

***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**

June 29, 2020

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 May 13, 2020 on APPLICATION OF: John O'Brien, Case # 3411.

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
1093 MAIN STREET**

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2020 JUN -9 AM 11: 41

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

Owner:	John O'Brien	Date:	June 9, 2020
Address:	1150 Turnpike St. Stoughton, MA 02072		
Applicant:	John O'Brien	Case #:	3411
Address:	1150 Turnpike St. Stoughton, MA 02072		
Representative:	Raymond D. Jennings III 775 Pleasant St Unit #7 Weymouth, MA 02189	Site Address:	1093 MAIN STREET 49
		Sheet:	554
		Block:	8
		Lot:	
Filing Date:	04/16/2020		
Hearing Date:	05/13/2020		
Advertised:	04/29/2020 & 05/06/2020		

Zoning District: HT & CCOD

At a public hearing on 05/13/2020 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance Section 120-22.7 Conversion of existing dwelling for up to four units.*

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance Section 120-41 exception to limitation on restoration by special permit.*

Approvals were based on a stamped plan set submitted by Merrill Engineering with a revision date of 2/24/2020.

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. *The property is on a major corridor that is developed with a mix of commercial and residential buildings.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *This proposed building is in keeping with the character of the existing corridor.*

3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *The applicant will continue to work with the Department of Planning and Community Development to ensure that final landscaping and signage do not create a sight line issue for pedestrians and motorists.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *Adequate utilities currently exist along the Main Street corridor. Construction will be reviewed by the Weymouth Building Department and Engineering Department.*
5. That the public convenience and welfare will be substantially served with the proposal. *The existing structure is in an advanced state of deterioration and had been condemned by the Weymouth Health Department.*

CONDITIONS:

1. Any dumpster located on the property will be appropriately screened.
2. The project will require an Order of Conditions from the Conservation Commission prior to be given a building permit.
3. A final landscape and lighting plan will be submitted to and reviewed by the Department of Planning and Community Development.
4. The internal sidewalk network will be connected to the sidewalk on Main Street.

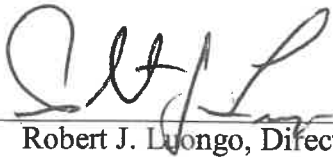
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

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 June 9, 2020

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

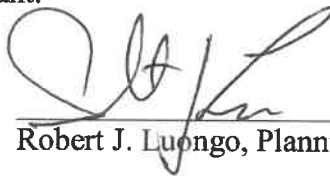
BOARD OF APPEALS

June 9, 2020

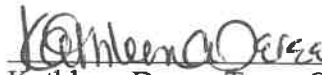
Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to John O'Brien, 1150 Turnpike Street, Stoughton, MA 02072, affecting the rights of the owner with respect to land or buildings at 1093 MAIN STREET also shown on the Weymouth Town Atlas Sheet 49, Block 554, Lots 8, 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 # 3411

Date of Hearing: 05/13/2020