

***Town of Weymouth
Massachusetts***

**Kathleen A. Deree
Town Clerk**

**Town Clerk's Department
781-340-5017
781-682-6129 (FAX)**



**Robert L. Hedlund
Mayor**

**75 Middle Street
Weymouth, MA 02189**

August 23, 2023

To Whom It May Concern:

I, Kathleen A. Deree, Town 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 June 14, 2023 on APPLICATION OF: FoxRock Libbey Realty LLC, Case # 3506.

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

Signed: Kathleen A. Deree

A True Copy. ATTEST:

Kathleen A. Deree

Kathleen A. Deree
Town Clerk

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
90 LIBBEY PARKWAY**

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2023 AUG -2 AM 11: 32

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

Owner:	FoxRock Libbey Realty LLC	Date:	August 02, 2023
Address:	350 Granite St. Suite 2205 Braintree, MA 02169		
Applicant:	FoxRock Libbey Realty LLC	Case #:	3506
Address:	350 Granite St. Suite 2205 Braintree, MA 02169		
Representative:	Tetra Tech 20 Cabot Blvd. Suite 305 Mansfield, MA 02189048	Site Address:	90 Libbey Parkway
		Sheet:	33
		Block:	433
		Lot:	4
Hearing Date:	6/14/2023		
Filing Date:	5/5/2023		
Advertised:	5/31/2023 & 6/7/2023		

Zoning District: POP & WPD

At a public hearing on 6/14/2023 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance Sections 120-76 (Off-Street Loading Spaces Required for Non-Residential uses)* to construct a loading dock on the southeast side of the building that fronts on Performance Drive. Approval is per a *Loading Dock Site Plans* prepared by Tetra Tech. and dated 5/5/2023.

SPECIAL PERMIT FINDINGS:

The Board found that the proposal met the requirements for a Special Permit under Section 120-122 (D) as follows:

1. The specific site is an appropriate location for such a use. *A loading dock is a typical accessory use for a medical office building and is permitted through a Special Permit.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The applicant has submitted a detailed lighting and landscape plan which adequately screen the loading dock from the street.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *The addition of the loading dock will actually increase safety as trucks will have easier access to the building.*

4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *All work will be done in conformance with Town of Weymouth Building Code and under the supervision of the Department of Public Works.*
5. That the public convenience and welfare will be substantially served with the proposal.

CONDITIONS:

None.


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 August 02, 2023

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, Director of Planning and Community Development

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

August 02, 2023

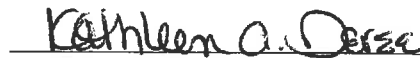
Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to FoxRock Libbey Realty LLC, 350 Granite St. Suite 2205, Braintree, MA 02169, affecting the rights of the owner with respect to land or buildings at 90 Libbey Parkway also shown on the Weymouth Town Atlas Sheet 33, Block 433, Lot 4, 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. Lungo, Planning Director



Kathleen Deree, Town Clerk

Case # 3506

Date of Hearing: 6/14/2023