

**BOARD OF ZONING APPEALS (BZA)**  
**RECORD OF MINUTES AND PROCEEDINGS**

July 24, 2019

McCulloch Building, Mary McElroy Room  
182 Green Street, Weymouth, MA 02191

**Members Present:** Richard McLeod, Chairman  
Robert Christian  
Jonathan Moriarty  
Ed Foley  
Brandon Diem

**Also Present:** Eric Schneider, Principal Planner  
Janet P. Murray, Recording Secretary

Chairman McLeod called the Board of Zoning Appeals meeting to order at 7:00 p.m. at the McCulloch Building, 182 Green Street and explained the procedures that would be followed to the people present.

**New Business:**

1. **Case #3392** - The petitioner VCA Animal Hospital, for property located at 595 Columbian Street also shown on Weymouth Town Atlas sheet 40, block 480, lots 5 & 6, located in the B-1 Zoning District. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit	120-40	Extension or change by special permit
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The subject parcel contains an existing 28,714 sf Animal Hospital. Petitioner seeks to construct a 31' x 30' permanent structure at the north west corner of the existing building to provide MRI services on-site. New structure will be partially in Weymouth and partially in Braintree triggering the special permit requirement.

Mr. Foley made a motion to open the public hearing on Case #3392 and was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

Mr. Foley made a motion to waive the reading of the public notice and was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

Jim DeCelle of Decelle-Burke-Sala and Associates, Inc., appeared before the Board on behalf of the applicant.

Mr. DeCelle stated the applicant would like to add a 32x30 foot structure. There is an infill area that is not on the previous plan. This 12x12 area would be used as a control room. This has resulted in a loss of two parking spaces which can be made up on another spot on the lot.

Mr. Decelle pointed out that there was a concern at the Braintree meeting about parking on Columbian Street in front of the animal hospital. Braintree has made a deal with the State of Massachusetts so that “No Parking” signs will be placed on Columbian Street. During construction approximately 20 spaces will be lost.

Mr. DeCelle stated that the building will house an MRI and a LINAC system.

Mr. Diem asked if there is currently a portable MRI on the site. Mr. DeCelle stated that there is one that comes and goes from the property.

Mr. Diem asked about shielding. Mr. DeCelle stated that this will be a thick (3-feet) concrete building with façade that matches the existing building.

Mr. Christian asked about noise emanating from the building. Mr. DeCelle stated that he does not foresee that there would be an issue.

Mr. Foley commented that the construction details are in the Building Code as well as the manufacturer’s site specifications. Both Weymouth and Braintree’s Boards of Health will weigh in on the application.

Mr. Schneider stated that this meeting was required because the plan was originally approved as a special permit by Weymouth and, since the building is split by two towns, there is an automatic review requirement.

There is a Memorial area behind where the new building will be. This is where the control room will be. The Memorial area will be moved to a different location.

It was noted that a revised/updated plan will need to be submitted.

Mr. McLeod asked if there was anyone present who would like to speak. There was no response.

The updated memo dated 7/23/19 from Jeff Richards, Inspector of Buildings, to Robert Luongo, Director of Planning & Community Development, regarding the proposed parking was entered into the record.

Mr. Foley made a motion to close the public hearing and was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

Mr. Foley made a motion to APPROVE the request for a SPECIAL PERMIT for Case #3392.

#### SPECIAL PERMIT

1. The specific site is an appropriate location for such a use.
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.

3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use.
5. That the public convenience and welfare will be substantially served with the proposal.

The following conditions will apply:

- Proper shielding and ventilation will be provided as per regulations.
- An updated plan showing the new bump out on the proposed addition will be submitted to the Building Department.

The motion was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

2. Case #3393 - The petitioners Paula Ayers & Lisa Nollet, for property located at 28 Bradmere Way also shown on Weymouth Town Atlas sheet 5, block 12, lot 55, located in the R-1 Zoning District. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit: 120-40 Extension or change by special permit

The subject property is 7,500 sf with an existing single-family home. Petitioner seeks to renovate and make additions to home as per site plan.

Mr. Foley made a motion to open the public hearing on Case #3393 and was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

Mr. Foley made a motion to waive the reading of the public notice and was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

David Gilberto appeared before the Board on behalf of the applicant. He stated that they have made the necessary deduction in the plan sizes to get the 30% lot coverage

Mr. Foley asked if there is a Certified Plot Plan. Mr. Gilberto stated that he did not have one at this time.

Mr. Foley asked if they were staying within the footprint. He also asked about the if the garage is staying. Mr. Gilberto stated that it would remain ad that it has been squared off so that there is not a narrow section then a wider section at the back.

The front of the proposed garage is kicking out 2.9 feet beyond the existing garage. This is needed because the front of the garage is very narrow. It goes back 10-15 feet where it widens. Reduce the length of the garage and widen it instead. The house was build circa 1954 when cars were smaller.

Mr. Schneider presented a previous Certified Plot Plan from Peter Hoyt.

Mr. Gilberto presented a signed letter from the abutter at 20 Bradmere Way, Annemarie Donahue Head. He noted that the house on the other side is currently unoccupied. The houses to the rear are further removed from the property.

Mr. McLeod asked if there was anyone present who would like to speak. There was no response.

Mr. Foley made a motion to close the public hearing and was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

Mr. Foley made a motion to APPROVE the request for a SPECIAL PERMIT for Case #3393.

#### SPECIAL PERMIT

1. The specific site is an appropriate location for such a use.
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use.
5. That the public convenience and welfare will be substantially served with the proposal.

The following conditions will apply:

- A Certified Plot Plan will be submitted to the Building Department.

The motion was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

#### Other Business:

Minutes: June 26, 2019

Mr. Foley made a motion to approve the minutes from June 26, 2019 and was seconded by Mr. Moriarty. VOTED UNANIMOUSLY.

Upcoming Meetings: August 14, 2019

#### ADJOURNMENT

MR. FOLEY ?

Mr. Moriarty made a motion to adjourn at 7:30pm and was seconded by Moriarty. VOTED UNANIMOUSLY.

Approved by:   
Mr. Denizkurt, Clerk

  
Date