

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
90 MAIN STREET (McDonald's)**

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

Owner:	McDonald's USA, LLC	Date:	December 21, 2017
Address:	One McDonald's Plaza Oak Brook, IL 60523		
Applicant:	McDonald's USA, LLC	Case #:	3344
Address:	c/o Bohler Engineering 352 Turnpike Road Southborough, MA 01772		
Representative:	John Kucich – Bohler Engineering 352 Turnpike Road Southborough, MA 01772	Site Address:	90 Main Street
		Sheet:	29
		Block:	329
		Lot:	21 & 22

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2017 DEC 21 PM 3:00

Zoning District: B-1; Watershed Protection District

Board of Zoning Appeals application filed on October 20, 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* 120-25(B), Lot Area Over 40,000 SF, and 120-25(C), Drive-Thru Service, to grant relief for the petitioner to reconfigure the existing drive-thru order stations from two (2) in-line stations to side-by-side drive-thru order stations.

FINDINGS:

1. The specific site is an appropriate location for such a use. *The business has operated a drive thru on the site for years.*
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *This is an existing restaurant within a commercial shopping center.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *Both the Police Department and the Traffic Engineer have reviewed the plans with no comment.*
4. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use. *Additional greenspace will be provided reducing the amount of impervious surface.*
5. That the public convenience and welfare will be substantially served with the proposal. *As part of this project, the applicant will be reconfiguring the handicap parking spaces to ensure continued conformance with ADA regulations.*


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 December 21, 2017

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

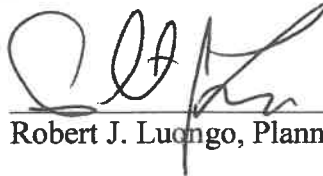
BOARD OF APPEALS

December 21, 2017

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 McDonald's USA LLC, c/o John Kucich, Bohler Engineering, 352 Turnpike Road, Southborough, MA 01772, affecting the rights of the owner with respect to land or buildings at 90 Main Street, Weymouth, MA 02188 also shown on the Weymouth Town Atlas Sheet 29, Block 329, Lot 21 & 22, 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 # 3344

Date of Hearing: 11/29/2017