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**TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION**

TO BE COMPLETED BY STAFF

Case Number: # 3329

Town Clerk Stamp

Submittal Accepted: E.S. Date 3/16
Signature of Planning Dept. Staff for minimal requirements

Determined to be complete and may now be filed with Town Clerk: _____
Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 143-145 & 165 Washington St

Assessor's Map Sheet, Block, & Lot: 20-~~279~~35, 39 & 40

Zoning District: B-2 276 Overlay District: Village Center

OWNER OF RECORD (S) (print & sign): RMLE Realty LLC
(The owner of record is the person or entity who owns title to the property as of today's date)

Address of owner of record: 143 Washington Street, Weymouth, MA 02188

Norfolk County Registry of Deeds Book and Page No. 29585/21, 28904/306 &

Or registered in Land Registration Office under Certificate No. #182580

NAME OF APPLICANT (S) (print & sign): RMLE Realty LLC

Applicant's Address: 143 Washington Street, Weymouth, 02188

Contact Information: Email metri@vipcoach.com Phone 781-953-0595

Check if you are an: owner(s) ☒ lessee(s) ☐ optionee (s) ☐

NAME & AFFILIATION OF REPRESENTATIVE: _____

Address: Raymond D. Jennings III

Contact Information: Email rayjennings@jenningsfishman.com Phone 781-337-4221 x 203

NAME OF ENGINEER AND / OR ARCHITECT: Walter A. McKinnon & Associates

Prior to submitting your application you must review this entire package and the Board Rules and Regulations outlining the Board's policies and procedures. Your signature signifies that you have read the required material and you will be expected to adhere to them.

I (we) hereby certify that I (we) have read the Board of Zoning Appeals Rules and Regulations and that the statements within my (our) application are true and accurate to the best of my (our) knowledge.

Raymond D. Jennings III 3/16/17
Applicant / Petitioner - Date (sign & print)

NATURE OF REQUEST

Application is for: ☒ Special Permit ☒ Variance Other: _____

Applicable Section of Zoning Ordinance (specify Section (s) of the Zoning Ordinance from which relief is sought):

120-20.3 Special Permit

120-25.5 Height and lot coverage, Variance

120-25. 7 and 120-25.9 parking, Special Permit

The above relief and Ordinance sections will be further reviewed after a complete package is submitted. This may be amended by the Planning or Building staff during the application review process after having the benefit of plan to accurately advertise the application before the Board.

PETITIONER'S DESCRIPTION AND NARRATIVE:

To be completed by all Board of Appeals Applicants. Attach additional sheets as necessary.

1. Describe what is presently located on the property (use as much detail as possible including all uses and square footage of each use):

Phase 1 is located at 143-145 Washington St and consists of a two story wooden frame building (1791) sf and adjacent parking lot formerly a taxi & livery service.

Phase 2 is located at 165 Wahsington Street and consists of a two story, vacant single family home.

2. The applicant seeks to (describe what you want to do on the property in as much detail as possible):

Phase 1 The applicant seeks to construct a new 4 story mixed use building which consists of aprox _____ sq ft, with retail space on the street level, two levels of structured parking and 42 residential, 1 bedroom apartments. Egress from Washington Street and the adjacent and Weston Street to be developed.

Phase 2 will is located at 165 Washington Street and consists of a 4 story mixed use building with approx 45,000 sq ft, of retail space on street level and structured parking. Egress to be from Washington Street and a newly extended right of way extending from the adjacent Weston Park

3. Such a use is permitted by the Town of Weymouth Zoning Ordinance under Article (insert Article, Section of the Zoning Ordinance which permits the proposed use of the property).

Mixed use commercial with residential above is permitted as a matter of right in the Village Center overlay District subject to 120-25.3 and site design criteria of 120-25.4

4. Are you aware if this property has been previously granted approvals from any Town Board or Commission? If so, please list (provide dates of previous approvals, book and page numbers or any recorded decisions and copies of past decisions).

No.

5. Any other additional information as relevant to the Variance or Special Permit:

There is significant additional parking available in close proximity (within 200ft) and available on-street parking

ZONING COMPUTATION WORKSHEET

(To be attached with all Board of Zoning Appeals Applications)

The Zoning Computation Worksheet must be completed by the Applicant / Petitioner. All information should be measured and calculated in accordance with the Weymouth Zoning Ordinance (Section 120-51 Table 1 "Schedule District Regulations" and other applicable sections of the Zoning Ordinance). The information should be based on engineer/surveyor/architectural prepared plans and or calculations. Further guidance can also be provided by the Board's step-by-step application instructions and by contacting the Planning or Building Department while completing this section.

Data	Required	Existing	Proposed
Use		Fmr Commercial	B-2, VC
Lot Area / Size (Sq. Ft.)	5000	17,515 sf	17,515 sf
Dwelling Units	0	None	42
Frontage (ft.)	40	85'	85'
Lot Width (ft.)	50	96' mid lot	96' mid lot
Front Yard Setback (ft.)	See § 120.25	See § 120.25	0
Front Yard Setback (ft.) — corner lots	See § 120.25	See § 120.25	N/A
Side Yard Setback (ft.)	See § 120.25	See § 120.25	0
Side Yard Setback (ft.)	See § 120.25	See § 120.25	0
Rear Yard Setback (ft.)	See § 120.25	See § 120.25	varies
Height (ft.) & # of Stories	4 stories 50 feet	2	5 stories 63 feet
Lot Coverage	80%	35%	94%
Off-Street Parking Spaces	70	10+	63
Off-Street Loading Spaces	N/A	0	0
Parking Setback	N/A	0	N/A
Accessory Structure Setback	N/A	N/A	N/A
Landscaping	See § 120.25.10	0	6700 sf deck and roof
Floor Area Ratio	N/A	N/A	N/A
Signage	See § 120.11	See § 120.11	conforming to § 120.11
Other:			

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Data	Required	Existing	Proposed
Use		3 Family	B2, VC
Lot Area / Size (Sq. Ft.)	5000	11,392	11,392
Dwelling Units	0	3	12
Frontage (ft.)	40	99.9	99.9
Lot Width (ft.)	50		
Front Yard Setback (ft.)	See § 120.25	See § 120.25	0
Front Yard Setback (ft.) – corner lots	See § 120.25	See § 120.25	N/A
Side Yard Setback (ft.)	See § 120.25	See § 120.25	0
Side Yard Setback (ft.)	See § 120.25	See § 120.25	0
Rear Yard Setback (ft.)	See § 120.25	See § 120.25	
Height (ft.) & # of Stories	4 stories 50 feet	2	4 stories 46.5 feet
Lot Coverage	80%	approx 35%	89%
Off-Street Parking Spaces	35	12+	27
Off-Street Loading Spaces	N/A	0	0
Parking Setback	N/A	0	N/A
Accessory Structure Setback	N/A	N/A	N/A
Landscaping	See § 120.25.10	0	patio & roof 5900 ft
Floor Area Ratio	N/A	N/A	N/A
Signage	See § 120.11	0	conforming to 120.11
Other:			

SPECIAL PERMIT APPLICATION

To be completed for Special Permit Applications only.

SPECIAL PERMIT FINDINGS OF FACT

In the spaces below explain how the adverse effects of the proposal will not outweigh its beneficial impacts to the Town with respect to each of the following considerations per Article XXV, Section 120-122 of the Zoning Ordinance. The Special Permit Granting Authority may approve any such application for a special permit **only** if it finds that, in its judgment, all of the following conditions are met. (Attach additional supporting documentation as necessary).

1. Is the specific site an appropriate location for such a use? Please explain.

Yes. The property is located in the Village Center Overlay District and designed in accordance with the District design and zoning criteria. The property is located in close proximity to the commuter rail, available businesses and services in the Landing Village

2. Will the proposed use / structure be detrimental or adversely affect the character of the neighborhood or town? Please explain.

No. The project is consistent with the Village Center Overlay District design criteria and the Weymouth Master Plan. The project is designed in concert with the proposed improvements to the park to both encompass the intended purpose of the implementation of the Village Overlay District, and to seamlessly blend with Weston Park to improve the overall character of the neighborhood.

3. Is there potential for nuisance or serious hazard to vehicles or pedestrians? Please explain.

The proposal will not cause any hazard to vehicles or pedestrians and will provide controlled on site parking and improved pedestrian access to Weston Park

4. Will adequate and appropriate facilities, utilities and other public services be provided for the proper operation of the proposed use? Please explain.

Yes, the plan includes upgrades to utilities and other public services including signalling at the intersection of Broad & Washington Streets and improvement lighted pedestrian entrances to Weston Park.

5. Will the public convenience and welfare be substantially serviced with this proposal? Please explain.

Yes. The proposal calls for the development of two new mixed use buildings which will include publicly accessible patio areas and retail space immediately adjacent and accessible from Weston Park. The proposal also provides for the development and improvement of public access easements and publicly accessible enclosed parking.

SUPPLEMENTARY QUESTIONS - SECTION 120-40 SPECIAL PERMITS

Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure or Use

(Article XIII "Nonconforming Uses" Section 120-40 "Extension or Change")

To be completed by Applicants applying for a Special Permit under Section 120-40 Only.

EXTENSION OR CHANGE FINDINGS OF FACT:

Any lawful structure or use in existences at the time the Zoning Ordinance was adopted or amended may be extended or altered, provided that no such extension or alteration shall be permitted unless there is a finding by the Board of Zoning Appeals that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use or structure to the neighborhood.

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities):

N/A

2. Indicate how long the nonconforming aspects of the structure have been in existence:

N/A

3. At the time the nonconformity was created (the structure or use initiated) was it compliant with the current zoning requirements? Past zoning ordinances are available for research at the Town Clerk's office and Planning Department. Past zoning maps are available at the Planning Department.

N/A

4. Explain how the extension, alteration, or change itself complies with the current Zoning Ordinance requirements:

N/A

5. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed:

N/A

6. Explain how the use or structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:

N/A

VARIANCE APPLICATION

To be completed for Variance applications only.

VARIANCE FINDINGS OF FACT:

Criteria for approval. The Board may approve any such application for a Variance *only* if it finds that, in its judgment, all of the following conditions are met.

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

1. Describe how a literal enforcement of the provision of the Town of Weymouth Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner.

A literal enforcement of both the Village Overlay District design criteria, and the Zoning Code requirements, present a substantial hardship in designing a building which meets the mixed-use purpose of the VC District while also meeting the parking requirements, lot coverage and building height restrictions.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

Both properties are uniquely situated along Washington Street and abutting Weston Park in the rear and slope toward the rear of the lots, in general. The properties present a hardship in shape and topography to provide on-site parking for residences and proposed retail space, while simultaneously providing publicly accessible spaces, as well as access easements to Weston Park, and also meeting the lot coverage and height requirements.

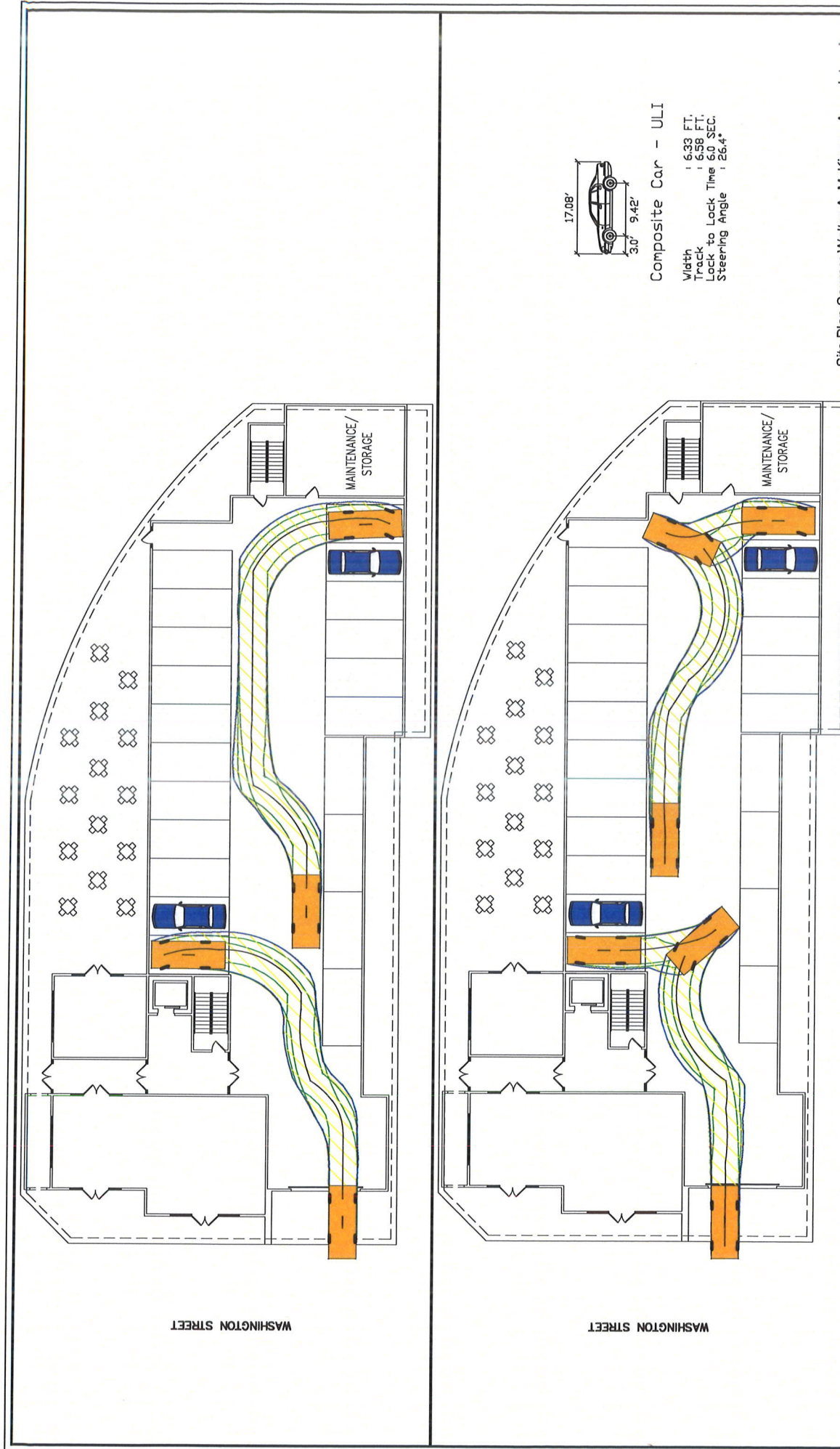
3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance.

The proposal complies with the intent of the Village Overlay District for mixed-use residential and retail space, while meeting the design requirements and complying as closely as possible the zoning requirements relating to height, lot coverage, landscaping and parking requirements, while improving the public convenience with improved access to Weston Park and other amenities in the Village District.

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship.

N/A

NOTE THAT THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMENTS SET FORTH IN CHAPTER 40A SECTION 10 OF THE GENERAL LAWS AND IN ARTICLE XXIV SECTION 120-119 OF THE WEYMOUTH ZONING ORDINANCE ARE SATISFIED. EACH OF THE ABOVE FINDINGS MUST BE ANSWERED IN DETAIL. ATTACH ADDITIONAL SHEETS IF NECESSARY.



Site Plan Source: Walker A. McKinnon Associates, Inc.

Exhibit 1 **Autoturn Analysis** **Passenger Car**


Proposed Development
 Weymouth, Massachusetts

MDM TRANSPORTATION CONSULTANTS, INC.
 Planners & Engineers
 28 Lord Road, Suite 280
 Marlborough, MA 01752

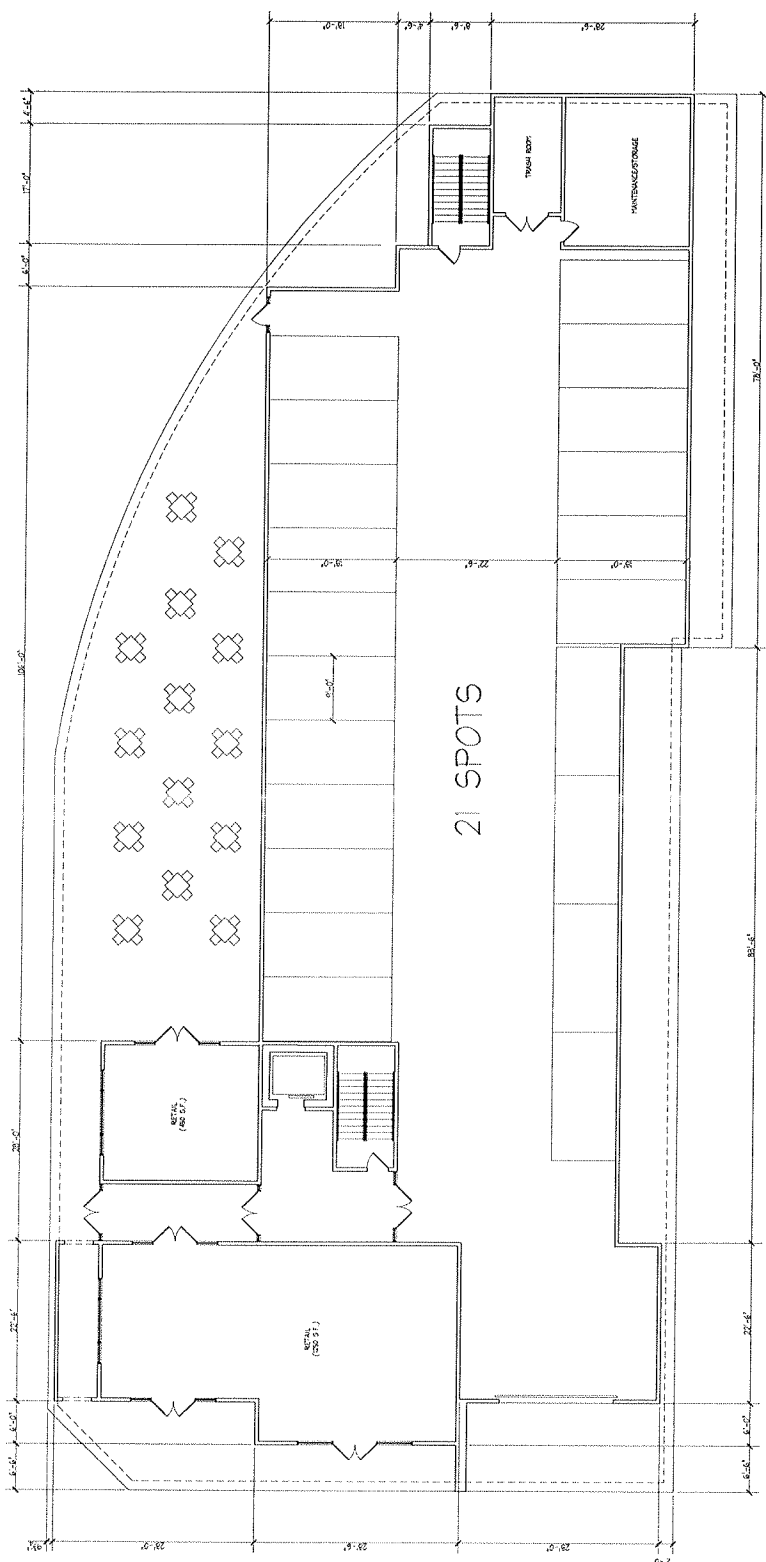
Scale: As Noted
 DWG No. 927 Autoturn.dwg
 Date: April 2017
 Project No. 927

[illegible]

PROPOSED
STREET LEVEL FLOOR PLAN
NEW 42 UNIT MIXED USE BLDG
145 WASHINGTON ST.
WETMOUTH, MA



WM
Walter A. McKinnon Associates, Inc.
Crossing Frontiers
276 Washington Street
Weymouth, Massachusetts 01978
Phone (781) 331-5598 • Email mckinnon@wm.com



PROPOSED
STREET LEVEL FLOOR PLAN
SCALE: 1/8"=1'-0"