'x 60' metal pre-fabricated building meeting all setback requirements. Proposed building will be used for ambulance maintenance as well as dispatch center. Plan would also close the northernmost entrance/exit to Main Street.

**Sitting Members:** Richard McLeod  
Ed Foley  
Chuck Golden  
Jonathan Moriarty  
Brandon Diem

Ed Foley made a motion to open the public hearing on Case #3257, 25 Main Street and was seconded by Jonathan Moriarty. Voted unanimously

Ed Foley made a motion to waive the reading of the legal notice and was seconded by Jonathan Moriarty. Voted unanimously

Appearing before the board was Attorney Gregory Galvin, 775 Pleasant Street and the applicant George Brewster, Brian Taylor-Engineer, John Gillon-Traffic, Carin Gosselin-Landscape Architect.

This site will be a dispatch use, maintenance and motor vehicle washing location. The existing building will be demolished and a new building will be constructed. The driveway closest to the intersection will be closed off and there will be only one driveway.

Mr. Taylor, Stanbeck and Taylor reviewed the lot layout with the board. This lot abuts a B-1 zone and an R-1 Zone. The buffer zones will remain. The parking lot has been reconfigured and regraded to drain into a rain garden. There will be landscaped islands, and they will eliminate one curb cut onto Main Street. He stated that the applicant has address most of the staff department concerns and has done a site visit with them. The applicant has submitted new plans which included all the changes.

Jack Gillon – Traffic Engineer, he reviewed the traffic study that was supplied to the board. This study was based on an existing Brook Road Ambulance Facility in Quincy, MA which had 25 trips in the morning and 24 trips in the evening. The projections for Brewster ambulance are little smaller but they used the higher amount from the traffic study. Mr. Gillon reviewed the average daily trips during peak hours that were in place for the previous automobile dealership compared to what Brewster Ambulance will be having and the result was 17 less trips in the morning and 42 less trips in the evening during peak hours.

Carin Gosselin, CMG Design – Reviewed the landscape plan with the board. There will be a 10 foot wide island between the parking lot and the road. There will be two islands in the parking lot with trees in them that will have pink blossoms in the spring. The goal is to provide color from early spring through the fall. None of the plantings will block sight lines for vehicles. There will be accent night lighting on the landscaped area and irrigation. This lot will not be fenced in, but all natural.

The proposed signage will include a sign on the front of the building and a free standing sign. All signage will conform. Snow removal will be in the back of the building as well as the dumpster.

Attorney Galvin has reached out to the District Councilor and they have both spoken with the neighbors and he has not received any negative feedback. This is only the headquarters and emergency calls will be handled out of the municipality the ambulance is located in and not dispatched from this facility.

Mr. McLeod asked if there will be any vehicles parked on the part of the lot that was in the R-1 Zone and it was stated, no they are not going to use that part of the lot, maybe store snow there.

Mr. McFarland, Remax Real Estate is the broker who facilitated this project for Brewster Ambulance.

Ed Foley asked if the traffic study that was based on Fallon Ambulance in Quincy is the same size building as this proposed one and it was stated yes, its about 35,000 sq feet. It is layed out differently and the study was used on the vehicle trips in and out of the facility.

Ed Foley asked what the rear set back would be and it was stated 64.6 feet. It is heavily wooded after that.

Chuck Golden asked for clarity on the statement that the emergency use will be minimal. Mr. Brewster stated that there are scheduled appointment for transport but they do not use lights or sirens. There will be 30-40 vehicles parked in this location and they will be sent to their locations but they will not be emergencies. The bulk will be transporting patients from South Shore Hospital to Boston or from a nursing home to South Shore Hospital and there will not be any sirens used. If there is an emergency sirens cannot be used until they get to the set of lights at Winter Street.

Ed Foley asked how many people will be in the building and it was stated throughout the day approximately 100 people but only 24 in any given time.

Public Comment:

Bijon Maher, 384 Front Street – asked if the maintenance was 24 hours and what happens if the sirens become a problem. There is a manhole on Front Street that always has a problem, will the additional water be a concern. The applicant stated that the maintenance is from 7 am to 6 pm and there are no sirens onsite. This property is down grade from abutters and all overflows go into the rain gardens therefore they will not be contributing to any flows.

Russ Drysdale, 475 East Street - is in support of this proposal and it looks like a significant improvement to the site. The previous dealership washed cars and performed maintenance onsite so there really isn't a significant change except perhaps reducing the frequency of those uses.

Jonathan Moriarty asked if they plan on doing training on site? Mr. Brewster stated yes, mostly in the building. If this is your headquarters would there be regional training on site and it was stated there will be some but not a lot.

Do you intend on offering anything back to the community such as CPR, First Aid classes etc. and it was stated they would be happy to however the town's provider should be providing this already.

Ed Foley asked if he will be using local labor to construct this building and Mr. Brewster stated yes, he will put it out to bid and if they are competitive he will be more than happy to use them.

Ed Foley made a motion to close the public hearing on Case # 3257, 25 Main Street and was seconded by Jonathan Moriarty. Voted unanimously

Jim Clarke stated he is in support of the applicant he feels it is a reduction in paved area and traffic in the area.

Ed Foley made a motion to approve this application for a Special Permit on Case # 3257 with the following conditions:

1. Maintenance of any vehicles are from 7:00 am - 6:00 pm, unless an emergency exists.
2. No sirens of emergency vehicles while onsite, especially during 9:00 pm – 7:00 am.
3. Use existing snow removal site.
4. No parking or storing vehicles in the R-1 zone of the lot.

**Special Permit Criteria for Approval.** The Board of Zoning Appeals may approve any Special Permit applications only if it finds that, in its judgment, all of the following conditions are met in accordance with Zoning Ordinance Section 120-122D.

1. The specific site is an appropriate location for such a use.  
*It is not much different, but an improvement with the lack of vehicles on site.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.  
*It is an improvement to the existing structure and design is pleasing.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.  
*The traffic engineer's study and our traffic engineer's agreement with this study.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use.  
*There is adequate drainage and it needs Conservation Commission approval.*
5. That the public convenience and welfare will be substantially served with the proposal.  
*We welcome a facility of this type in this community and the commercial tax base will be improved.*

Jonathan Moriarty seconded.  
Voted unanimously

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

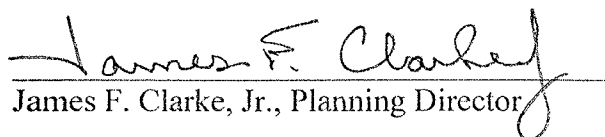
BOARD OF APPEALS

July 29, 2015

Certificate of Granting of Variance or Special Permit  
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the town of Weymouth hereby certifies that a Variance or Special Permit has been granted to George W. Brewster, 25 Main Street, Weymouth, MA 02189 affecting the rights of the owner with respect to land or buildings at 25 Main Street, also shown on the Weymouth Town Atlas Sheet 29, Block 327, Lot 24 & 35, and the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said variance – special permit, and that copies of said decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.

  
James F. Clarke, Jr., Planning Director

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Kathleen Deree, Town Clerk

Case # 3257

Date of Hearing: 7/8/2015