

***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**

October 5, 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 September 6, 2023 on APPLICATION OF: Best Heavy Hauling, LLC, Case # 3509.

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
40 MOORE ROAD**

2023 SEP 14 PM 3:00

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

Owner:	JM Family Realty	Date:	September 14, 2023
Address:	40 Moore Rd. Weymouth, MA 02189		
Applicant:	Best Heavy Hauling, LLC	Case #:	3509
	Paul Malloy		
Address:	40 Moore Rd. Weymouth, MA 02189		
Representative:	Kevin Mackin	Site Address:	40 Moore Road
	36 Altrura Rd		
	Weymouth, MA 02191	Sheet:	35
		Block:	446
		Lot:	36
Hearing Date:	9/6/2023		
Filing Date:	8/1/2023		
Advertised:	8/23/2023 & 8/30/2023		

Zoning District: 1-1

At a public hearing on 9/6/2023 the Board of Zoning Appeals;

VOTED 3-2 TO WITHDRAW WITH PREJUDICE A SPECIAL PERMIT APPLICATION
under *Section 120-29 (B) (C)* to add motor freight and open lot storage of new building materials for motor freight purposes.

FINDINGS:

The application for a Special Permit was submitted on 8/1/2023. Over the next several weeks, abutters opposed to the application spent considerable time and effort preparing and submitting exhibits and statements supporting their position. The request to withdraw the application came midday on 9/6/23, hours before the scheduled meeting, but did not specify that it was to be without prejudice. The meeting was held as advertised and neither the applicant nor their attorney was present to support the request. Several abutters and their legal representatives were in attendance and prepared to present. Due to these circumstances, a MOTION was made to accept the request to withdraw with prejudice.


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 September 14, 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