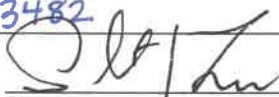
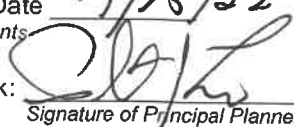


TOWN OF WEYMOUTH 2022 JUL 15 PM 2:38  
BOARD OF ZONING APPEALS APPLICATION

**TO BE COMPLETED BY STAFF**

Case Number: # 3482  
Submittal Accepted:  Date 7/15/22  
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:** 352-360 Bridge Street / Mixed Use Building

Assessor's Map Sheet, Block, & Lot: <sup>sheet 7</sup> Block 92-5, 92-6

Zoning District: B-2, R-1 Overlay District:

**OWNER OF RECORD (S)** (print & sign): Cherubini Realty Co., Inc.

(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: 9 School Street, Quincy, MA 02169

Norfolk County Registry of Deeds Book and Page No.

Or registered in Land Registration Office under Certificate No.

**NAME OF APPLICANT (S)** (print & sign): Anton Cela

Applicant's Address: 9 School Street, Quincy, MA 02169

Contact Information: Email antoncela@msn.com Phone 617-291-2998

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

**NAME & AFFILIATION OF REPRESENTATIVE:**

Address: 21 McGrath Highway, Quincy, MA 02169

Contact Information: Email brian@donahuearchitects.com Phone 617-479-4122

**NAME OF ENGINEER AND / OR ARCHITECT:** Donahue Architects, Inc.

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.

 7.15.22  
Applicant / Petitioner - Date (sign & print)

## 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):

120 Table 1 / FAR

*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):

The two parcels contain existing buildings that are not presently being used. They are formerly commercial properties. Lot 352 has open parking and a structure totaling 3,936 sf per floor. Lot 360 contains one former commercial building totaling 1080 sf per floor.

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

This proposal intends to raze all existing structures and build a mixed use structure with commercial use on the ground level (wholesale establishment) and two levels above totaling 20 residential units.

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).

Permitted by Special Permit from the Weymouth Zoning Board of Appeals

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).

Not aware of any previous approvals by any Town Board or Commission

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

This application consolidates two contiguous properties and eliminates site access from Newton Street

## 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		commercial	Commercial/Residential
Lot Area / Size (Sq. Ft.)	N/A	34,458 sq ft	34,458 sq ft
Dwelling Units		0	20
Frontage (ft.)	0	258.67'/122.87'	258.67'/ 122.87'
Lot Width (ft.)	0	266'	266'
Front Yard Setback (ft.)	0	0' / 13'	7.9' / 3.7'
Front Yard Setback (ft.) – corner lots	0	112'	0.2 / 6.1
Side Yard Setback (ft.)	0	2'	102'
Side Yard Setback (ft.)	0		
Rear Yard Setback (ft.)	0	28' / 78'	57'
Height (ft.) & # of Stories	6	1 story approx 12' / 2 story approx 28'	3 stories 39' / partial 4th story penthouse to 48'-10"
Lot Coverage	N/A	.15 %	.25%
Off-Street Parking Spaces	40 residential /15 wholesale establishment	33 +	55 cars/ 40 residential / 15 commercial
Off-Street Loading Spaces			N/A
Parking Setback			
Accessory Structure Setback	N/A	N/A	N/A
Landscaping			
Floor Area Ratio	.30	.30	.45
Signage			
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 character of Bridge Street is mixed uses. Commercial properties are prevalent however however there are residential uses and this district borders on a residential R-1 district immediately adjacent. This development is appropriate.

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

No it will not be detrimental. It will be an improvement to the Bridge Street streetscape.

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

There is no potential for nuisance or hazard to vehicles or pedestrians. The vehicular entry and egress is mainly on Pratt Avenue and also a curb cut on Bridge street for minimal parking. There is NO vehicular entry onto this site from Newton Street.

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

Utility connections are noted on civil drawing attached. Produced by "Civil Environmental Consultants" dated 5/16/2022

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

This proposal provides housing to this area and retail/commercial space that will remove a blighted property from this corridor.

**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):

There are two existing structures on these contiguous sites and they are conforming to current zoning.

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

N/A

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.

N/A

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

The proposed plans complies with all zoning criteria except for FAR

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

The existing off street parking is not marked and easily discernible , however, it is estimated that there are 30-35 parking spaces on site.

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 existing structures on site have been abandoned for a period of time and the site has deteriorated in its condition. The proposed development will be an improvement to this area and terminate an abandoned use.

## 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.

Adhering the FAR (0.3) for this district would severely limit the buildable area for this site and cause financial hardship for the owner.

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.

The new development of this site does not generally affect this zoning district as the corridor contains similar uses. the configuration of the site lends itself to a linear plan which allows parking to be configured in an efficient manner.

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.

Relief of zoning by-law will not be detrimental to the area as there are other businesses and residential unit along this corridor and into the residential 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.

No dimensional relief required

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.