

***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**

January 7, 2020

To Whom It May Concern:

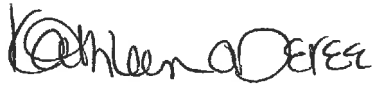
I, Kathleen A. Deree, Town Clerk of the Town of Weymouth do hereby certify this to be the action taken by the Board of Zoning Appeals at their meeting held on December 9, 2020 on APPLICATION OF: EJS Investments, Case # 3424.

No appeal was filed within the twenty (20) day appeal period.

Signed:

_____

A True Copy. ATTEST:



Kathleen A. Deree
Town Clerk

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
122 WASHINGTON STREET**

RECEIVED
TOWN OF WEYMOUTH
PLANNING OFFICE
2020 DEC 18 AM 9:22

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

| | | | |
|------------------------|--|----------------------|-----------------------|
| Owner: | Washington Street Realty Trust | Date: | December 18, 2020 |
| Address: | 122 Washington St. Weymouth, MA 02188 | | |
| Applicant: | EJS Investments | Case #: | 3424 |
| Address: | 8 Shoreside Rd. Quincy, MA 02169 | | |
| Representative: | Barry R Crimmins, Esq. 909 Washington St Stoughton, MA 02072 | Site Address: | 122 WASHINGTON STREET |
| | | Sheet: | 20 |
| | | Block: | 266 |
| | | Lot: | 8 |
| Filing Date: | 10/14/2020 | | |
| Hearing Date: | 10/21/2020 12/09/2020 | | |
| Advertised: | 10/07/2020 & 10/14/2020 | | |

Zoning District: B-2, R-1, Village Center Overlay District

At a public hearing on 12/09/2020 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance Section 120-25.13 VCOD special permit.*

The decision of the Board is based on Site and Engineering Plans prepared by McKenzie Engineering Group with a revision date of 10/28/2020 and architectural plans prepared by Context and dated 10/26/2020. The architectural set includes a Landscaping Plan prepared by MDLA and dated 11/25/2020.

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 project is within the Village Center Overlay District and conforms to the purpose and intent of that District. No variances from the Ordinance were requested.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The final architectural design is in keeping with character of the existing streetscape and compliments other recent projects within the Village Center Overlay.*

3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *Ingress and egress have been reviewed by the Town's Traffic Engineer. The project will be monitored to ensure appropriate mechanisms are in place ensuring pedestrian and automotive safety. The Traffic Engineer's comments are memorialized in a memo from Owen MacDonald, dated 11/16/2020 and included in the conditions of this approval.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *Approval is conditioned on resolution to outstanding comments found in a memo from the Weymouth Engineering Division, dated 12/08/2020.*
5. That the public convenience and welfare will be substantially served with the proposal. *The project will add needed residential units to the village center and will be for-sale condominiums.*

CONDITIONS:

1. The applicant has agreed to provide \$25,000 to the Town of Weymouth for traffic and safety improvements in the area.
2. The applicant has agreed to replace the retaining wall along the shared property line with 100 Washington Street. A modular block wall is recommended with review of the Weymouth Building Department.
3. As per architectural plans prepared by *Context* and dated 10/26/2020, siding material will be of a Hardie Board or equal cement fiber board product and brick.
4. Suitable landscaping or "living wall" will be installed on the northwest façade to soften the view approaching from Weymouth Landing.
5. Two (2) streetlight poles shall be installed along the Washington Street frontage. Poles will be of the type used throughout the Landing. Specifications to be provided by the Town.
6. Comments of memo dated 11/16/2020 from Owen MacDonald, Traffic Engineer will be addressed to the satisfaction of the Director of Planning and Community Development.
7. Comments of memo dated 12/08/2020 from Chip Fontaine and Jay Donovan of the Weymouth Engineering Division will be addressed to their satisfaction prior to the issuance of Building Permits.
8. The applicant agrees that all units are to be sold as condominiums.
9. Warning system for cars entering and exiting the building will be installed to the satisfaction of the Weymouth Traffic Engineer.
10. Trash pickup will be limited to the hours of 7:30 AM and 8:00 PM. No pickup on Sundays.
11. A snow removal plan will be submitted to the Weymouth Building Department prior to the issuance of a Certificate of Occupancy.
12. The use of tempered glass is preferred on the upper floor balconies. Vertical metal balusters are an acceptable alternative. Pressure treated wood will not be accepted.
13. Satellite dishes will not be permitted on the exterior of the building.

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 18, 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.

A handwritten signature in black ink, appearing to read 'R. Luongo', is written over a horizontal line.

Robert J. Luongo, Director of Planning and Community Development

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

December 18, 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 EJS Investments, 88 Shoreside Rd., Quincy, MA 02169, affecting the rights of the owner with respect to land or buildings at 122 WASHINGTON STREET also shown on the Weymouth Town Atlas Sheet 20, Block 266, 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 # 3424

Date of Hearing: 12/09/2020