

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
186 MAIN STREET**

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

Owner:	186 Main, LLC	Date:	January 10, 2018
Address:	259 Union Street Braintree, MA 02184		
Applicant:	Henley Enterprises, Inc.	Case #:	3345
Address:	54 Jaconnet Street, #100 Newton, MA 02461		
Representative:	Frank A. Marinelli, Esq. 439 Washington Street Braintree, MA 02184	Site Address:	186 Main Street
		Sheet:	29
		Block:	375
		Lot:	2

Zoning District: B-1; Watershed Protection District; Groundwater Protection District

Board of Zoning Appeals application filed on October 23, 2017.

After a public hearing on November 29, 2017, advertised in the Weymouth News on November 15, and November 22, 2017, the Board of Zoning Appeals at its meeting of November 29, 2017

VOTED TO GRANT THE SPECIAL PERMIT under *Weymouth Zoning Ordinance 120-24*, Special Permit Use in a B-1 District; Article III A, Watershed Protection District; Article III B, Groundwater Protection District, to grant relief for the petitioner to construct a ~2,535 SF Valvoline Instant Oil Change facility on a vacant ~23,283 SF lot.

FINDINGS:

1. The specific site is an appropriate location for such a use. *This is a vacant lot within the B-1 commercial district.*
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *This business will add variety to an area dominated by a large self-storage facility.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *The applicant submitted a traffic study which demonstrated that this use represents a reduction in daily trips from other commercial uses that have been proposed on the site.*
4. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use. *Storm water management on site will be enhanced significantly as part of this project.*
5. That the public convenience and welfare will be substantially served with the proposal. *The proposal will increase the Town's commercial tax base and will create several jobs for local residents.*

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CONDITIONS:

1. No on-site storage of snow is permitted.
2. Applicant shall satisfy remaining engineering concerns enumerated in a memo from Jay Donovan, Senior Engineer, dated November 17th, 2017.
3. The guidance of the Weymouth Health Department as enumerated in a memo from Dan McCormack and dated November 7th, 2017 shall be adhered to.
4. The dumpster shall be enclosed and screened.
5. No trash pick-up is permitted prior to 7:00 AM.
6. The electrical transformer will be screened with landscaping.
7. No overnight storage of vehicles is permitted.

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 January 10, 2018

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

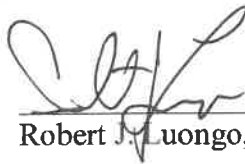
BOARD OF APPEALS

January 10, 2018

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 Henley Enterprises, Inc., 54 Jaconnet Street, #100, Newton, MA 02461, affecting the rights of the owner with respect to land or buildings at 186 Main Street, Weymouth, MA 02188 also shown on the Weymouth Town Atlas Sheet 29, Block 375, Lot 2, 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 # 3345

Date of Hearing: 11/29/2017