

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION –SPECIAL PERMIT & VARIANCE - LEAVE TO WITHDRAW
1434 PLEASANT STREET**

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

Owner: Alan J. & Joseph P. Striano
Address: 107 Rindge Street
Weymouth, MA 02189

Date:
October 6,
2014

Applicant: My Journey's End LLC
Address: Joseph McLaughlin
64 Willard Street #410
Quincy, MA 02169

Case #: 3227

Representative: David A. Kelly, Esq.
Address: 45 Braintree Hill Office Park
Braintree, MA 02184

Site Address: 1434 Pleasant Street
Sheet: 23
Block: 304
Lot: 14 & 15

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE
2014 OCT -6 PM 4: 02

Zoning District: B-2 & WPO (General Business & Watershed Protection Overlay)


Board of Zoning Appeals application for a Special Permit and Variance filed on March 24, 2014. The petitioner applied for a Special Permit under Zoning Article VIII, Section 120-27 C "Special Permit Uses – Multiple Dwelling"; and a Variance under Article XVII Section 120-74 "Minimum Off-Street Parking Requirements" seeking relief of nine (9) parking spaces.

The petitioner's application proposed to remove a portion of an existing ~2,000 SF two-story building with one commercial unit on the first floor and one residence on the second floor to construct a new 2.5 story building for 18 residential dwelling units and 35 off-street parking spaces. The existing residence and commercial space were to remain for a total of 19 residences on the property.

After a public hearing opened on May 7, 2014, and continued to June 18, 2014, and closed on August 20, 2014, and deliberation on September 3, 2014, and September 17, 2014, the Board of Zoning Appeals at its meeting of September 17, 2014:

VOTED TO GRANT THE REQUEST OF THE PETITIONER FOR LEAVE TO WITHDRAW WITHOUT PREJUDICE the application revised for a total of 15 residential units (14 in the new building and one existing residence to remain) and 37 off-street parking spaces as shown on the final revised plans entitled "Proposed Multi-Family and Mixed Use Structures at 1434 Pleasant Street (Sheets 1-7)"; prepared by DeCelle and Burke Associates, dated March 14, 2014; and last revised on August 4, 2014;

Decision filed with the Town Clerk on October 6, 2014



James Clarke, Director of Planning and Community Development

**TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS (BZA)
RECORD OF MINUTES AND PROCEEDINGS
Wednesday, May 7, 2014 – 7:00 PM**

Members Present: Edward Foley, Vice Chairman
Kemal Denizkurt, Clerk
Chuck Golden
Jonathan Moriarty
Brandon Diem, Alternate Member

Members Absent: Richard McLeod, Chairman

Also Present: Abby McCabe,
Lee Hultin, Recording Secretary

Vice Chairman Foley called the Board of Zoning Appeals meeting to order at 7:15 p.m. at the McCulloch Building and explained the procedures that would be followed to the people present.

Case #3227 – 1434 Pleasant Street – Public Hearing

The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit: Multiple dwelling (Section 120-27 C “Special Permit Use”).
Variance: Relief of nine (9) parking spaces from the minimum required off-street parking spaces (44 spaces required, 35 spaces proposed) (Section 120-74).

Presently located on the premises is a 2,000 SF two story building with one commercial unit on the first floor and one residence on the second floor. The petitioner is proposing to remove a portion of the existing building to construct a new 2.5 story building for 18 residential dwelling units and 35 off-street parking spaces. The residence and the commercial space in the existing building are proposed to remain.

Members sitting: Edward Foley, Vice Chairman
Kemal Denizkurt
Chuck Golden
Jonathan Moriarty
Brandon Diem, Alternate Member

Kemal Denizkurt made a motion to open the public hearing on Case #3227, 1434 Pleasant Street, and was seconded by Johnathan Moriarty. Voted Unanimously.

Kemal Denizkurt made a motion to waive the reading of the published legal notice on Case #3227, 1434 Pleasant Street and was seconded by Johnathan Moriarty. Voted unanimously.

Appearing before the Board was the applicant Mr. Joseph McClaughlin and his Attorney, David Kelly of 45 Braintree Hill Office, Suite 302, Braintree, Ma. Also in attendance was James Burke-Civil Engineer, Arthur Choo – Choo & Company, Daniel Dulaski-Traffic Engineer and Mark Kopchell - MKA Landscape Architects.

Mr. Burke stated the proposal for multi-family requires a special permit within the B-2 Zone and a variance request for Section 120-74 for relief from the minimum required parking spaces.

The proposal includes demolishing the rear portion of the building and creating a mixed use building. It consists of 1,200 square feet of retail space on the first floor and residential units on the second floor. This is not located within the overlay district but the applicant has incorporated some of the design concepts into the development. It is consistent with the village center overlay district and design guidelines for the village center. These units are considered micro units and was compared to a project on Commercial Street that was previously approved (decision attached to the application).

Mr. McLaughlin has over 30 years of experience. He built a similar project in Hull with 16 micro units and one in Quincy with 17 micro units. Mr. McLaughlin is working with Veteran's Affairs to place Veteran's in these units.

Exhibit #1 – A letter of Support from the Department of Veteran's Affairs was presented to the committee members.

Special Permits shared parking rule was read into the record by the Attorney.

Exhibit #2 – Boston Globe Newspaper Article was presented to the committee members.

Mr. James Burke reviewed the land survey with the committee. The building will be serviced by public water and sewer. They will construct a 3,700 square foot building behind the existing building. The building will be sprinkled. These units are all single units. These tenants usually use public transportation and do not own a vehicle. The applicant is planning on charging ~\$950 a month plus utilities.

Arthur Choo – Architect appeared before the Board to discuss the floor plan. He stated that each unit is 25.8 x 12.9 and is a 302 square foot studio. They used the pitch roof for the attic for more room with skylights. The floor area ratio is .30. There are 9 units on the first floor and each unit has a basement. There are 9 units on the second floor and each of those units have an attic. There is a stairway in each unit going either into the basement or into the attic. This is an exact replication of the Agniti Building on Broad Street.

Kemal Denizkurt is concerned that people will be sleeping in the basement and the attic. The applicant stated that they will be signing a lease that will stipulate that the living quarters are on the main floors. There are no doors into the attics or the basements.

The applicant stated that this is a replica of 1580 Commercial Street in Weymouth that has the exact same building already in Weymouth and that is what they designed it after.

There is a concern that these look like a motel. The Board is also concerned that there will be more than one person living in each unit, perhaps in the attic or the basement.

Kemal Denizkurt asked if the units in Hull and Quincy are the exact same and it was stated no. The buildings at 35, 37, 39 Bay, Hull was a renovation of an existing building and the project located at the corner of Temple and Washington Street in Quincy is also a renovation of an existing building.

Daniel Dulaski, registered civil engineer stated that he looked at the peak hours for traffic at 7-9 am these 18 units have the potential of adding 13 new vehicle trips and from 2-4pm these 18 units have the potential of adding 28 new vehicle trips. This is 233 additional trips over a 24 hour period for the 18 units.

There will be a management company in charge of the facility and the plan for snow removal will be to truck the snow off site. Vice chairman Foley asked them to supply a plan of how they will dispose of the snow.

Kemal Denizkurt would like the applicant to review all the questions that the department heads have supplied as there are many of them. The applicant stated that he will work with the town to resolve any issues/questions they may have.

Mark Kopchell, MKA Landscape Architects. The landscaping plan was reviewed with the committee. There is exterior lighting off the buildings that supplement the lighting in the parking lot. Cut sheets will be provided to the Board.

The applicant has met with Councilor Ken DiFazio and the East Weymouth Neighborhood Association (EWNA) and will be making some changes to the landscape plan to incorporate their comments.

Vice Chairman Foley asked for the building materials, landscaping plan, water and sewer plan and a snow removal plan.

Ms. McCabe stated that the application was distributed to the relevant town departments and almost all submitted comments on this application. Additionally, three letters from residents that were concerned about the impacts to the school systems and Abby stated that the school department also submitted comments stating that they were not concerned with this as these type of units do not generally have school age children in them.

Vice Chairman Foley opened the hearing up to public comments.

Public Comment:

Councilor Ken DiFazio said he supplied a letter to the Board that the EWNA endorses. Most residents are happy with the mixed use but have two concerns.

1. The size of the building seems too large for the lot.

2. Landscaping was not included and the line along Pleasant Street has a very small space due to parking and the residents would like to see shrubs there to hide the vehicles.

Councilor Ken DiFazio read a letter into the record from the President of the EWNA. Mr. DiFazio was generally concerned with the overall size of the project and lack of proposed landscaping. He believes that there is no overnight parking in municipal parking lots and has requested that the Board look into this. His final comment is that snow removal is a huge issue in Weymouth. This project abuts a single-family residential area.

Dan McKay, 1423 Pleasant Street, lives directly across the street. If there are 19 units and if there are 2 people per unit that would equal 38 additional cars. The traffic impacts on the residents is a big concern. It's not comparable to the village concept and believes it doesn't fit in. There are plenty of Veterans who have cars. This sounds like a boarding house to him.

Rosella Chicesse, Board of EWNA. A traffic report was done, but not a traffic study and was concerned with residents turning left out of the site. These apartments are not encouraging families, only single people which is not in conjunction with the neighborhood. Is there a resident maintenance person living in the building? She doesn't believe that "professionals" will be living in Jackson Square it is not downtown Boston and there is no night life and if they are professionals, they will have vehicles. If lighting is put in, it should be consistent with lower Jackson Square lights. She is opposed to this project.

Stephanie Fox, owner of Styles by Stefanie, purchased her nearby building 4 years ago and it is a historical building. East Weymouth Congregational School and all the hair salons already create an enormous amount of traffic. The municipal lot is already at maximum capacity. The Clapp Building is only two blocks up. Next to it is the library and the teen center. She is opposed to this project.

Vice Chairman Foley agrees that Pleasant Street and Broad Street is a very busy intersection. A traffic impact study was done but the Board will request that the Town's Traffic Engineer look at this intersection.

A disabled Veteran who lives in one of the units in Hull spoke in favor of these units. He stated that there are not that many cars at the Hull units. There are a lot of veterans without vehicles. The applicant keeps his buildings clean, safe and he treats the tenants very good.

Ed Foley believes it is admirable to take care of our Veteran's but he has serious questions about the size of the building. He is not against the project.

Pat O'Leary, 999 Commercial Street and Vice President of EWNA, asked what is our experience with the Agniti project down the street? Maybe we could live with it if it was reduced to 14 or 16 unit.

The applicant said over 50% of the population lives alone. There is a huge need for a place like this.

Mr. Simmons, 10 Shawmut Avenue, abuts the property of the municipal lot and people use this lot as a cut through. Are these 233 trips on Pleasant Street or in the municipal lot? Snow removal in the neighborhood is a huge issue because the streets are so narrow and there are no sidewalks. What are the conditions of the buildings in Quincy and Hull right now and when were they built. He would like to see how well they are maintained. He is worried about the value of his home decreasing. Have we built one in the applicant's home town if they are so good for the community?

Mary Heinrichs, Executive Director of WETC, which is located in the basement of the Pratt Library next to the proposed project site. They have invested over \$400,000 of Comcast cable subscriber's money. The teen center is very active. The library has a lot of seniors that come there and there is limited parking. Mary was part of the committee working on the Master Plan and she is in favor of compatible mixed use such as an apartment over a business but does not feel the proposal is what the master planning committee had in mind. There is no place for these tenants to go food shopping unless they have a car. The building is not colonial style and is too big and not compatible to the surrounding buildings in terms of scale or design. The original building that is staying is in line with the colonial village concept.

The applicant stated that he is willing work with the Library Director and the Town to coordinate parking and possibly landscaping on the adjacent property. Also, the residents at this site will have a decal parking system.

Mike Heally, 1419 Pleasant Street, stated that he does home inspections and the attic space has skylights and the basements have windows. He has been in many "unapproved living spaces".

Debbie Sullivan, Shawmut Avenue, would like to know what they are doing for the grading because she already gets water in her basements. Where will the water go? Into the municipal lot or at her building? Is the building guttered? Debbie said there is one drain in the municipal lot that is already caving in and it can't handle the rain as it is.

The applicant's engineer responded that the majority of the parcel that is paved will flow into the drainage in their parking lot, not in the municipal lot. There is also an overflow that connects to the drain on Pleasant Street. The second overflow connects to the municipal drainage in the lot.

Dan McKay stated that there are 19 units and he believes they need to plan for the worst case scenario, what if there are 19 couples moving in, there will not be enough parking spaces.

Ken DiFazio asked the Board to consider having the applicant upgrade the drain in the parking lot and add amenities to the municipal lot itself. Ken will supply a list of items to the Board that he feels should be upgraded in the municipal lot and other off-site improvements that should be considered by the Board.

Vice Chairman Foley asked the applicant to consider looking at the overall size of the building, the amount of the units and the reducing the parking relief being requested.

Jonathan Moriarty made a motion, seconded by Chuck Golden to continue the public hearing on Case # 3227 to June 18, 2014 at 7:00 pm.

Vice Chairman Foley reminded everyone that there will be no additional notices mailed for the continued hearing. The hearing on June 18 will be in this room at 7:00 pm.

Case #3227 – 1434 Pleasant Street – Public Hearing 6/18/14 (continued from 5/7/14)

The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit: Multiple dwelling (Section 120-27 C “Special Permit Use”).
Variance: Relief of nine (9) parking spaces from the minimum required off-street parking spaces (44 spaces required, 35 spaces proposed) (Section 120-74).

Presently located on the premises is a 2,000 SF two story building with one commercial unit on the first floor and one residence on the second floor. The petitioner is proposing to remove a portion of the existing building to construct a new 2.5 story building for 18 residential dwelling units and 35 off-street parking spaces. The residence and the commercial space in the existing building are proposed to remain.

Members sitting: Edward Foley, Vice Chairman
Kemal Denizkurt
Chuck Golden
Jonathan Moriarty
Brandon Diem, Alternate Member

Kemal Denizkurt made a motion to reopen the public hearing on Case #3227 1434 Pleasant Street and was seconded by Jonathan Moriarty. Voted unanimously.

Appearing before the Board was the applicant Mr. Joseph McClaughlin and his Attorney David Kelly of 45 Braintree Hill Office, Suite 302, Braintree, Ma. Also in attendance was James Burke-Civil Engineer, Arthur Choo of Choo & Company, Daniel Dulaski project Traffic Engineer and Mark Kopchell of MKA Landscape Architects.

Attorney Kelly stated that the last meeting the applicant has addressed the number of units in the plan. They have reduced the total number of units from 19 to 17 units. This plan also eliminates the parking variance that was previously needed. In addition, they reduced the size of the building by 680 square feet. They eliminated the skylights, added grids and shutters to make more colonial. The front entrance now has pillars and includes two medallion features. The color of the roof shingles is now a colonial color. They added balconies to the units and increased the landscape plan.

The attorney reminded the Board that a staff member of the Department of Veteran’s Affairs is supporting this project and has submitted a letter which was partially read into the record.

The applicant handed out what was labeled Exhibit #3 which is a comparison to 6 other smaller studios in apartment complexes throughout Weymouth.

A copy of the plans were submitted to Councilor DiFazio for review with the EWNA (East Weymouth Neighborhood Association). The applicant has decreased the units from 16 micro units to 14 micro units if 6 spaces in rear are eliminated it would need a variance for 2 spaces.

Mr. Burke, the project engineer, reviewed the design changes and answered any questions they had. Some major changes include looping the water pipes, reducing the water pipes from 12 inch line to an 8 inch line for better water pressure. The sewer line changed to be closer to the building. The drainage was increased in size and the parking layout was changed.

The balconies may need to be redesigned to align with the building codes as commented on by the building department.

The Board reviewed the Traffic Engineers comments with the applicant in regards to parking spaces. In addition, the Fire Departments comments were also discussed with concerns that fire fighting access was not adequate as stated in the Fire Prevention Officer's memo of 6/16/14. The applicant responded that the building would have sprinklers. Also, the building department noted that all parking spaces must be 9' x 18'.

John Moriarty asked about access to the dumpster and if it would be fenced in. The applicant responded that each unit will bring their trash out to the dumpster and that will be emptied by a dumpster service and that the dumpster would be enclosed.

The landscape architect, Mark Copchell made a presentation outlining the changes that were made to the landscaping that include a 5-ft planting area on Pleasant street in a bump in on within the Town's right-of-way.

Vice Chairman Foley opened the hearing to public comment.

Public Comment:

Councilor Ken DiFazio stated that he has not seen the updated landscape drawing. All residents he has spoken with have skepticism on the micro unit plan. Even if reduced to 14 units they do not believe it fits in with the Jackson Square plan. He would like the attic and basement space prohibited from living space. He is in favor of removing the 6 parking spaces in the rear and further reducing the total number of units. The drainage in the municipal lot is always flooding and he asked that the applicant assist in resolving this issue. Councilor DiFazio was also supportive of a minimum of one year leases. He has heard about veteran's living in these units but does not see a commitment for this. He believes they are trying to put too many units on this lot even after they have reduced the number of units.

Councilor Bob Conlon stated that a rooming house is not conducive to the character of this area and believed the proposal would be similar to a rooming house. He asked if they have a contract with the veteran's administration to sublet the unit. The applicant stated no, there is no

commitment it was merely a letter of support for this project. He suggested reducing the total number of units to 13 would be more reasonable.

The applicant stated that they do have a one-year lease with this project.

Wayne Matthews, President of East Weymouth Neighborhood Association - they do not believe that 17 micro units is consistent with the village area concept. There will be traffic safety concerns for the children at Pingree School. The landscaping plan is inadequate and the proposed use was not appropriate use for the site. Where will guests park? The municipal lot is not adequate for their overflow as the local businesses need these spaces.

Stephanie Fox, she doesn't believe he will get \$1,000 a month for these units. The Municipal lot is already over run and is concerned with overflow. Weymouth builds on every inch that is available. She does not support this project.

Bob Thomas, believes there is inadequate access to the dumpster. If there are two handicap spaces, one has to be 11 feet wide for handicap van accessibility. These spaces should be closest to the entrance. Is the building handicap accessible? He questioned whether the proposed plan meet accessibility requirements.

Julie Doyle, 38 Bantree Drive has a child at Pingree School and her kids walk home every day. You are now adding more traffic to the area. She is concerned as her kids go to the library, teen center and post office. She would like to revitalize and not abuse the area.

Beverly Demorat, 72 Harding Avenue – She is not in support of this proposal. Anyone living in these units would need a vehicle and that will create more traffic. We cannot continue to shrink our local business districts.

Mr. Simmons, Shawmut Avenue. He is not in support of this proposal. These type of units are built in Boston, not suburban areas. There are studies being done on the effect of living in such small spaces could cause health problems. These units also drive up the rents in the surrounding areas.

Joe Spalding, 7 Shawmut Avenue is concerned about what type are people are going to be living in these units. Why not build apartments that will draw in residents that will want to stay and be part of the community. These are much too small.

A disabled Veteran from 35 Bay Street, Hull who lives in one of the applicant's units stated that the applicant never said he was building them for the Veteran's but that he does do a lot for the Veterans.

Dan McKay, 1429 Pleasant Street-he lives directly across the street and has two kids. He is very concerned about the amount of vehicles coming and going. Also, can a fire truck even get in there? He does not believe it can as they do not support it and have concerns themselves.

Denis Chillins, Shawmut Avenue – He is a veteran as well and would like to see somewhere for them to live but this isn't the place. An emergency vehicle cannot get in there if there is a fire.

Dave Baker, 1216 Commercial Street – He recently saw a plan for new fields at Lovell Field and this is going to create more traffic into the area as well and should be considered as a big picture.

Pat O'Leary, 999 Commercial Street – doesn't believe this is a fit for the neighborhood. She would like to see some green space added in the parking lot area.

Mike Healy, 1419 Pleasant Street – If the applicant eliminated the attic and basement space the building wouldn't be as large. The staircases in the units seems very important to the applicant and he believes they will be a bonus room for more living space.

Continued Board Member Discussion:

Chuck Golden asked about Exhibit #3 that was passed out, these comparisons have other units with 1-4 bedrooms in them. He asked for the comparison of the percentage of micro units.

The Board requested continuing the hearing for the applicant to address fire department comments, verify the floor area ratio, update the parking layout to address the traffic engineer and building department comments, increase the size of the accessible parking spaces, meet the 3-ft building code setback or remove balconies.

Jonathan Moriarty made a motion to continue the public hearing to August 20th at 7:00 pm. and was seconded by Kemal Denizkurt. Voted unanimously.

Case # 3227 – 1434 Pleasant Street – Public Hearing 8/20/14 (continued from 5/7/14 & 6/18/14)

The petitioner, My Journey's End, LLC, is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit:	Multiple dwelling (Section 120-27 C "Special Permit Uses").
Variance:	Relief of nine (9) parking spaces from the minimum required off-street parking spaces (44 spaces required, 35 spaces proposed) (Section 120-74)).

Presently located on the premises is a ~2,000 SF two story building with one commercial unit on the first floor and one residence on the second floor in the B-2 zoning district. The petitioner is proposing to remove a portion of the existing building to construct a new 2.5 story building for 18 residential dwelling units and 35 off-street parking spaces. The residence and the commercial space in the existing building are proposed to remain.

Members sitting: Edward Foley, Vice Chairman
Chuck Golden
Jonathan Moriarty
Kemal Denizkurt
Brandon Diem

Jonathan Moriarty made a motion to reopen the public hearing on Case #3227, 1434 Pleasant Street and was seconded by Chuck Golden. Voted Unanimously.

Appearing before the Board was the applicant, Mr. Joseph McClaughlin and his Attorney David Kelly of 45 Braintree Hill Office, Suite 302, Braintree, Ma. Also in attendance was James Burke the project Civil Engineer, Arthur Choo of Choo & Company, and Mark Kopchell of MKA Landscape Architects.

Attorney Kelly stated that after listening to the Board's and resident's concerns, the project has been reduced to 14 units in the new building and a mixed use building with one unit above it. The new building includes only 1 micro unit and 11 (1) bedroom units at 433 sq ft. each and (2) 1 bedroom units at 457 sq ft. each. There is no longer a parking variance request needed.

Mr. Burke reviewed the engineering changes. The Department of Public Works (DPW) concerns have been addressed with the issues of the storm drains and looped water mains from Pleasant Street.

Mr. Choo reviewed the architectural changes which include the reduction of the size of the building.

Mark Kopchell reviewed the landscape plans. Additional greens were added to the parking lot and the dumpster was relocated.

Kemal Denizkurt was surprised by the new plans as they are completely different from the plan submitted. They are now one bedroom units and not micro units. There are skylights all across the top with one bedroom units. Mr. McClaughlin responded that the reason is because he heard from the Board and the residents and tried to create what everyone wanted. He has tried to accommodate all the changes that were requested.

Kemal Denizkurt asked about the balconies and the applicant responded that the building department has approved them as long as they are metal.

Parking space #26 (adjacent to the new building) has been reviewed by the Traffic Engineer in the Planning Department as submitted with the new plans.

Abby McCabe, Principal Planner, reviewed comments from staff departments and summarized that the planning, building, fire and DPW departments were largely satisfied with the revised plans that have been submitted. The balconies can be constructed with fire rated material to meet the building code, the fire department was satisfied with the revised plans that included the addition of the fire lane, the applicant met with planning staff and the traffic engineer to revise the parking layout, and the DPW worked with the applicant over the last couple of days to have all comments addressed since the August 15 memo from the DPW. The density analysis that the Planning Department has was reviewed with the Board.

Jonathan Moriarty stated he has concerns with several parking spaces. He asked if the applicant could try to park the smaller cars in the front spaces and the larger oversized vehicles in the spaces towards the exit.

Jonathan Moriarty asked if the applicant could mark those spaces (24 & 25) as visitor parking spaces and it was stated yes.

Vice Chairman Foley opened the hearing to public comment.

Public Comment:

Councilor DiFazio stated that it has been difficult communicating with the residents during the summer and has not received many comments due to the summer hearing schedule. He is pleased with the efforts the applicant has made to revise his proposal from the original application. However, he still feels it is too crowded. He asked the Board to consider using the criteria to disqualify this project based upon the fact that there is no room left on this lot. This doesn't fit into the Village Center Plan that the town has in place. He asked the Board to consider having the applicant pay for plantings on the library side of the lot.

Mark Kilban, spoke that he was totally against this project as he believes there are enough apartments in Weymouth. The residents don't want any more apartments in the area.

Bob Montgomery Thomas, 848 Washington Street, asked if a new application has been made for this plan and read a statement to the Board. There is no loading space for the retail business along Pleasant Street and there is no viable snow removal plan. The retaining wall encroaches in the watershed protection district. Weymouth needs commercial development, not more housing. He doesn't believe they have met the criteria for this project and urges the Board to reject the plan.

Terry Gibbons, Essex Street, stated that he and his family frequent Jackson Square and he said this is like living in New York. He is opposed to this plan.

Joanne Stinson, 28 Randall Avenue, has lived there for 25 years and shares the same concerns as Councilor DiFazio and is opposed to the project.

Glen Fitzimmons, Shawmut Avenue, stated that he believes this project may affect the value of the homes in this area. This building does not give a small town atmosphere. According to the village center design guidelines (general building design criteria) the building should be alongside the front of the street with parking behind or off to the side. Rooflines should be broken up. The Master Plan states on page 158 this area should be developed with multi-family dwellings. East Weymouth already has 3 out of the 5 affordable housing projects and it doesn't need another one. He is opposed to this project.

Attorney Kelly reminded the Board that this project is not within the Village Center Overlay zoning district.

Peter Farrell, 91 Hill Street, Weymouth resident for 10 years, stated that the Villages are what makes Weymouth unique and this plan takes away from it. He believes families will move in and it will add kids to the school system. He is opposed to this project.

Peter Lydon, Church Street, has three little girls and is concerned it will turn into a halfway house. Vice Chairman Foley responded that the applicant stated that the property will have leases with residents.

Neil Baker, 1210 Commercial Street, commented that Weymouth is at 90% build out and he is opposed to this project. This is a quality of life issue for the residents.

Kristine White, Stillman Street, thinks it is great that the applicant has made changes but it is still too large. It is already too congested with the library, teen center and shops. Maybe if this project was reduced in half it would be ok.

Mr. McKay, 1429 Pleasant Street, wants to know where the snow will go and questioned fire fighting ability. People will live in the area with skylights. There will be kids living there. He is going to be looking at a hotel every day.

Joe Spalding, 7 Shawmut Avenue, believes it is a fire hazard to have the doors open inward. He appreciates the changes but he really doesn't see much of a change. He believes this project is too much. It should reduce the number of units, more commercial space and more green space. He is opposed to this project.

Wayne Mathews, President of East Weymouth Neighborhood Association (EWNA) – The majority of the residents and members of this association are opposed to this project.

Pat O'Leary, 999 Commercial Street, she commends Mr. Thomas's comments on handicap accessibility and wants to know if the handicap spaces will be moved by the door to the commercial space or the housing.

Kemal Denizkurt asked how deliveries will be made to the 1,400 sq. ft. retail space if there are not accommodations on site. The applicant stated that he is consistent with all the other commercial space in the area.

Stephanie Fox of Fox Salon stated that all the commercial shops have on street parking and this location does not. The applicant stated that he has the right to the 19 spaces in the municipal parking lot and any truck deliveries has full use of them.

Councilor DiFazio stated that if the applicant doesn't amend his application and the Board closes the public hearing, he urges the Board to make comments to the Planning Department to make changes to the zoning ordinances so this doesn't happen again.

Attorney Kelly stated that in reviewing the five special permit criteria be aware that all the departments have signed off on this project and it is not within the Village Center.

Dennis Jones, Shawmut Avenue, stated that Shawmut is a one-way street and he was concerned about traffic turning down Shawmut Avenue. The Board responded that the applicant submitted a traffic analysis that was reviewed by the Town's Traffic Engineer and the project has been reviewed by staff. He reiterated that he believes traffic will be an issue for his street.

Jonathan Moriarty made a motion to close the public hearing on Case # 3227, 1434 Pleasant Street, the motion was seconded by Kemal Denizkurt and voted unanimously.

Jonathan Moriarty made a motion to take case # 3227 under advisement, the motion was seconded by Kemal Denizkurt and voted unanimously.

Case # 3227 – 1434 Pleasant Street 9/3/14 (Special Permit for multi-family) – Deliberation and Discussion on a Public Hearing Closed 8/20/14.

The petitioner, My Journey's End, LLC, is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit:	Multiple dwelling (Section 120-27 C "Special Permit Uses").
Variance:	Relief of nine (9) parking spaces from the minimum required off-street parking spaces (44 spaces required, 35 spaces proposed) (Section 120-74)). (This Variance is no longer needed).

Presently located on the premises is a ~2,000 SF two story building with one commercial unit on the first floor and one residence on the second floor in the B-2 zoning district. The petitioner is proposing to remove a portion of the existing building to construct a new 2.5 story building for 18 residential dwelling units and 35 off-street parking spaces. The residence and the commercial space in the existing building are proposed to remain.

Members sitting: Edward Foley, Vice Chairman
Chuck Golden
Jonathan Moriarty
Kemal Denizkurt
Brandon Diem

Discussion and Deliberation:

Kemal Denizkurt stated that he is still concerned with the parking situation. Spaces 24, 25, 26 are of a particular concern as two of them need to back up past 5 spaces just to turn around. In addition, an egress door directly into the parking lot. It's a tight lot and there is not a lot of open space. There is a high concern about the safety of pedestrians in this lot.

Jonathan Moriarty and Chuck Golden both stated that they share the same concerns as Mr. Denizkurt. Mr. Moriarty added that space numbered 26 is up against the building and the accessible space are not ideal and the proposed number of units is causing the parking difficulties.

Kemal Denizkurt also stated that he is not sure how the commercial space will be serviced with large delivery trucks and doesn't believe the intent of a municipal lot is for deliveries to local businesses.

Vice Chairman Foley and Chuck Golden stated that they still believe there are too many units even though they were reduced by the applicant from the original application submission. The number of units compared to the site's acreage is too high for the property as shown in staff's density analysis which does not allow any green space or landscaping on the site. The original intent was to create micro units and now the applicant has converted the units into one bedrooms and the explanation was due to the fact that the applicant listened to the board and public comments. Vice Chairman Foley reminded the board that the public came out with overwhelming opposition to this project and there is added concerns with traffic impacts because of the library and teen center.

Brandon Diem stated that he believes the project is physically too large for the area. The scale, mass, design, and size of the building are too big for the proposed location on the property on the outskirts of the Jackson Square Village. The building's placement on the side of the lot [north side] is not ideal or compatible with the surrounding buildings which would ultimately change the character of the village neighborhood. He suggested the building be relocated from the back of the lot and more proportional to the neighborhood.

Jim Clarke, Planning Director, stated that the Planning Department will compile all the board members comments along with the public comments and testimony for the board to deliberate on at the board's September 17th meeting.

Jonathan Moriarty made a motion to close the deliberation and continue the vote on September 17, 2014 and was seconded by Kemal Denizkurt. Voted Unanimously.

Case # 3227 – 1434 Pleasant Street 9/17/14 (Special Permit for multi-family) – Deliberation and Discussion on a Public Hearing Closed 8/20/14.

The petitioner, My Journey's End, LLC, is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit:	Multiple dwelling (Section 120-27 C "Special Permit Uses").
Variance:	Relief of nine (9) parking spaces from the minimum required off-street parking spaces (44 spaces required, 35 spaces proposed) (Section 120-74)). (This Variance is no longer needed).

Presently located on the premises is a ~2,000 SF two story building with one commercial unit on the first floor and one residence on the second floor in the B-2 zoning district. The petitioner is proposing to remove a portion of the existing building to construct a new 2.5 story building for 18 residential dwelling units and 35 off-street parking spaces. The residence and the commercial space in the existing building are proposed to remain.

Members sitting:	Edward Foley, Vice Chairman (Absent on 9/17/14)
	Chuck Golden
	Jonathan Moriarty

Kemal Denizkurt
Brandon Diem

The applicant submitted a letter dated September 9, 2014 requesting a leave to withdraw without prejudice with the intent to resubmit at another time after making changes to the proposed project.

Jonathan Moriarty made a motion to accept the applicant's request for a leave to withdraw without prejudice on Case #3227 and was seconded by Chuck Golden. Voted unanimously.