

***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 4, 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 July 12, 2023 on APPLICATION OF: Raymond Jennings, Case # 3497.

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
550-560 WASHINGTON STREET**

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2023 SEP 13 PM 3:44

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

Owner:	Union Realty Trust	Date:	September 13, 2023
Address:	550 Washington St. Weymouth, MA 02188		
Applicant:	Raymond D. Jennings, III	Case #:	3497
Address:	550 Washington St. Weymouth, MA 02188		
Representative:		Site Address:	550-560 Washington Street
		Sheet:	29
		Block:	330
		Lot:	3
Hearing Date:	3/8/23 4/5/23 6/14/23 7/12/2023		
Filing Date:	2/2/2023		
Advertised:	5/3/2023 & 5/10/2023		

Zoning District: B-1, CCOD Low Density

At a public hearing on 7/12/2023 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Section 120-25.15B Commercial Corridor Overlay District special permit* to demolish existing structures and build a new structure containing 28 proposed residential units to be combined into a single four-story building. Petitioner seeks to demolish existing structures and build a new structure containing 28 residential units with a 3,000 sf restaurant on the ground level. Approval is per a site plan set titled *Site Development Plan 550-560 Washington Street* prepared by McKenzie Engineering Group with a revision date 7/3/2023 and an architectural plan set titled *New Mixed Use Project 550-560 Washington St.* prepared by Walter McKinnon Associates team and dated 7/10/23. The Board's decision permits a new structure containing 28 residential units with a 3,000 sf restaurant.

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 property is within the Commercial Corridor Overlay and is on a busy state road. It is the current site of the restaurant that will be reconstructed on the property. Denser multi-family develops about this location.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *This section of Route 53 has developed with a mix of multi-family residential and commercial uses. Both the proposed restaurant and the modest multi-family component are in keeping with the surrounding area.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *The new proposal will provide for more parking than is available for the current restaurant use. Parking for all residential units has been provided on-site. The WFD has reviewed the proposal for emergency access.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *The project will require full review and approval from Weymouth Engineering and DPW Divisions.*
5. That the public convenience and welfare will be substantially served with the proposal. *The proposal will see the reconstruction of an aging but popular restaurant with more amenities and additional parking. The residential units are much needed and 10% are committed as affordable.*

CONDITIONS:

- Lighting specifications will be submitted to Planning Department
- Proper screening for roof utilities will be made to the satisfaction of the town
- Outstanding DPW comments on the memo dated 6/14/2023 will be adequately addressed
- Each residential and the commercial unit will be individually metered for water
- Application will be subject to approval by the Conservation Commission
- 10% of the units (3 of the 28) will be affordable
- Per CCOD - Complete Streets & Green Community requirements, charging stations for electric, hybrid, or similar types of vehicles and bicycle racks shall be installed

VOTED UNANIMOUSLY TO GRANT A VARIANCE under *Weymouth Zoning Ordinance Sections 120-25.17(A) (1) (height)* to demolish existing structures and build a new structure containing 28 proposed residential units to be combined into a single four-story building. Petitioner seeks to demolish existing structures and build a new structure containing 28 residential units with a 3,000 sf restaurant on the ground level. Approval is per a site plan set titled *Site Development Plan 550-560 Washington Street* prepared by McKenzie Engineering Group with a revision date 7/3/2023 and an architectural plan set titled *New Mixed Use Project 550-560 Washington St.* prepared by Walter McKinnon Associates team and dated 7/10/23. The Board's decision permits a new structure containing 28 residential units with a 3,000 sf restaurant.

VARIANCE FINDINGS:

The applicant was able to demonstrate the ability to comply with the three-story height limitation and still net the same number of units. The property is long and deep with wetlands and a small riverway abutting in the back. Due to these restrictions, both the Weymouth Fire Department and the Weymouth Conservation Commission preferred the four-story alternative. The Board felt that an adequate hardship case had been demonstrated and that they could approve the variance request

without derogating from the intent of the ordinance. The site does not abut residential neighborhoods and the additional story does not negatively impact the neighborhood.

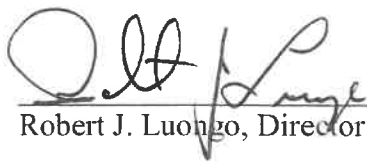
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

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 13, 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.

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

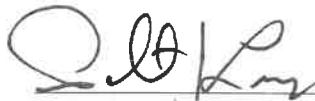
BOARD OF APPEALS

September 13, 2023

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 Raymond D. Jennings, III, 550 Washington St., Weymouth, MA 02188, affecting the rights of the owner with respect to land or buildings at 550-560 Washington Street also shown on the Weymouth Town Atlas Sheet 29, Block 330, Lot 3, 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 # 3497

Date of Hearing: 7/12/2023