

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

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2021 AUG 20 PM 2:35

TO BE COMPLETED BY STAFF

Case Number: #3461

Town Clerk Stamp

Submittal Accepted: _____

Date 8/20/21

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: 450 GREEN STREET

Assessor's Map Sheet, Block, & Lot: 13-121-16

Zoning District: R-1

Overlay District: N/A

OWNER OF RECORD (S) (print&sign): PAUL ZONA

(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: _____

Norfolk County Registry of Deeds Book and Page No. 27210-550

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print&sign): GERALD O'BRIEN

Applicant's Address: 15 THOMPSON ROAD

Contact Information: Email _____

Phone _____

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

NAME & AFFILIATION OF REPRESENTATIVE: KEVIN F. MACKIN - ATTORNEY

Address: 36 ALTRUDA RD, WEYMOUTH MA 02191

Contact Information: Email KEVIN@MACKINLAJOFFICES.COM

Phone 781-630-1061

NAME OF ENGINEER AND / OR ARCHITECT: _____

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.

Applicant / Petitioner - Date (sign & print)

8-20-2021

KEVIN MACKIN AS ATTORNEY FOR APPLICANT

NATURE OF REQUEST

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

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

CHAPTER 120 540 AND 5.42

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.

PLEASE SEE ATTACHED LETTER TO BZA

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

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

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).

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).

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

Kevin P. Mackin, Sr. Esq.
Mackin Law Offices
36 Altrura Road
Weymouth, MA 02191

kevin@mackinlawoffices.com

781-630-1061

August 19, 2021

Town of Weymouth
Board of Zoning Appeals
75 Middle Street,
Weymouth, MA 02191

Re: 450 Green Street, Weymouth, MA 02191

Appeal of Abutters pursuant to MGL c 40A s. 8 and s. 15 and Chapter 120 of the Zoning Bylaw

Distinguished Members of the Board,

Now come the appellants Gerald O'Brien and Kimberly O'Brien, and appeal to the Board of Zoning Appeals (hereinafter BZA) from the decision of the Building Inspector dated August 3, 2021, regarding to the nonconforming, illegal uses of 450 Green Street, Weymouth, MA. The appellants reside at 15 Thompson Road, Weymouth which abuts 450 Green Street. The property which is the subject of this appeal is 450 Green Street, Weymouth MA, being Lot 16 of Assessors Block 121. Both premises are located in an R-1 zone as shown on the Weymouth zoning map.

The appellants are aggrieved parties because as abutters, the non-conforming, illegal uses, and the intensity of use, interfere with their right to the quiet enjoyment of their home. Exhibit 1 is a collection of photographs showing the number, type, and intensity of storage on the premises. This use is not permitted and is a blight on this neighborhood.

The owner of the premises at 450 Green Street is Paul Zona, established by deed recorded at the Norfolk County Registry of Deeds in Book 27210 Page 550. One of the illegal, non-conforming uses Mr. Zona is currently engaged in at the property is a parking lot for commercial vehicles. In addition to this illegal use, the appellants have legitimate safety concerns related to the volume of petroleum products contained in the approximately 20 vehicles stored on site. Simple math would put an estimated volume at over 1,000 gallons of fuel on site – in this residential neighborhood. Requests for determinations by the fire department and Board of Health were not provided by the Building Inspector in his decision.

On July 29, 2021, the appellants, through their attorney Kevin P. Mackin, served a demand upon the zoning enforcement officer, Mr. Jeffrey Richards, for enforcement of the zoning bylaws – a copy of which is attached as Exhibit 2.

Mr. Richards responded by letter dated August 3, 2021 – a copy of which is attached as exhibit 3.

Appellants now request the BZA to:

1. Annul the decision of the zoning enforcement officer referenced as Exhibit 3.

2. Make a determination that the premises may only be used for those uses permitted as of right in the R1 district because any prior, non-conforming status has been lost by abandonment.
3. Direct the Building Inspector to enforce the provisions of the R1 district through injunction and the levying of daily penalties.

The records relevant to this property, are in the possession of the Building Inspector, and indicate after review that the subject property had historically been a sand and gravel business. This pre-existing non-conforming use changed to a trucking company under two separate owners until 2002, at which point the prior non-conforming use of trucking was abandoned. In 2002, then Building Inspector Jeffrey Coates permitted a substantially less detrimental use of the property to Mr. Paul Mannix, the then owner of 450 Green Street, to operate a funeral limousine service. The grant of this reduced non-conforming use was given with the conditions that all limousines will be garaged, and all outdoor storage **WILL** be discontinued. (A copy is attached as Exhibit 4).

That decision by Mr. Coates may have exceeded his authority, but at least aligns with the goal of the zoning bylaws regarding pre-existing, non-conforming uses in an R1 district, which is to move the non-conforming use closer to the intended use of the district. The operation and indoor storage of limousines was substantially less detrimental to the residential neighborhood than the prior industrial uses.

Mr. Zona purchased the property as referenced above in 2009 from Mr. Mannix. Mr. Zona has since 2009 stored motor vehicles, including commercial vehicles, outside of the garage, in view of neighbors and passersby. Mr. Zona has not received relief from the BZA to expand the use of the premises from that less detrimental use, authorized by Building Inspector Coates in 2002. Such an expansion or change of use requires a special permit by the BZA per Chapter 120-40. No Special Permits regarding use have been issued on the subject property by this Board.

In fact, the outdoor storage of commercial vehicles including firetrucks, motor homes, an oil truck and other vehicles and storage containers, is substantially more detrimental to the neighborhood. The Building Inspector, in his recent decision, seems to have attempted to usurp the authority of this Board when stating that none of the current, illegal uses violate the zoning by laws. He does not have the authority to permit additional, non-conforming uses or revive abandoned, non-conforming uses.

Pursuant to Weymouth Zoning provision 120-42, a pre-existing, non-conforming use is abandoned if it has not been conducted on the subject premises for two years. Clearly, the operation of a limousine service, with indoor storage, from 2002 through 2009 demonstrates an abandonment of the prior industrial uses. Where Mr. Zona has not been operating a limousine service on the premises, with all limousines being garaged, and all outside storage discontinued, those non-conforming uses have also been abandoned.

Mr. Zona is aware of the requirement of BZA approval as evidenced by his successful application for a special permit in 2002 (Exhibit 5) to build a second-floor office for business use. He even recorded this special permit at the Norfolk Registry of Deeds as required.

Mr. Zona currently allows the operation of an embroidery shop, an automobile detailing business, and has advertised, through signage on Green Street, the opportunity to store vehicles on site for a fee. All of these would be new uses from whatever non-conforming use Mr. Zona may claim to have. Each

additional use would require the approval by the BZA, followed by recording of the special permit at the Registry. None of these non-conforming uses have been approved by the BZA and are a detriment, blight, and nuisance to this neighborhood. (See Exhibit 6 Petition of concerned neighbors).

Worth noting, though “Maura’s Embroidery” has been operating that business at 450 Green Street for several years, a business certificate was not applied for until July 7, 2021 – which is coincidentally the day Mr. Zona was served with a civil complaint by the appellants. A copy of the unsigned, un-notarized, July 7, 2021, application was copied from the file of 450 Green Street in the Building Inspector’s Office and is attached as Exhibit 7.

Surprisingly, Mr. Richards ignores the appellants’ inquiry regarding Mr. Zona and Ms. Maura McGonigle’s current use of the subject property as a residence. This new, additional use would either create a mixed use, or finally convert this property to a conforming residential parcel within the R1 district.

Historically, the property has never been a residential or mixed-use property and without permission from the BZA, that new use cannot be added as a mixed use. If the BZA wishes to grant the use as a residence, then it is the appellants’ opinion that all non-conforming, pre-existing uses have been abandoned pursuant to Chapter 120-42.

Attached as Exhibit 8 are the business certificates for 450 Green Street, issued by the Building Inspector, which are not uses included in the pre-existing, non-conformity. Again, the Building Inspector does not have authority to expand or permit new uses. Only this Board has that authority under Chapter 120-40.

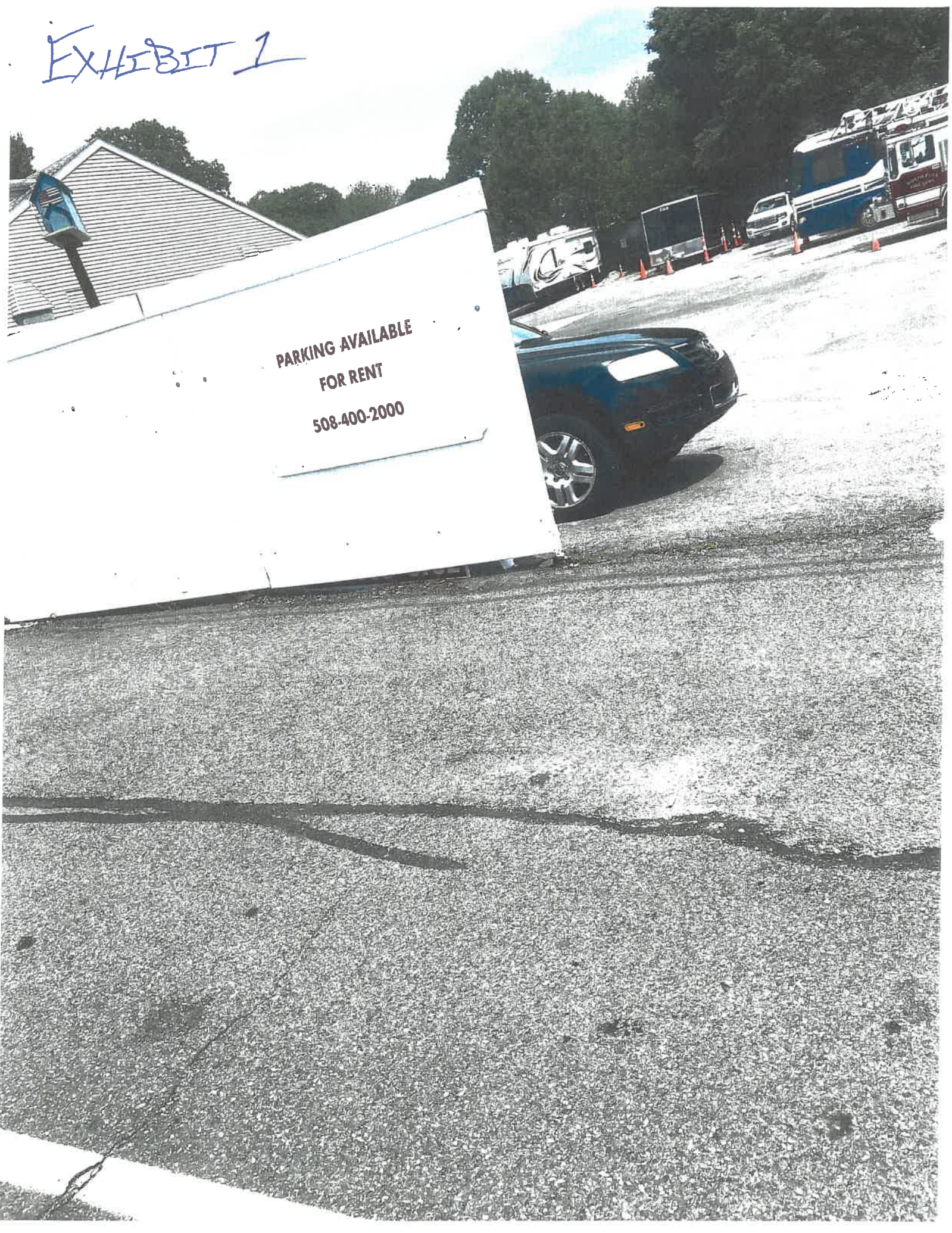
Respectfully submitted by Gerald O’Brien and Kimberly O’Brien, by their attorney, Kevin P. Mackin, Sr.



Kevin P. Mackin, Sr. Esq.
Mackin Law Offices
36 Altrura Road
Weymouth, MA 02191

EXHIBIT 1

PARKING AVAILABLE
FOR RENT
508-400-2000







doing but they get stuff done .

Daisy was there for supervision.

👍😂😱 15

1 Comment

👍 Like

💬 Comment

➦ Share



 Like

 Comment

 Share





1

 Like

 Comment

 Share



Like

Comment

Share



2

Like

Comment

Share





Mike's Post



Mike Dignan

May 23 · 🌐

When you arrive from a touch a truck and your new command vehicle has arrived thank you Paul Zona I died laughing at the newest addition



39

6 Comments



Like



Comment



Share



1



Like



Comment



Share





Mike Dignan

May 10 · 🌐

Stretched her legs and went all the way up . Wow what a view .

👍👀❤️ 75

43 Comments 1 Share

👍 Like

💬 Comment

➦ Share



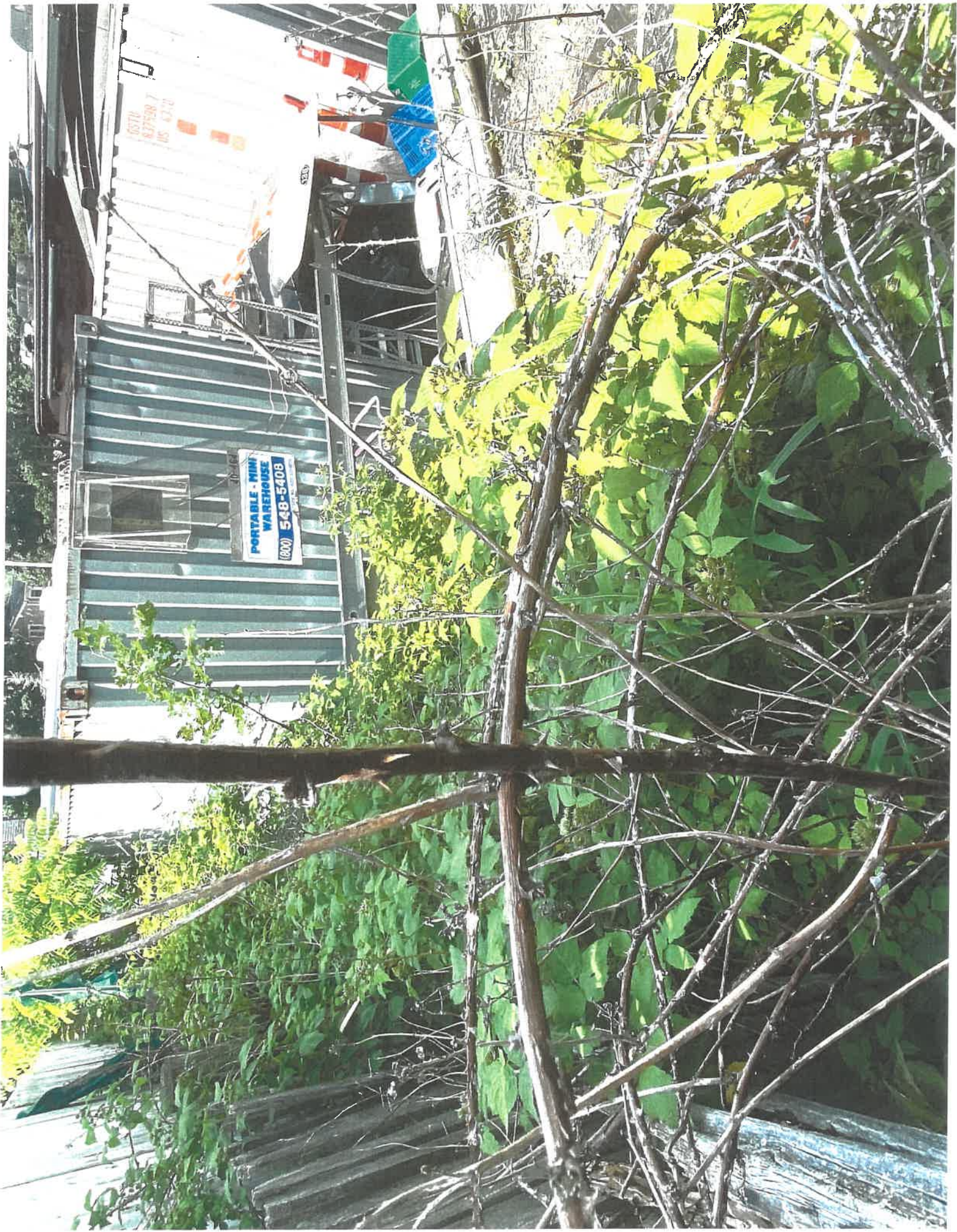
👍❤️ 3

👍 Like

💬 Comment

➦ Share







 Like

 Comment

 Share

 95

[View previous comments...](#)



Zac Longo

454s to firetrucks I love it! Now all u need is and old square body S10 painted like a Dalmatian to follow the pack

13w Like Reply

EXHIBIT 2

**Mackin Law Offices
Kevin P. Mackin, Sr. Esq.
36 Altrura Road
Weymouth, MA 02191**

kevin@mackinlawoffices.com

781-630-1061

July 29, 2017 *2021*

Mr. Jeff Richards
Building Inspector and Zoning Enforcement Officer
Town of Weymouth
75 Middle Street
Weymouth MA 02189

Re: 450 Green Street

Dear Mr. Richards,

Pursuant to the provisions of section 7 of M.G.L. c. 40A (the Zoning Act) and the provisions of the Weymouth Zoning Ordinance, I write to you as the Zoning Enforcement Officer of the Town seeking enforcement of that Ordinance regarding the subject premises in the following regards:

1. The subject premises are situated in an R-1, single family residential district. The current uses being made of that property by Mr. Zona are not in compliance with the requirements of that district and are therefore, nonconforming. I understand the premises had been operating as a pre-existing, non-conforming use. Upon researching the property at the Norfolk Registry of Deeds and the records for that location available in your office, I believe the premises are unlawfully operating well beyond the pre-existing use.
2. My review of the records maintained by the Building Department indicated to me that, at best, the premises may be used for the inside storage of funeral limousines based on a letter from Mr. Jeffrey Coates, Building Inspector, a copy of which is attached as Exhibit 1.
3. No action by the Board of Appeals has changed the use of the premises from the single use and limitations referred to in Exhibit 1.
4. The premises are readily observable from Green Street and that observation clearly shows that rather than a limousine service, the premises are being unlawfully used for outside storage of commercial vehicles, including fire equipment, auto detailing, an embroidery retail shop none of which permissible in the R1 district. Further, these unlawful uses were not permitted at the time of the adoption of that classification. Exhibit 1 clearly states there will be no outside storage of vehicles on the premises.
5. The Zoning By-Law of the Town clearly states that when a lawful, non-conforming use is abandoned for two years, the non-conforming status of the property is lost and thereafter the premises can only be used for the purposes specified in the zoning ordinance for that district. In other words, the premises can only be used for a single-family home.
6. While reviewing the file, I noted an application relating to the proposed use of the premises for embroidery and retail sales. That use is not permitted in an R1 district and has been unlawfully

operating there for at least three years. On a technical level I was surprised the application was not signed or notarized as required and coincidentally was filed on the same day (July 7, 2021), Mr. Zona was served with a summons related to a civil action filed by my clients.

7. The pre-existing nonconformity never included mixed use. Mr. Zona and another individual are currently residing on the premises. This additional violation of the pre-existing, nonconforming use is not lawful because the nonconforming use was never for a mixed use of the subject premises. Please provide a determination as to whether Mr. Zona has forfeited the pre-existing nonconforming business use and intends to conform with the limited use permitted in this R1 district.

The purpose of a zoning ordinance is to protect the health and safety of the citizens. The present unlawful uses of the premises create the following conditions which require your issuance of an order confirming the unlawful, non-conforming status of the present uses of the premises and the issuance of an order for a penalty of \$300 per day since each day of operation is a separate offense:

- (A) I estimate from my observation that there are at least 15 vehicles and other storage containers stored outside of the garage on the premises. The presence of combustible fuels (gas and diesel) in the tanks of those vehicles and possible other on-site tanks, creates a fire hazard for the surrounding properties. Please provide a determination by our Fire Chief that the unlawful uses are in fact a hazard to the surrounding residential properties.
- (B) The presence of vehicles and other related facilities containing petroleum products creates the risk of leakage from maintenance, use, or misuse. Such products will migrate onto adjoining premises. It is my understanding that facilities are now required, under the Environmental Protection Act, for the safe retention of petroleum-based products and other chemicals on a site where motor vehicles are stored. Please provide an opinion from the Board of Health regarding this concern.
- (C) I have personally observed a sign on the fence on the Green Street side of Mr. Zona's property, advertising rental space for vehicles on the subject premises. Obviously, that is an admission by Mr. Zona that he has abandoned the funeral limousine, indoor storage business use, permitted by Exhibit 1, and is now attempting to operate numerous businesses in violation of the limited, preexisting, nonconforming use. Neighbors in an R1 district should not be exposed to fumes, noise and other disturbances which Mr. Zona's current unlawful uses are causing.

As you undoubtedly know, the final sentence of the first paragraph of section 7 of M.G.L. c. 40A requires you to inform me, in writing, of whatever action you take within 14 days of receipt of this request.

Sincerely,



Kevin P. Mackin, Sr. Esq.

Cc: Clients

EXHIBIT 3

Jeffrey E. Richards, C.B.O.
Director of Municipal
Licenses and Inspections

Zoning and Building
Electrical, Plumbing and Gas
Licensing
Weights and Measures

**Town of Weymouth
Massachusetts**



Robert L. Hedlund
Mayor

DEPARTMENT OF MUNICIPAL LICENSES AND INSPECTIONS

TOWN HALL, 75 MIDDLE STREET, WEYMOUTH, MA 02189-1396 ~ Tel. (781) 340-5004 - FAX (781) 335-3283

August 3, 2021

Kevin P. Mackin, Sr., Esq.
Mackin Law Offices
36 Altrura Road
Weymouth, MA 02191

Via Email: kevin@mackinlawoffices.com

RE: 450 Green Street (Map 13, Block 121, Lot 16, R-1 Zone)

Dear Attorney Mackin:

I have received your letter dated July 29, 2017, via Certified Mail on July 29, 2021; and find the following:

1. The subject property based on Town records and former BZA cases has been found to be consistent with the history of the former gravel yard located in an R-1 Zone.
2. The partial use of the property was formerly used as a 24-hour limousine business and storage yard as a service business; auto detail services; all activities and services being consistent with current uses.
3. No BZA applications have changed operations of use and are consistent with current activity on site as of a Certificate of Occupancy inspection performed on July 28, 2021.
4. See Item #2
5. The site has been in constant use and has not lost any pre-existing non-conforming uses as outlined above.
6. Embroidery services are consistent with current zoning ordinance. A recent Business Certificate and Certificate of Occupancy was filed on July 7, 2021 and signed for zoning suitability. Said Certificate of Occupancy was issued upon completion of site inspections on July 28, 2021.

7. The site is consistent with pre-existing non-conforming uses and has been found to be in compliance with the intent of the Zoning Ordinance.

As a result of the Certificate of Occupancy inspection performed on July 28, 2021, all activities as inspected were found to be in compliance as allowed under its pre-existing non-conformity and no safety issues or violations were noted at the time of inspection.

I hope this clarifies your client's review of activities noted on site.

As noted,

A handwritten signature in black ink, appearing to read "Jeff Richards", with a long horizontal flourish extending to the right.

Jeffrey E. Richards, C.B.O.
Inspector of Buildings

cc: R. Luongo, Planning
J. Callanan, Legal

EXHIBIT 4

*Town of Weymouth,
Massachusetts*

Jeffrey R. Coates, R.A.
Director of Municipal
Licenses and Inspections

Zoning and Building
Electrical, Plumbing and Gas
Licensing
Weights and Measures

David M. Madden
Mayor



DEPARTMENT OF MUNICIPAL LICENSES AND INSPECTIONS

TOWN HALL, 75 MIDDLE STREET, WEYMOUTH, MA 02189-1396 ~ Tel. (781) 340-5004 - FAX (781) 335-3283 - TTY (781) 331-5124

August 8, 2002

David A. Kelly
Attorney at Law
400 Crown Colony Drive, Suite 200
Quincy, MA 02169

Re: 450 Green Street
(sheet 13, block 121, lot 16, R-1 Zone)

Dear Mr. Kelly:

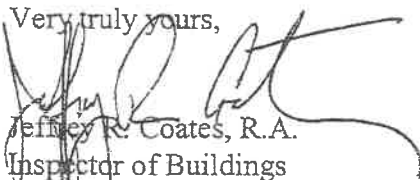
I have received and reviewed your letters dated July 11, and August 5, 2002, as well as the Town's record regarding the subject premises and find the following:

1. The subject property consists of an existing one story garage / storage building which is currently being used as a non-conforming contractors business with open-lot storage of trucks, equipment and building materials, located in the R-1, single-family, Residential Zoning District.
2. The documentation submitted by you indicates that the proposed use of the premises would be as a commercial garage for the storage of eight (8) funeral limousines.
3. The existing open-lot storage will be discontinued.
4. The purposed use is hereby deemed to be similar to the existing non-conforming use and the site will be less intensively utilized and therefore, it may continue per Subsection 120-39.

Accordingly, your client, Paul Mannix, doing business as Private Line Limousine Service, may operate at the premises, provided that the existing structure is not extended or changed without the benefit of a Special Permit as required per Subsection 120-40.

I trust this answer meets your current needs. Please contact me if you require anything further.

Very truly yours,


Jeffrey R. Coates, R.A.
Inspector of Buildings

cc: G. Lane, J. Clarke. and J. Richards
JRC/j - ZD 02.08.08

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION ON SPECIAL PERMIT**
N O T 450 GREEN STREET N O T

(To be mailed forthwith to the owner and applicant, if not the owner.)
O F F I C I A L O F F I C I A L

Owner: Paul Zona
Address: 204 Tosca Drive
Stoughton, MA 02072

Applicant: Paul Zona
Address: 204 Tosca Drive
Stoughton, MA 02072

Representative:
Address:

Date: January 7, 2010

Case #:

Site Address: 450 Green Street
Sheet: 13
Block: 121
Lot: 16

January 7, 2010

3

OFFICE OF THE TOWN CLERK
WEYMOUTH, MASS

RECEIVED

2010 JAN - 7 A 11:30

Bk 27441 P 234 #11897
02-04-2010 @ 01:38P

Special permit application filed on 11/12/2009.

After a public hearing on 12/2/2009, the Board of Zoning Appeals at its meeting on 12/2/2009:

VOTED TO GRANT THE SPECIAL PERMIT to extend non-conforming use to add a second floor office with the following conditions:

- (1) Cleaning done after 7pm is shall be done inside with the doors closed
- (2) A landscape plan shall be submitted prior to the issuance of a building permit.


Under MGL Chapter 40A, Section 18, 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, and (3) the Record of Proceedings. 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 January 7, 2010.

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.


James Clarke
Director of Planning and
Community Development

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY


WILLIAM P. O'DONNELL, REGISTER

BZA CASE #3065 450 Green Street

December 2, 2009

Mr. Zona stated that he would definitely landscape this area. Mr. Fuqua suggested foundation plantings.

Mr. Fuqua recommended that a landscape plan be submitted to the planning department before the building permit is issued.

Mr. Fuqua asked if the new building height will be increased. Mr. Zona stated that he will not increase overall height of building.

Mr. Fuqua asked if the driveway entrance will change. Mr. Zona stated that the driveway will not change. He pointed out that all changes being proposed are to the façade and the addition.

Mr. Fuqua stated the application was routed to various Town Departments and received favorable or no adverse comments.

The Chairman asked if the public had any comments, to which there was the following comment.

Laurie Hanson, 20 Thompson Road, asked if there is a new tenant going in. Mr. Zona stated that the building use will remain the same. There will be no other tenants other than the limousine business.

Mrs. Hanson expressed concern about the parking on Green Street. Mr. Zona stated that he agrees that parking on Green Street is dangerous and makes exiting Thompson Road difficult and he will discourage this parking.

Mr. Galewski asked if cleaning is done inside or outside. Mr. Zona stated that cleaning during the day is done outside. He noted that he has told his employees not to vacuum during the night.

The resident of 31 Seabury Street stated that he rents space from Mr. Zona and he stated that he cleans his vehicles inside.

A MOTION to close the public hearing was made and seconded, and was UNANIMOUSLY VOTED.

A MOTION was made by Mr. Kenneally to APPROVE the request for a SPECIAL PERMIT to extend a non-conforming use to add a second floor office with the following conditions:

- (1) Cleaning done after 7pm is done inside with the doors closed.
- (2) A landscape plan is submitted prior to the issuance of a building permit.

The Board finds that, in its judgment; all of the following conditions are met:

- (1) The specific site is an appropriate location for such a use due to the similar nature of the nonconforming use.
- (2) The use involved will not be detrimental to the established or future character of the neighborhood or town as there were no problems identified.

BZA CASE #3065 450 Green Street

December 2, 2009

- (3) There will be no ^{N O T}nuisance or serious hazard to vehicles or pedestrians as there is no change of circulation within the site.
- (4) Adequate and appropriate facilities will be provided for the proper operation of the proposed use due to the nature of the business.
- (5) The public convenience and welfare will be substantially served.

The MOTION was seconded by Mr. Galewski and PASSED on a 4-0 vote.

FINDINGS:

The Board found that the SPECIAL PERMIT would not derogate from the intent and purpose of the Zoning Ordinance, and the requested relief could be granted without substantial detriment to the public good nullifying or substantially derogating from the intent and purpose of the Ordinance.

- (1) The specific site is an appropriate location for such a use due to the similar nature of the nonconforming use.
- (2) The use involved will not be detrimental to the established or future character of the neighborhood or town as there were no problems identified.
- (3) There will be no nuisance or serious hazard to vehicles or pedestrians as there is no change of circulation within the site.
- (4) Adequate and appropriate facilities will be provided for the proper operation of the proposed use due to the nature of the business.
- (5) The public convenience and welfare will be substantially served.

DECISION OF THE BOARD:

The Board was familiar with the site and had the benefit of a plan. The majority of the members had viewed the site in question. Due to the above findings, it was VOTED 4-0 to APPROVE the request for a SPECIAL PERMIT to extend non-conforming use to add a second floor office with the following conditions 1) cleaning done after 7pm is done inside with the doors closed and 2) a landscape plan is submitted prior to the issuance of a building permit. The Board finds that, in its judgment; all of the following conditions are met:

- (1) The specific site is an appropriate location for such a use due to the similar nature of the nonconforming use.
- (2) The use involved will not be detrimental to the established or future character of the neighborhood or town as there were no problems identified.
- (3) There will be no nuisance or serious hazard to vehicles or pedestrians as there is no change of circulation within the site.
- (4) Adequate and appropriate facilities will be provided for the proper operation of the proposed use due to the nature of the business.
- (5) The public convenience and welfare will be substantially served.


Charles Golden, Acting Chairperson


Date

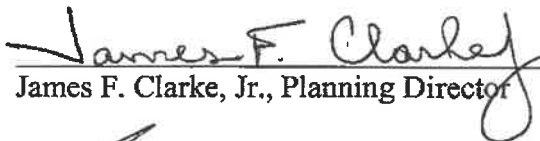
THE COMMONWEALTH OF MASSACHUSETTS
 A N A N
 O F F I C I A L W E Y M O U T H O F F I C I A L
 C O P Y C O P Y
 BOARD OF APPEALS

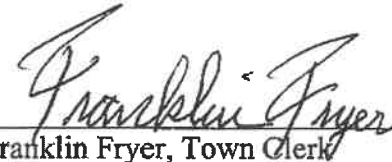
January 7, 2010

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 Paul Zona, 204 Tosca Drive, Stoughton, MA 02072 affecting the rights of the owner with respect to land or buildings at 450 Green Street, also shown on the Weymouth Town Atlas Sheet 13, Block 121, Lot 16, 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.


 James F. Clarke, Jr., Planning Director


 Franklin Fryer, Town Clerk

Case # 3065

Date of Hearing: 12/2/2009

RECEIVED
 2010 JAN - 7 A 11:40
 OFFICE OF THE TOWN CLERK
 WEYMOUTH, MASS

**Town of Weymouth
Massachusetts**

Franklin Fryer N O T
Town Clerk A N

N O T
A N

Susan M. Kay
Mayor

O F F I C I A L
Town Clerk's Department P Y
781-340-5017
781-335-3283 (FAX)



O F F I C I A L
C O P Y

75 Middle Street
Weymouth, MA 02189

January 27, 2010

Date

To Whom It May Concern:

I, Franklin Fryer, 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 December 2, 2009
on APPLICATION OF Paul ZOna # 3065

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

Signed

A True Copy

Franklin Fryer
Town Clerk

FF/kd

EXHIBIT 6

450 Green Street

Printed Name	Signature	Address	Comment	Date
Rhonda Zawistki	Rhonda Zawistki	308 Green St	This sale of masks is causing a lot of traffic in the area and very dangerous for pedestrians and cars trying to pass on Thompson Road	10/17/20
John Zawistki	John Zawistki	308 Green St	Issues crossing street with children - to pass on Thompson Road	10/17/20
Jennifer Murphy	Jennifer Murphy	135 Thompson Road	THIS IS CAUSING A LOT OF TRAFFIC ISSUES	10/17/20
Rick Murray	Rick Murray	135 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
JOSEPH MACKIN	Joseph Mackin	72 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Erin Mackin	Erin Mackin	72 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Pete Suen	Pete Suen	50 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Bernadette Hitt	Bernadette Hitt	44 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Kathryn Lupisano	Kathryn Lupisano	31 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Joan Smith	Joan Smith	48 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Michelle Campbell	Michelle Campbell	126 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Nicholas Campbell	Nicholas Campbell	126 Thompson Rd	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
Art Michels	Art Michels	44 Green St	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20
William Kelly	William Kelly	61 Rinaldo	Issues dangerous driving conditions for people parked at end of Thompson	10/17/20

450 Green Street

[illegible]

450 Green Street

[illegible]

EXHIBIT 7

COPY

Book _____ Page _____
Expires: _____

Business Certificate
The Commonwealth of Massachusetts
Town of Weymouth

Date July 7, 2021

In conformity with the provisions of Chapter one hundred and ten, Section five of the
MA General Laws, as amended, the undersigned hereby declare(s) that a business under the title
of Maura's Embroidery is conducted at

450 Green Street

Weymouth, MA 02191

(Embroidery Service)

Full Name
Maura McGonigle

Residence
450 Green Street

Weymouth, MA 02191

781-389-6266

Signed

Signature

Signature

Signature

Signature

The Commonwealth of Massachusetts

Norfolk ss.

Date _____

Personally appeared before me the above named Maura McGonigle

And made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four
years from the date of issue and shall be renewed each four years thereafter so long as such
business shall be conducted and shall lapse and be void unless so renewed.

Zone R-1 Zoning Approval for

Jeffrey E. Richards

Date: July 7, 2021

Town Clerk

Title/Notary

**CERTIFICATE ISSUED**

Date _____

Certificate Number 8979

Inspector of Buildings _____

CERTIFICATE OF OCCUPANCY / COMPLIANCE**Town of Weymouth****Building Department**

Town Hall, 75 Middle St, Weymouth, MA, 02189-1396 ~ Tel. (781) 340-5004 FAX (781) 335-3283 TTY _____

Application Date: 7/8/2021APPLICANT Maura McGonagle ADDRESS 450 Green Street, Weymouth, MA 02191AT (LOCATION) 450 Green Street ZONING DISTRICT R-1 SHEET/BLOCK/LOT 13/12/16
(No.) (Street)

BUILDING / STRUCTURE IS _____ FT. WIDE BY _____ FT. LONG BY _____ FT. IN HEIGHT

TYPE OF CONSTRUCTION _____ USE GROUP _____ PERMIT # _____ A DATE ISSUED _____

REMARKS Maura's EmbroideryOWNER Paul Zona FEE \$60.00 CHECK _____ADDRESS 450 Green Street, Weymouth, MA 02191 BOARD OF APPEALS # _____

SPECIAL PERMIT _____ VARIANCE _____ CONSERVATION _____ SITE PLAN APPROVAL _____

DEPARTMENT APPROVAL FOR CERTIFICATE OF OCCUPANCY / COMPLIANCEBUILDING
APPROVED BY _____
REMARKS _____ DATE _____PLUMBING
APPROVED BY _____
REMARKS _____ DATE _____ELECTRICAL
APPROVED BY _____
REMARKS _____ DATE _____GAS
APPROVED BY _____
REMARKS _____ DATE _____FIRE
APPROVED BY _____
REMARKS _____ DATE _____DPW
APPROVED BY _____
REMARKS _____ DATE _____CONSERVATION
APPROVED BY _____
REMARKS _____ DATE _____OTHER (ZBA, PLANNING, ET
APPROVED BY _____
REMARKS _____ DATE _____

[All sections must be completed - Sections which are not applicable shall be marked N/A and initialized by the Field Inspector]

EXHIBIT 8

Book _____ Page _____
Expires: _____



Business Certificate
The Commonwealth of Massachusetts
Town of Weymouth

Date Aug 21, 2003

In conformity with the provisions of Chapter one hundred and ten, Section five of the MA General Laws, as amended, the undersigned hereby declare(s) that a business under the title of A Private Line Limousine Service

is conducted at

450 Green Street

Weymouth, Ma.

Street
02191
City of Town

Full Name
Paul Mannix

144 Winthrop Avenue

Quincy, Ma. 02170

Residence

Signed

Paul Mannix
Signature

Signature

Signature

Signature

The Commonwealth of Massachusetts

Norfolk ss.

Date August 21, 2003

Personally appeared before me the above named Paul Mannix

And made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Zone B-1 Zoning Approval for
(Seal) John C. De... Not a Comm. PLE - EXISTING 8/26/03

Date: August 21, 2003

Vincent A. Vignani
Title/Notary

Comm. Expires 5-10-2007

CO



P.H. 9/3/03

5363

CERTIFICATE ISSUED

DATE 9/18/03

INSPECTOR OF BUILDINGS JAR

CERTIFICATE OF OCCUPANCY / COMPLIANCE

TOWN OF WEYMOUTH BUILDING INSPECTION DEPARTMENT

Town Hall, 75 Middle Street, Weymouth, MA 02189-1396 ~ Tel. (781) 335-2000 FAX (781) 335-3283 TTY (781) 331-5124

APPLICANT Paul Mannix ADDRESS 144 Winthrop Avenue, Quincy MA 02170

AT (LOCATION) 450 Green Street ZONING DISTRICT R-1SH/BLK/LOT 13/121/16
(NO.) (STREET)

BUILDING / STRUCTURE IS _____ FT. WIDE BY _____ FT. LONG BY _____ FT. IN HEIGHT

TYPE OF CONSTRUCTION _____ USE GROUP _____ PERMIT # _____ DATE ISSUED _____

REMARKS Change of tenant. "A Private Line Limousine Service"
Commercial garage for the storage of 15 funeral limousines.

OWNER Paul Mannix FEE 60.00 GK _____

ADDRESS 144 Winthrop Ave., Quincy MA 02170 BOARD OF APPEALS # _____

SPECIAL PERMIT _____ VARIANCE _____ CONSERVATION _____ SITE PLAN APPROVAL _____

DEPARTMENT APPROVAL FOR CERTIFICATE OF OCCUPANCY / COMPLIANCE

BUILDING
APPROVED BY [Signature]
REMARKS _____ DATE 9/19/03

PLUMBING
APPROVED BY N/A per
REMARKS _____ DATE _____

ELECTRICAL
APPROVED BY N/A per
REMARKS _____ DATE _____

GAS
APPROVED BY N/A per
REMARKS _____ DATE _____

FIRE
APPROVED BY N/A per
REMARKS _____ DATE _____

DPW
APPROVED BY N/A per
REMARKS _____ DATE _____

CONSERVATION
APPROVED BY N/A per
REMARKS _____ DATE _____

OTHER (ZBA, Planning, etc.)
APPROVED BY N/A per
REMARKS _____ DATE _____

Book 51 Page 214
Expires: August 7, 2021

Business Certificate
The Commonwealth of Massachusetts
Town of Weymouth

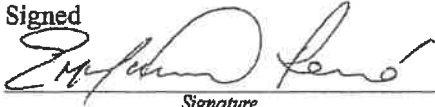
Date August 2, 2017

In conformity with the provisions of Chapter one hundred and ten, Section five of the
MA General Laws, as amended, the undersigned hereby declare(s) that a business under the title
of Boston Shuttles Com, LLP is conducted at
(Limousine)
450 Green Street
Weymouth, MA 02191

Full Name
Boston Shuttles Com, LLP
Emmanuel Rene, Officer

Residence
66 Stacy Street
Randolph, MA 02368
(781) 727-7480

Signed


Signature

Signature

Signature

Signature

The Commonwealth of Massachusetts

Norfolk ss.

Date

8/4/2017

Personally appeared before me the above named Boston Shuttles Com, LLP
Emmanuel Rene, Officer

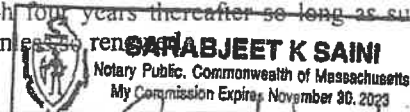
And made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four
years from the date of issue and shall be renewed each four years thereafter so long as such
business shall be conducted and shall lapse and be void unless renewed.

Zone R-1 Zoning Approval for

(Seal)
John E. Richards

Date: August 2, 2017



Sarabjeet K Saini
Town Clerk

Title/Notary

Business Certificate
The Commonwealth of Massachusetts
Town of Weymouth

Date February 1, 2021

In conformity with the provisions of Chapter one hundred and ten, Section five of the MA General Laws, as amended, the undersigned hereby declare(s) that a business under the title of Finishing Touch Auto Detailing is conducted at

450 Green Street

Weymouth, MA 02191

(Mobile Auto Detailing)

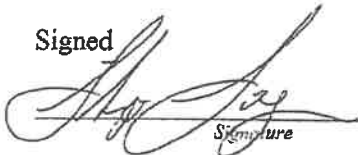
Full Name
Stephen Logan

Residence
372 East Street

Weymouth, MA 02189

617-938-0429

Signed



Signature

Signature

Signature

Signature

The Commonwealth of Massachusetts

Norfolk ss.

Date February 1, 2021

Personally appeared before me the above named Stephen Logan

And made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Zone R-1 Zoning Approval for



(Seal)



Date: February 1, 2021

Town Clerk

Title/Notary

Business Certificate
The Commonwealth of Massachusetts
Town of Weymouth

Date July 7, 2021

In conformity with the provisions of Chapter one hundred and ten, Section five of the MA General Laws, as amended, the undersigned hereby declare(s) that a business under the title of Maura's Embroidery is conducted at 450 Green Street
Weymouth, MA 02191
(Embroidery Service)

Full Name
Maura McGonigle

Residence
450 Green Street
Weymouth, MA 02191
781-389-6266

Signed


Signature

Signature

Signature

Signature

The Commonwealth of Massachusetts

Norfolk ss.

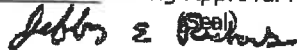
Date July 7, 2021

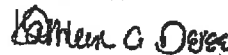
Personally appeared before me the above named Maura McGonigle

And made oath that the foregoing statement is true.

A certificate issued in accordance with this section shall be in force and effect for four years from the date of issue and shall be renewed each four years thereafter so long as such business shall be conducted and shall lapse and be void unless so renewed.

Zone R-1 Zoning Approval for


Seal



Kathleen A. Deree

Date: July 7, 2021

Town Clerk

Title/Notary