

**SUPPLEMENT TO APPLICATION FOR SPECIAL PERMIT
The Mourad Company, LLC 562 Main Street**

APPLICANT'S DESCRIPTION AND NARRATIVE:

1. Describe what is presently located on the property (use as much detail as possible including all uses and square footage of each use):

The property, 562 Main Street, Weymouth (the "Property"), contains 17,064 square feet of land and possesses 165± linear feet of frontage on Main Street (Route 18) and 103± linear feet of frontage on Highland Place. The Property is improved with an existing car wash structure constructed in 1966. In 2008, the Board granted a Special Permit approving the alteration of the car wash structure to enclose all three (3) wash bays.¹ The existing car wash structure has a footprint of 1,705± square feet. The Property is also presently improved with 3,300± square feet of concrete pad, paved driveway areas, rip-rap wall and a dumpster with enclosure along the easterly portion of the site.² At present, no parking spaces are provided on-site. The Property presently has curb openings on Main Street and Highland Place. The Property is located in the Limited Business "B-1" District, and the Commercial Corridor Overlay District and Watershed Protection District.

2. The applicant seeks to (describe what you want to do on the property in as much detail as possible):

Applicant seeks an alteration/extension of the existing car wash structure in order to convert the three (3) station structure into a single-tunnel, automated car wash. The proposal includes (i) construction of a 1,544± square foot addition to the existing structure,

¹ Prior to 2008, the car wash structure consisted of two (2) enclosed bays and one (1) open bay.

² The existing rip-rap wall extends onto the property at 10 Highland Place, which is owned by Derek J. Mourad, the Manager of The Mourad Company, LLC.

and (2) conversion of portions of the existing car wash structure for accessory uses (i.e., break room, equipment room, bathroom, laundry/storage/equipment room). The alteration and extension of the existing structure will allow for enhanced efficiencies of existing operations. Applicant has worked with manufacturers for the proposed single-tunnel, automated car wash that includes an 80' rubber-mat conveyor – the shortest conveyor length possible for an automated car wash. Additionally, Applicant's proposed site improvements will enhance on-site circulation and queuing by providing two travel lanes that are controlled by vehicle access gates that allow for vehicles to feed into a single line as they circulate toward the entry of the automated car wash conveyor. This proposed reconfiguration will provide shorter queue times and better overall circulation of vehicles on-site. Applicant proposes to replace an existing rip-rap wall by constructing a retaining wall, and to provide six (6) parallel parking spaces along the easterly edge of the site. The existing dumpster enclosure will be shifted farther northerly to be located toward the northeasterly corner of the site.

3. Such a use is permitted by the Town of Weymouth Zoning Ordinance under Article (insert Article, Section of the Zoning Ordinance which permits the proposed use of the property).

Applicant's existing car wash – Herbie's Car Wash – is a permitted use by Special Permit under the Town of Weymouth Zoning Ordinance § 120-24, subject to the conditions and requirements of § 120-101, as applicable, and extension or alteration of the existing structure and/or use is permitted under § 120-40 of the Ordinance.

4. Are you aware if this property has been previously granted approvals from any Town Board or Commission? If so, please list (provide dates of previous approvals, book and page numbers or any recorded decisions and copies of past decisions).

The Zoning Board of Appeals previously issued a Special Permit for alteration of the structure on August 28, 2008, Case No. 3019, Recorded with the Norfolk County Registry of Deeds at Book 26061, Page 530. The 2008 Special Permit approved an alteration to enclose the then-existing outdoor, self-service car wash bay, to allow for the currently existing three enclosed car wash bay structure.

5. Any other additional information as relevant to the Variance or Special Permit.

Presently, the existing configuration of the site only accommodates one functional travel lane due to the restrictive turning radius into the easterly car wash stations. The proposed site reconfiguration and building alterations will create a single lane car wash allowing for two operational travel lanes to enhance on-site circulation and efficiencies.

Additionally, the Property is located in the Watershed Protection District and is presently developed as an existing car wash facility with no groundwater recharge infrastructure. The floor drains of the existing and reconstructed facility will discharge into the municipal sewer system with pre-treatment in the form of an oil/water separator. According to § 120-10 of the Ordinance, modifications to the car wash – a permitted use in District “B-1” – require a Site Plan Review. None of the Prohibited Uses provided in § 120-10.4 of the Ordinance are proposed to occur at the Property. The proposed project will decrease the total impervious area of the lot, and decrease runoff. Thus, the proposed project will further the goals of the Watershed Protection District by improving upon the existing conditions.

SPECIAL PERMIT APPLICATION

SPECIAL PERMIT FINDINGS OF FACT

1. Is the specific site an appropriate location for such use? Please explain.

Yes. The Property is located on the easterly side of Main Street (Route 18), with frontage on Main Street and Highland Place. A car wash has operated at the site since 1966, and the Board has previously granted approvals relating to the car wash use and alterations to the structure; most recently in 2008. Applicant has successfully and efficiently operated the car wash since 2006. Applicant's proposed alterations – to create a single-tunnel, automated car wash – will allow for enhanced efficiencies and circulation over existing operations, and the new technology to be utilized will minimize noise output.

2. Will the proposed use / structure be detrimental or adversely affect the character of the neighborhood or town? Please explain.

No. The existing use and structure, and proposed alteration thereto, will not be detrimental or adversely affect the character of the neighborhood or Town as: (1) there is no proposed change in use; (2) the proposed use is entirely consistent with other similar uses within the Limited Business District; and (3) Applicant has demonstrated a history of responsible car wash operations at this location. Additionally, proposed alterations to the existing building and improvements to the site will enhance efficiencies and circulation over existing conditions. Moreover, Applicant proposes seven (7) parking spaces to support the use, whereas no on-site parking spaces presently exist. The existing dumpster will be relocated farther north on-site, and will be enclosed and separated from the adjacent residential property (owned by Mr. Mourad) by a proposed retaining wall.

3. Is there potential for nuisance or serious hazard to vehicles or pedestrians? Please explain.

No. The proposed alteration to the car wash structure and site improvements do not present a potential for nuisance or serious hazard to vehicles or pedestrians. The proposal is supported by the traffic report of Jeffrey S. Dirk, P.E., PTOE of Vanasse & Associates, Inc., submitted herewith. The proposed alterations will allow for enhanced efficiencies of existing operations as: (1) access to and vehicular circulation through the site will be improved by removing the entrance/exit on Main Street; and (2) curb cuts on Highland Place will be reconfigured to enhance the flow of traffic. Queuing will be improved by providing two functional travel lanes. Currently, configuration of the site accommodates only one functional travel lane due to the restrictive turning radius into the easterly car wash stations. The proposed site reconfiguration and building alterations will create a single lane car wash allowing for two operational travel lanes to enhance circulation and efficiencies. Two gates with pay stations will control the flow of customer circulation and allow one vehicle to enter the car wash at a time. Vehicles exiting the car wash will have adequate distance to exit the site, and space is provided for vehicles that require to stop prior to exiting onto Highland Place.³ Employee staff will be at the tunnel exit to final-dry vehicles and monitor operations. Applicant intends to eliminate manual tire dressing as part of its services, as tire dressings will be mechanically applied on the conveyor within the building; thus, reducing the frequency and duration of stopped vehicles. The reconfiguration, additional travel lane and enhanced efficiencies will improve off-site traffic, provide shorter queue times, better overall

³ The distance of the proposed single-lane automated car wash from the exit to Highland Place is proposed to be 34.1'. By comparison, the distance of the single-lane automated ScrubaDub Car Wash in Quincy (495 Southern Artery) from the exit to the street is 22.5' and the distance of the single-lane automated ScrubaDub Car Wash in Brighton (5 Faneuil Street) from the exit to the street is 25.5'.

circulation of vehicles and easier on-site vehicular travel. Additionally, Applicant proposes seven (7) parking spaces, including one (1) handicapped space to support the use.

4. Will adequate and appropriate facilities, utilities and other public services be provided for the proper operation of the proposed use? Please explain.

Yes. The Property is currently serviced by municipal water and sewer. Additionally, there will be no negative impacts from surface water drainage on site. Soaps and chemicals used in the car washing process will continue to be stored in barrels in the equipment room as indicated on the site plans submitted herewith.

5. Will the public convenience and welfare be substantially serviced with this proposal? Please explain.

Applicant's continued use and proposed alterations in order to enhance efficiencies will substantially service the public convenience and welfare in that existing infrastructure will be upgraded and an existing business will continue to maintain responsible economic vitality in the Limited Business "B-1" District.

SUPPLEMENTARY QUESTIONS – SECTION 120-40 SPECIAL PERMITS

Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure or Use (Article XIII “Nonconforming Uses” Section 120-40 “Extension or Change”)

EXTENSION OR CHANGE FINDINGS OF FACT:

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities):

The existing car wash structure and Property are nonconforming with the supplemental requirements for car washes found under § 120-101 of the Zoning Ordinance relating to setback from a street line and lot area. The supplemental requirement for minimum setback from a street line is 40’, and the existing structure is 16.3±’ from Main Street; and the minimum lot area is 20,000 square feet, and the Property contains 17,064 square feet of area.

2. Indicate how long the nonconforming aspects of the structure have been in existence:

The Property is improved with an existing car wash structure constructed in 1966. In 2008, the Board granted a Special Permit approving the alteration of the car wash structure to enclose all three (3) wash bays. The 2008 Special Permit included a finding pursuant to § 120-40.

3. At the time the nonconformity was created (the structure or use initiated) was it compliant with the current zoning requirements? Past zoning ordinances are available for research at the Town Clerk’s office and Planning Department. Past zoning maps are available at the Planning Department.

Yes, to the extent applicable.

4. Explain how the extension, alteration, or change itself complies with the current Zoning Ordinance requirements:

The proposed alterations of the existing car wash structure comply with the Zoning Ordinance, except for the existing nonconformance with the supplemental requirements for car washes found under § 120-101 of the Ordinance relating to setback from a street line and lot area. Specifically, the altered structure conforms to the requirements for frontage (150' required; 165' proposed); building height (6-stories allowed; 1-story proposed); lot coverage (50% allowed; 19.1% proposed); and side/rear setback (10' required / 20' to residential district required; 46.1' to nonresidential proposed / 37.1' to residential district proposed). Nonconformance with the supplemental requirements for car washes found under § 120-101 relating to setback from a street line and lot area continue, with setback of the structure from Main Street remaining 16.3±', and the setback to Highland Place proposed to be 34.1'.

5. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed:

At present, no parking spaces are provided on-site. Applicant proposes seven (7) parking spaces, including one (1) handicapped space, to support the existing use.

6. Explain how the use or structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:

The proposed alteration to the car wash structure and site improvements will not be substantially more detrimental to the neighborhood than the existing structure. The proposed alterations will allow for enhanced efficiencies of existing operations as: (1) access to and vehicular circulation through the site will be improved by removing the entrance/exit on Main Street; and (2) curb cuts on Highland Place will be reconfigured to enhance the flow of traffic. Queuing will be improved and the site will be able to accommodate more vehicles by providing two functional travel lanes. Currently, configuration of the site accommodates

only one functional travel lane due to the restrictive turning radius into the easterly car wash stations. The proposed site reconfiguration and building alterations will create a single lane car wash allowing for two operational travel lanes to enhance circulation and efficiencies. Two gates with pay stations will control the flow of customer circulation and allow one vehicle to enter the car wash at a time. Vehicles exiting the car wash will have adequate distance to exit the site, and space is provided for vehicles that require to stop prior to exiting onto Highland Place. Employee staff will be at the tunnel exit to final-dry vehicles and monitor operations. Applicant intends to eliminate manual tire dressing as part of its services, as tire dressings will be mechanically applied on the conveyor within the building; thus, reducing the frequency and duration of stopped vehicles. The reconfiguration, additional travel lane and enhanced efficiencies will improve off-site traffic, provide shorter queue times, better overall circulation of vehicles and easier on-site vehicular travel. Additionally, Applicant proposes seven (7) parking spaces, including one (1) handicapped space to support the use.