

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

August 19, 2020, 7:00 p.m.

VIRTUAL

Cisco Webex Meeting

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TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2020 OCT 27 AM 11:13

Members Present: Ed Foley, Vice Chairman
Kemal Denizkurt
Jonathan Moriarty
Brandon Diem

Not Present: Richard McLeod, Chairman

Also Present: Robert Luongo, Planning Director
Eric Schneider, Principal Planner
Janet P. Murray, Recording Secretary

Vice Chairman Foley called the Board of Zoning Appeals meeting to order at 7:00 p.m. and explained the procedures that would be followed to the people present.

New Business

1. **Case #3379** Request for Minor Modification - The petitioner, Ron Cavallo, for property located at **137 Wessagusset Road**, also shown on Weymouth Town Atlas sheet 4, block 36, lot 3, located in the R-1 district. The petitioner is seeking to modify previously approved variance for the internal side setback as previous plan included a calculation error.

SEE BELOW.

2. **Case #3380** Request for Minor Modification - The petitioner, Ron Cavallo, for property located at 141 Wessagusset Road, also shown on Weymouth Town Atlas sheet 4, block 36, lot 4, located in the R-1 district. The petitioner is seeking to modify previously approved variance for the internal side setback as previous plan included a calculation error.

Mr. Moriarty made a motion to open Case #3379 and Case #3380 applications for modifications to be considered and was seconded by Mr. Denizkurt. **UNANIMOUSLY VOTED.**

Mr. Schneider stated that this was previously approved by the board. He stated that these were two side-by-side buildings which have been demolished. Two modifications are requested.

First, as the applicant has since been to the Conservation Commission, the buildings in the rear have been shrunk by four feet to stay out of the conservation area.

Also, a new architect took over and noticed that the setback to internal lot line was incorrectly calculated and labeled on the original plan that was presented to the Board. The setback was labeled at 8 feet from the sides of the buildings. The setback

should have been from the staircases, which do need to be considered. The Building Department agreed to allow the change of the setback to 3.9 feet, from the enclosed staircases to the lot line. This will not trigger any fire rating regulations. The variance needs to be modified because it was mislabeled on the plans. The correct variance should be 3.9 feet from the staircases to the lot line.

Mr. Schneider stated that Exhibit A, dated June 1, 2020, will be the reference for this application.

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

Mr. Moriarty made a motion to ADOPT the modifications based on the plan dated June 1, 2020 for 137 and 141 Wessagusset Road and was seconded by Mr. Denizkurt. The motion passed on a 4-0 vote.

3. Case #3329 Request for Minor Modification - The petitioner, Tom Le, Letran Enterprises LLC, for property located at **254 Washington Street**, also shown on Weymouth Town Atlas sheet 20, block 282, lot 1, located in the B-1 and R-1 districts. The petitioner is seeking to clarify the previously approved special permit to memorialize the creation of a small office in the basement level. Also, the main floor use will be retail, not office, as originally proposed. The parking required is unchanged.

Mr. Schneider stated that during the original hearing for this project, the applicant requested business use on the first floor. This is a notification that the main floor will be retail not office as originally approved. The tenant that was in the space prior to the fire plans to return.

Mr. Luongo stated that in the minutes for the original hearing, there was mention of one business use on the first floor, one residential unit on second floor, and one small office in the basement. He noted that the decision only listed the first floor business and second floor residential use and failed to mention the business use in the basement.

There was discussion regarding this change. The previous decision documentation was accessed and it did not reflect the basement usage.

Mr. Moriarty made a motion to APPROVE the request for a minor modification to amend what was previously approved so that the decision reflects that property at 244 Washington Street will have one residential use on the 2nd floor, one business on the 1st floor, and one business in the basement and was seconded by Mr. Denizkurt. The motion PASSED on a 4-0 vote.

4. Case #3416 - The petitioner, Wharf Associates LLC, for property located at 44 Wharf Street, also shown on Weymouth Town Atlas sheet 19, block 172, lot 25,

located in the I-2 & Historic Mill Overlay (HMOD) Districts. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit 120-25.29 HMOD Special Permit

The subject property is 155,276 SF parcel of land containing a large commercial warehouse. Petitioner seeks to rehabilitate the existing commercial building into a multifamily residential use for 66 residential units. The petitioner also seeks to replace a removed section with a new building on the rear corner of the site for an additional 18 units. The proposal will include parking for 146 vehicles

Mr. Moriarty made a motion to open the public hearing on Case #3416 and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

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

Mr. Foley stated that the applicant has asked for a continuation due to only four members of the Board being present this evening.

Mr. Moriarty made a motion to CONTINUE the public hearing on Case #3416 until September 9, 2020, and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Other Business

1. **Minutes:** July 22, 2020

Mr. Moriarty made a motion to approve the minutes from July 22, 2020 and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

2. **Upcoming Meetings:** September 9, 2020

3. **ADJOURNMENT**

Mr. Moriarty made a motion to adjourn at 7:30 p.m. and was seconded by Mr. Denizkurt. Motion PASSED on a 4-0 vote.

Approved by: 
Mr. Denizkurt, Clerk

10-26-2020
Date