

**RECORD OF PROCEEDINGS AND MINUTES OF THE
BOARD OF ZONING APPEALS
Wednesday, April 2, 2014 – 7:15 p.m.**

Present: Edward Foley, Vice Chairman
Kemal Denizkurt, Clerk
Chuck Golden
Jonathan Moriarty
Rob Stevens, Alternate Member

Absent: Richard McLeod

Also Present: James Clarke, Planning Director
Abby McCabe, Principal Planner
Lee Hultin, Recording Secretary

Vice Chairman Foley called the Board of Zoning Appeals meeting to order at 7:22 p.m. at the McCulloch Building, 182 Green Street, Weymouth, MA.

BZA Case #3218 – 269 Park Avenue & 168 Ralph Talbot – Public Hearing (Continued from 3/5/14)

The petitioner is seeking a Special Permit under Zoning Ordinance Article XIII, Section 120-140 “Extension or Change by Special Permit of a Nonconforming Use or Structure”. The petitioner owns lots 27, 28 & 29 and is proposing to sell lot 27 which is non-conforming with respect to the use (retail) in a R-1 zoning district and lot size under table 1 – Schedule of District of Regulations (25,000 SF minimum required and 15,003 SF provided).

Members sitting: Richard McLeod, Chairman (Absent)
Edward Foley, Vice Chairman
Kemal Denizkurt, Clerk
Chuck Golden
Jonathan Moriarty

Jonathan Moriarty made a motion to open the public hearing on case #3218 – 269 Park Avenue and 168 Ralph Talbot and was seconded by Chuck Golden. VOTED UNANIMOUSLY.

Jonathan Moriarty made a motion to waive the reading on case #3218 – 269 Park Avenue and 168 Ralph Talbot and was seconded by Chuck Golden. VOTED UNANIMOUSLY.

Ms. McCabe, Principal Planner, noted that the applicant submitted a request to continue the hearing to the next meeting on April 16, 2014 to allow for the case to heard when a full Board is present. Jonathan Moriarty made a motion to continue case #3218 – 269 Park Avenue & 168 Ralph Talbot to April 16, 2014 and was seconded by Chuck Golden. VOTED UNANIMOUSLY.

OTHER BUSINESS

Mr. Clarke, Planning Director, noted that all members of the Board must sign up for direct deposit. Jim Clarke handed out the forms to all members and reminded them that can also receive their pay stubs electronically.

APPROVAL OF PRIOR MINUTES

A motion was made by Jonathan Moriarty to accept the minutes of March 19, 2014 as written and the motion was seconded by Chuck Golden. VOTED UNANIMOUSLY.

Board member Kemal Denizkurt left the meeting.

BZA Case #3225 – 186 Main Street, Public Hearing – Discussion and deliberation on a public hearing closed on 2/19/214 (Continued from 2/19/14, 3/5/14, and 3/19/14)

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

Special Permit: Storage in a roofed structure (Article VII, Section 120-24D)

Presently located on the premises is a vacant 35,500 SF office building. The petitioner is proposing to redevelop the site for a self-storage facility in two phases. The first phase proposes to demolish the existing building to construct a 21,950 SF building for the storage of 502 units of self-storage, fourteen (14) off-street parking spaces, drainage improvements and other associated site work. Phase two will consist of the construction of a 2,400 SF building to the south of the main storage building.

Members sitting: Richard McLeod, Chairman (absent on 4/2/14)
 Edward Foley, Vice Chairman
 Chuck Golden
 Jonathan Moriarty
 Rob Stevens, Alternate Member

Ms. McCabe summarized the 9 conditions that were outlined in the Board members packets and provided to the applicant. The suggested conditions were as follows:

1. That the ten (10) trees in the front yard setback be planted as shown on the final approved plan dated February 19, 2014 be installed prior to the final certificate of occupancy;
2. That landscaping be maintained in healthy growing condition and any plantings that do not survive shall be replaced in kind by the applicant or property owner within a reasonable amount of time [one year];
3. That the front yard landscape area directly in front of the storage building be at least 25-ft wide as shown on the final approved plan;
4. That the street address be listed on the free-standing sign as shown on the submitted sign plan;
5. That the free-standing sign be modified to meet the Zoning Ordinance Section 120-64.3(3);

6. That there be no exterior storage of vehicles, boats, recreational equipment or any storage of inflammable material, liquids or gases in accordance with the Zoning Ordinance Section 120-24 D & E in the parking lot and project area for the storage facility as shown and annotated on the approved plan entitled "No Outside Storage Exhibit" sheet 1; prepared by Kelly Engineering Group, Inc.; dated March 17, 2014.
7. All exterior building or site lighting shall be shielded and directed downward to minimize glare onto abutting properties;
8. That the project meet the Town's Stormwater Management Ordinance for Major Projects in accordance with Section 8-701; and
9. That all of the information and revisions requested by the Department of Public Works (DPW) in the memorandum dated February 19, 2014 from the Town Engineer (Exhibit J) be provided to the Town Engineer and DPW.

Vice Chairman Foley requested to add a condition that the buildings in the back will not change the use. The following condition was added.

10. Existing uses in the rear of the lot shall remain in place.

Vice Chairman Foley moved to approve the Special Permit application based on the Board's Findings:

1. The property is zoned B-1 (Limited Business) where wholesale business and storage in a roofed structure is allowed by special permit. The property has adequate utilities to the site.
2. The proposed use will redevelop a long time vacant property and return it to active use. The proposed landscaping will be an improvement to the Main Street streetscape.
3. The applicant submitted material to the Town, which was confirmed by the Town's Traffic Engineer, that there will be no negative impact to vehicles or pedestrians per the submitted plans. That the health department noted that Mass Electric had conducted an extensive remediation from contamination inside and outside the building and there is nothing that would make the land unsuitable for the proposed storage facility.
4. The existing site and the proposed upgrades will provide adequate facilities. The Board has set conditions to address the storage of vehicles and what will actually take place on the site.
5. The proposed layout, landscaping, and drainage will be an improvement.

Based on the above Board's findings the motion continued to approve the Special Permit for the storage facility at 186 Main Street based on the findings of fact as outlined below (page 7) as shown on plans entitled "Site Development Plans for 186 Main Street (Route 18) Weymouth, MA (Sheets 1 – 8)" prepared for 186 Main LLC; prepared by Kelly Engineering Group, Inc.; dated May 29, 2012 and last revised on January 16, 2014 and the revised landscape plan entitled "Planting Plan for 186 Main Street (Route 18)" Sheet L1; prepared by Hawk Design, Inc.; dated February 19, 2014 be with the following conditions:

1. That the ten (10) trees in the front yard setback be planted with at least a 3.5 inch caliper and all landscaping as shown on the final approved plan dated February 19, 2014 be installed prior to the final certificate of occupancy;
2. That landscaping be maintained in healthy growing condition and any plantings that do not survive shall be replaced in kind by the applicant or property owner within a reasonable amount of time [one year];
3. That the front yard landscape area directly in front of the storage building be at least 25-ft wide as shown on the final approved plan;
4. That the street address be listed on the free-standing sign as shown on the submitted sign plan;
5. That the free-standing sign be modified to meet the Zoning Ordinance Section 120-64.3(3) That there be no exterior storage of vehicles, boats, recreational equipment or any storage of inflammable material, liquids or gases in accordance with the Zoning Ordinance Section 120-24 D & E in the parking lot and project area for the storage facility as shown and annotated on the approved plan entitled "No Outside Storage Exhibit" sheet 1; prepared by Kelly Engineering Group, Inc.; dated March 17, 2014.
6. All exterior building or site lighting shall be shielded and directed downward to minimize glare onto abutting properties;
7. That the project meet the Town's Stormwater Management Ordinance for Major Projects in accordance with Section 8-701; and
8. That all of the information and revisions requested by the Department of Public Works (DPW) in the memorandum dated February 19, 2014 from the Town Engineer (Exhibit J) be provided to the Town Engineer and DPW.
9. Existing uses in the rear of the lot shall remain in place.

Jonathan Moriarty seconded the motion. VOTED 4-0 (Foley, Golden, Moriarty, Stevens).

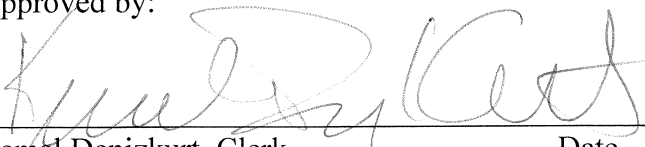
ADJOURNMENT

Jonathan Moriarty made a motion to adjourn at 7:45 pm and was seconded by Chuck Golden.
VOTED UNANIMOUSLY

Respectfully submitted by,

Lee Hultin
Recording Secretary

Approved by:

 4/16/14

Kemal Denizkurt, Clerk Date