

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
1187 COMMERCIAL STREET**

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

Owner:	Ryder Properties LLC	Date:	October 2, 2017
Address:	847 Washington Street Weymouth, MA 02189		
Applicant:	Ryder Development Corp.	Case #:	3340
Address:	847 Washington Street Weymouth, MA 02189		
Representative:	Gregory F. Galvin, Esq. 775 Pleasant Street #16 Weymouth, MA 02189	Site Address:	1187 Commercial St.
		Sheet:	19
		Block:	249
		Lot:	34

Zoning District: POS

Board of Zoning Appeals application filed on July 31, 2017

After a public hearing on September 6, 2017, advertised in the Weymouth News on August 23, and August 30, 2017, the Board of Zoning Appeals at its meeting of September 6, 2017

VOTED TO GRANT A SPECIAL PERMIT Granting relief from the Weymouth Zoning Ordinance Section 120-37.1 B (1), Reuse of quasi-public property for multiple residences; and Section 120-40, Extension or change to a non-conforming structure; allowing the petitioner to add ~1650 SF of living space in the lower level of a former private school (previously converted to ten (10) residential dwelling units allowed by Special Permit Case #3237) by constructing two additional 1- bedroom dwelling units. Per plan "Proposed Lower Level Units: 1189 Commercial Street Weymouth, Massachusetts" by Brian R. Saluti, Architect, Inc., undated.

FINDINGS:

1. The specific site is an appropriate location for such a use. *The building has already been converted into a residential building and the use conforms to the character of the neighborhood.*
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The additional units are in place of the Weymouth Food Bank that generated significantly more traffic.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *There is adequate parking on the site to accommodate the additional residents.*

4. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use. *The site is within easy and safe walking distance to the MBTA platform.*
5. That the public convenience and welfare will be substantially served with the proposal. *Landscaping and storm water treatment has been significantly improved on the site.*

CONDITIONS:

1. All remaining conditions imposed by BZA Case #3237 are to be fulfilled before Building Permits are granted. This includes the addition of a landscaped island in the rear parking lot and the addition of direction signage in the driveway traffic island.
2. Parking lot shall be striped prior to the issuance of Building Permits for the two new units.

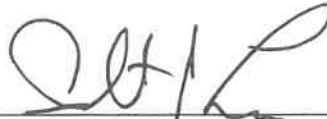
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

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 October 2, 2017

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 J. Luongo, Planning Director

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH


BOARD OF APPEALS

October 2, 2017

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 Ryder Development Corp., 847 Washington Street, Weymouth, MA 02189, affecting the rights of the owner with respect to land or buildings at 1187 Commercial Street, Weymouth, MA also shown on the Weymouth Town Atlas Sheet 19, Block 249, Lot 34, 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 J. Luongo, Planning Director

Kathleen Deree, Town Clerk

Case # 3340

Date of Hearing: 9/6/2017