

***Town of Weymouth  
Massachusetts***

**Kathleen A. Deree  
Town Clerk**

**Town Clerk's Department  
781-340-5017  
781-682-6129 (FAX)**



**Robert L. Hedlund  
Mayor**

**75 Middle Street  
Weymouth, MA 02189**

May 18, 2020

To Whom It May Concern:

I, Kathleen A. Deree, Town Clerk of the Town of Weymouth do hereby certify this to be the action taken by the Board of Zoning Appeals at their meeting held on February 26, 2020 on APPLICATION OF: Andre Almeida, Case # 3407.

No appeal was filed within the twenty (20) day appeal period.

Signed: Kathleen A. Deree

A True Copy. ATTEST:

Kathleen A. Deree

Kathleen A. Deree  
Town Clerk

**TOWN OF WEYMOUTH, MASSACHUSETTS  
BOARD OF ZONING APPEALS  
NOTICE OF DECISION  
293 LIBBEY INDUSTRIAL PKWY**

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

**Owner:** Scott Berry  
**Address:** 29 Reef Point  
Hull, MA 02045  
**Date:** April 28, 2020

**Applicant:** Andre Almeida  
**Address:** 17 Marie Ave.  
Weymouth, MA 02190  
**Case #:** 3407

**Representative:**  
**Site Address:** 293 LIBBEY INDUSTRIAL  
PKWY  
**Sheet:** 38  
**Block:** 472  
**Lot:** 2

**Filing Date:** 01/29/2020

**Hearing Date:** 02/26/2020

**Advertised:** 02/12/2020 & 02/19/2020

**RECEIVED  
TOWN OF WEYMOUTH  
TOWN CLERK'S OFFICE  
2020 APR 28 AM 10:46**

**Zoning District: POP**

At a public hearing on 02/26/2020 the Board of Zoning Appeals;

**VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT** under *Weymouth Zoning Ordinance Section 120-35.2.2(H) Special Permit Uses - Place of recreation or assembly* to permit the petitioner to operate a martial arts and fitness school.

**FINDINGS:**

The Board found that the proposal met the requirements for a Special Permit under Section 120-122 (D) as follows:

1. The specific site is an appropriate location for such a use. *The applicant is moving his existing business to another location within the Libbey Industrial Park.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *This type of business is in keeping with the existing mix of businesses in the industrial park.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *The new location has more off street parking available.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *The Weymouth Health Department has reviewed the site and has no concerns.*

5. That the public convenience and welfare will be substantially served with the proposal.  
*The applicant is expanding what is already a successful family-oriented business.*

**CONDITIONS:**

None.

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. 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 April 28, 2020

**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.

*Robert Luongo*

Robert J. Luongo, Director of Planning and Community Development

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

April 28, 2020

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 Andre Almeida, 17 Marie Ave, Weymouth, MA 02190, affecting the rights of the owner with respect to land or buildings at 293 LIBBEY INDUSTRIAL PKWY also shown on the Weymouth Town Atlas Sheet 38, Block 472, Lots 2, 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.

Robert Luongo  
Robert J. Luongo, Planning Director

Kathleen Deree  
Kathleen Deree, Town Clerk

Case # 3407

Date of Hearing: 02/26/2020

BZA Decision – 293 LIBBEY INDUSTRIAL PKWY  
(Case 3407)