

**TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION**

TO BE COMPLETED BY STAFF

Case Number: 3370 Town Clerk Stamp
Submittal Accepted: [Signature] Date 11/7
Signature of Planning Dept. Staff for minimal requirements
Determined to be complete and may now be filed with Town Clerk: _____
Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 660 Broad Street & 18 Filomena Street

Assessor's Map Sheet, Block, & Lot: Sheet 18, Block 249, Lots 1 & 29

Zoning District: B-2 Overlay District: _____

OWNER OF RECORD (S) (print & sign): Ryder Properties Company, LLC
(The owner of record is the person or entity who owns title to the property as of today's date)

Address of owner of record: 847 Washington Street, Weymouth

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. 197885 & 197887

NAME OF APPLICANT (S) (print & sign): Ryder Properties, LLC

Applicant's Address: 847 Washington Street, Weymouth, MA 02189

Contact Information: Email kenryderk@aol.com Phone 781-335-9562

Check if you are an: owner(s) ☒ lessee(s) ☐ optionee (s) ☐

NAME & AFFILIATION OF REPRESENTATIVE:

Address: Gregory F. Galvin, Esq., 775 Pleasant Street, Weymouth, MA

Contact Information: Email ggalvin@gregorygalvin.com Phone 781-340-5335

NAME OF ENGINEER AND / OR ARCHITECT: Al Trakimas, Sitec Environmental

Prior to submitting your application you must review this entire package and the Board Rules and Regulations outlining the Board's policies and procedures. Your signature signifies that you have read the required material and you will be expected to adhere to them.

I (we) hereby certify that I (we) have read the Board of Zoning Appeals Rules and Regulations and that the statements within my (our) application are true and accurate to the best of my (our) knowledge.

[Signature]
Applicant / Petitioner - Date (sign & print)

11/7/18

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2018 NOV -7 AM 10:48
TOWN OF WEYMOUTH
PLANNING DEPARTMENT

NATURE OF REQUEST

Application is for: ☒ Special Permit ☒ Variance Other: _____

Applicable Section of Zoning Ordinance (specify Section (s) of the Zoning Ordinance from which relief is sought):

Art. VIII Sec. 120-27 Special Permit; Sec. 120-74(Q) Mixed use parking

The above relief and Ordinance sections will be further reviewed after a complete package is submitted. This may be amended by the Planning or Building staff during the application review process after having the benefit of plan to accurately advertise the application before the Board.

PETITIONER'S DESCRIPTION AND NARRATIVE

To be completed by all Board of Appeals Applicants. Attach additional sheets as necessary.

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

Two industrial buildings. One a brick structure of approx. 12,524 sq. ft., used for automotive service, at 660 Broad Street, the other a concrete block structure of approximately 11,450 sq. ft. used for light manufacturing and storage at 18 Filomena Street.

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

Renovate the existing structure at 660 Broad Street, as a mixed use building with a restaurant and 3,240 +/-sf of retail and 8 residential units; remove a portion of the concrete structure on Filomena and construct one 3 story mixed use building containing two stories of residential (12) units, with parking spaces under and leaving the existing warehouse/storage building.

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).

Article VII, S. 120-23; Article VIII S. 120-26 (A); S. 120-27A & C.

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).

No

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

This property has been in disrepair for a significant amount of time. The applicant is seeking to upgrade the property with a renovated and a new building on property abutting the village marketplace.

ZONING COMPUTATION WORKSHEET
(To be attached with all Board of Zoning Appeals Applications)

The Zoning Computation Worksheet must be completed by the Applicant / Petitioner. All information should be measured and calculated in accordance with the Weymouth Zoning Ordinance (Section 120-51 Table 1 "Schedule District Regulations" and other applicable sections of the Zoning Ordinance). The information should be based on engineer/surveyor/architectural prepared plans and or calculations. Further guidance can also be provided by the Board's step-by-step application instructions and by contacting the Planning or Building Department while completing this section.

Data	Required	Existing	Proposed
Use		B-2	B-2
Lot Area / Size (Sq. Ft.)	None	49, 345s.f.	49,345s.f.
Dwelling Units	None	None	20
Frontage (ft.)	None	183'+398'+258'	Same
Lot Width (ft.)	None	89.67'	Same
Front Yard Setback (ft.)	None	0	0'
Front Yard Setback (ft.) – corner lots	None	1.5'	1.5'
Side Yard Setback (ft.)	None	None	>10'
Side Yard Setback (ft.)	-	-	-
Rear Yard Setback (ft.)	None	20.6'	20.6'
Height (ft.) & # of Stories	80'/6 Story	<80'/1 Story	<80'/3 Stories
Lot Coverage	None	38.3%	36.9%
Off-Street Parking Spaces	68+/-	NA	54
Off-Street Loading Spaces	NA	NA	NA
Parking Setback	None	NA	NA
Accessory Structure Setback	NA	NA	NA
Landscaping	None	NA	NA
Floor Area Ratio	.30	NA	.28
Signage	NA	NA	NA
Other:	-	-	-

SPECIAL PERMIT APPLICATION

To be completed for Special Permit Applications only.

SPECIAL PERMIT FINDINGS OF FACT

In the spaces below explain how the adverse effects of the proposal will not outweigh its beneficial impacts to the Town with respect to each of the following considerations per Article XXV, Section 120-122 of the Zoning Ordinance. The Special Permit Granting Authority may approve any such application for a special permit **only** if it finds that, in its judgment, all of the following conditions are met. (Attach additional supporting documentation as necessary).

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

The property is currently used for auto repair and light manufacturing. The applicant is seeking to build (remodel) one mixed use building with landscaping and a second residential building, providing a more attractive entrance to the village center (East Weymouth) area.

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

By remodeling the unattractive brick and concrete block buildings and constructing a mixed use building the structure will be more attractive leading to the village center (East Weymouth) area. Removing a portion of the concrete building on Filomena and constructing a residential building will be more aesthetically pleasing in a residential area.

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

The applicant is providing for sidewalks along the busy Broad Street frontage and the vehicular entrance and exit are 24' wide.

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

The applicant is proposing to construct water and sewer lines and stormwater systems to town standards.

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

The current buildings have been allowed to deteriorate for a long time and are in extreme disrepair. The new single building mixed use construction with landscaping will provide a significant upgrade to the area. And the all residential building will be more attractive in the residential section of the neighborhood.

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")

To be completed by Applicants applying for a Special Permit under Section 120-40 Only.

EXTENSION OR CHANGE FINDINGS OF FACT:

Any lawful structure or use in existences at the time the Zoning Ordinance was adopted or amended may be extended or altered, provided that no such extension or alteration shall be permitted unless there is a finding by the Board of Zoning Appeals that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use or structure to the neighborhood.

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

NA

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

NA

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.

NA

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

NA

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

NA

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:

NA

VARIANCE APPLICATION

To be completed for Variance applications only.

VARIANCE FINDINGS OF FACT:

Criteria for approval. The Board may approve any such application for a Variance **only** if it finds that, in its judgment, all of the following conditions are met.

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

1. Describe how a literal enforcement of the provision of the Town of Weymouth Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner.

The shape of the lot, being surrounded on three sides by streets and attempting to use portions of the existing buildings to maintain the physical qualities of the area while upgrading the buildings and making them aesthetically more pleasing. Further the topography of the lot limits access off Madison Street.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

As noted the lot is surrounded on three sides by streets and the curve of the streets cause a triangular shaped lot with the Madison Street side significantly higher than the Filomena side.

3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance.

By constructing 12 one-bedroom and 8 two-bedroom units and having a bus stop at the property and the commuter rail as well as shopping area with in walking distance will attract millennials. Therefore a calculation of 1 space per one-bedroom unit and 2 spaces per two-bedroom unit is more in keeping with the commercial overlay district.

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship.

The public transportation and other amenities in the area will allow for residents with no or only one car, thereby freeing up spaces for the retail uses.

NOTE THAT THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMENTS SET FORTH IN CHAPTER 40A SECTION 10 OF THE GENERAL LAWS AND IN ARTICLE XXIV SECTION 120-119 OF THE WEYMOUTH ZONING ORDINANCE ARE SATISFIED. EACH OF THE ABOVE FINDINGS MUST BE ANSWERED IN DETAIL. ATTACH ADDITIONAL SHEETS IF NECESSARY.