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TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

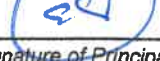
**TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION**

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TO BE COMPLETED BY STAFF

Case Number: 3404  Town Clerk Stamp

Submittal Accepted: _____ Date 12/18
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: 1055 Main Street

Assessor's Map Sheet, Block, & Lot: **Map 49, Block 555, Lots 27A and 27B**

Zoning District: B-1 Overlay District: **Commercial Corridor Overlay District**

OWNER OF RECORD (S) (print & sign): **Unit 1: Colonial Business Condominium**

Unit 2: JL Realty Trust, Hoang Nguyen Trustee

(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: **480 High Street, Abington, MA 02351**

Norfolk County Registry of Deeds Book and Page No. **Unit 1: Deed Book 11899, Page 432**

Unit 2: Deed Book 11899, Page 459

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): **Attorney William K Brown** 

Applicant's Address: **74 Pleasant Street, South Weymouth, MA 02190**

Contact Information: Email: wkbrown@wkbrownlaw.com Phone: **781 331 9299**

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

NAME & AFFILIATION OF REPRESENTATIVE: _____

Address: _____

Contact Information: Email _____ Phone _____

NAME OF ENGINEER AND / OR ARCHITECT: Fisher Associates, Inc and WA McKinnon Associates

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)

12/04/2019

NATURE OF REQUEST

Application is for: Modification of Special Permit: Article VIIB Commercial Corridor Overlay District
Modification of Variance: 120-25.17 (b) Setbacks and (c) abutting residential
**Case # 3378 approved at hearing March 20, 2019 with decision stamped by
Town Clerk approved May 6, 2019**

Applicable Section of Zoning Ordinance:

120-25.17 B. Setbacks

120.25.17 C. Additional Requirements when abutting a residential use

120.25.20 Requesting 11 ½ % reduction in the number of parking spaces-Proposing shared parking and shuttle service allowed per 120-25.20 B

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:

Approximately 12,000 SF one story wood frame building containing a liquor store and an abandoned bowling alley. Entire building will be demolished as part of this construction project.

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

Applicant seeks to construct an approximately 30,000 SF, four story with mezzanine, wood and steel frame building containing one retail space on the first floor containing approximately 4,000 SF, a management office, storage space and 15-studio and 18-one bedroom apartment units on floors 2-4. The parking lot will contain 54 parking spaces (61 spaces are required, 41 residential and 20 retail) which is an 11 ½ % reduction from the required number of spaces but allowed per 120-25.20 (B) Commercial Corridor Overlay District, shared parking arrangements. Liquor store trips average 7 minutes. This property is 8/10 of mile from the MBTA train station and 1/10 of a mile to the MBTA bus stop at Pleasant Street and Main Street.

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 VIIB Commercial Corridor Overlay District, Section 120-25.14

4. Are you aware if this property has been previously granted approvals from any Town Board or Commission?

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

Existing business, John's Liquors must stay in operation during the construction project. This requirement has driven the shape of the new building. The liquor store will continue to operate in a temporary building on the property while the new building is constructed. The old liquor store/bowling alley structure will be demolished.

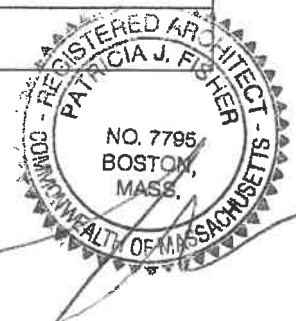
During site investigation it was determined that the ground water is prohibiting the economical construction of a basement which is a critical loss for the liquor store. The owner needs to buy in bulk in order to stay competitive. He will no longer be able to store this bulk liquor in the basement space nor provide the utility rooms in the basement. He will need to incorporate a large amount of storage space on the first floor of the building as well as all of the utility rooms.

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		BUSINESS	MIXED BUSINESS AND RESIDENTIAL
Lot Area / Size (Sq. Ft.)	30,000	36,400	34,400
Dwelling Units		0	33
Frontage (ft.)	228'	228'	228'
Lot Width (ft.)	228'	228'	228'
Front Yard Setback (ft.)	AVERAGE 70' ACROSS LOT	15'	30'
Front Yard Setback (ft.) - corner lots	30'	82.5'	10'
Side Yard Setback (ft.)	10'	6.9'	75'
Side Yard Setback (ft.)	N/A	N/A	N/A
Rear Yard Setback (ft.)	15'	6.1'	46'
Height (ft.) & # of Stories	70' - 5 STORIES	12' - 1 STORY	60' - 5 STORIES
Lot Coverage	60%	100%	
Off-Street Parking Spaces	61	UNDEFINED	54
Off-Street Loading Spaces	1	1	1
Parking Setback			
Accessory Structure Setback	N/A	N/A	N/A
Landscaping			
Floor Area Ratio	1.0	.4	1.0
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.

Yes. This use meets the defined use requirements of the Overlay District

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

No. The partially abandoned building currently on this site is very unattractive and in need of renovation. This new building will enhance the neighborhood and provide much needed housing. The current retail use, John's Liquors, will continue to exist in the new building, providing a needed community business by a long time local businessowner.

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

The current site has undefined sidewalks, drive aisles and non-existent curb cuts. Defining the above will greatly improve the safety for the community, drivers and pedestrians at this intersection, especially in light of the expansion of Route 18 to four lanes.

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

Yes, see site plan

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

An unattractive site on an important Weymouth thoroughfare will be greatly enhanced. Pedestrian safety and vehicular traffic flow will be improved at the ground level at this difficult intersection. Much needed housing will be built at a price point that will allow our young professional people who are overburden with student loan debt to remain in the Town of Weymouth. In addition, John's Liquor store is selling a large volume of the craft beers that are now being brewed successfully in the Town of Weymouth, thus allowing for a mutually beneficial relationship between multiple Weymouth business owners.