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2021 APR -1 PM 3:08

TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION

TO BE COMPLETED BY STAFF

Case Number: # 3444

Submittal Accepted: [Signature]

Signature of Planning Dept. Staff for minimal requirements

Date 4/1/21

Town Clerk Stamp

Determined to be complete and may now be filed with Town Clerk: [Signature]

Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 665 Washington Street

Assessor's Map Sheet, Block, & Lot: 29-375-7

Zoning District: B-1 Overlay District: CCOD

OWNER OF RECORD (S) (print & sign): 665 Washington Street Realty Trust

(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: 665 Washington Street

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. 199752

NAME OF APPLICANT (S) (print & sign): Brendan Burke

Applicant's Address: 665 Pleasant Street

Contact Information: Email RestorationConstruction@hotmail.com Phone _____

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

NAME & AFFILIATION OF REPRESENTATIVE: Raymond D. Jennings, III

Address: 775 Pleasant Street, Suite 7, Weymouth, MA 02189

Contact Information: Email rayjennings@jenningsfishman.com Phone 781-718-8449

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.

[Signature]
Applicant / Petitioner - Date (sign & print)

4/1/2021

NATURE OF REQUEST

Application is for: X Special Permit Variance Other:

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

Chapter 120-40 Non-conforming use. Extension or change by 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):

This is a 0.37 Acre lot containing a 2,832 sq. foot, two story, residential duplex with two commercial garages abutting the former Boston Motel

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

The applicant proposes to demolish the existing structures and construct a new three story building with one 650 square foot commercial unit on the first floor and eight new residential units

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).

Article XIII Section 120-40 Nonconforming Uses. Extension by Special Permit.

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).

Commercial Garages were built circa in 1987.

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

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			
Lot Area / Size (Sq. Ft.)	N/A	16,169 SF	16,169 SF
Dwelling Units	N/A	2	8
Frontage (ft.)		131	131
Lot Width (ft.)		129+/-	129+/-
Front Yard Setback (ft.)	10'	28'+/-	26'+/-
Front Yard Setback (ft.) – corner lots	N/A	N/A	N/A
Side Yard Setback (ft.)		0	10'
Side Yard Setback (ft.)			
Rear Yard Setback (ft.)		9'	9'
Height (ft.) & # of Stories		2	3
Lot Coverage			
Off-Street Parking Spaces		15 +/-	20
Off-Street Loading Spaces			
Parking Setback			
Accessory Structure Setback			
Landscaping			
Floor Area Ratio			
Signage			
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 parcel is B-1 zoned and lies within the Commercial Corridor Overlay District, the lot does not meet the minimum lot size requirement for development under CCOD

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

No. The proposal will be an improvement over the existing use as a two family with two commercial garages.

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

No. The proposal provides for safe pedestrian and vehicle travel.

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

Yes. Adequate facilities utilities and and public services will be provided.

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

Yes. The proposal will remove two commercial garages and provide for a new modern mixed-use dwelling with eight residential units and one retail/commercial unit.

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):

The current use is a two family dwelling with two large commercial garages

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

The house was built in 1927. The commercial garages were added by special permit in the 1980's

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.

The residential use pre-dates zoning laws

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

The parcel lies within the CCOD abutting the former Boston Motel property which is being redeveloped. The lot is under 30,000 sq. feet required for redevelopment under CCOD. This proposal would significant reduce the commercial use and provide modern residential housing

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

The lot is substantially paved without defined parking spaces and can accommodate parking for 15+- commercial and non commercial vehicles. The proposal includes a defined parking area for 20 non-commercial spaces

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:

The extended use will reduce the commercial use of the property which abuts residential uses and the former Boston Motel (which is being redeveloped for residential use) and provide attractive, modern, residential housing.

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.

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.

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.

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.

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.



Town of Weymouth Property Card

Property Location: 665 WASHINGTON ST

Parcel ID: 29-375-7

Current Owner:

665 WASHINGTON ST REALTY TRUST
BURKE BRENDAN M & JULIE E TRS
665 WASHINGTON ST
WEYMOUTH, MA 02188

Current Assessments (All Land and Buildings)

Buildings	\$363,600
Other	\$75,400
Land	\$141,500
TOTAL	\$580,500

Land Line Valuation

Size	0.37 acres
Zone	
Assessed Value	\$580,500

Parcel Record of Ownership

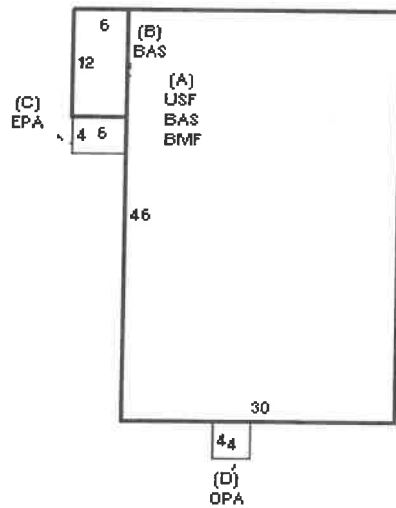
Grantor	Grantee	Date	Type	Price	Book/Page (Cert)
BURKE BRENDAN	665 WASHINGTON ST REALTY TRUST	2/1/2019	F	\$0	(199752)
PAGLIARO VICTOR J & LORRAINE E	BURKE BRENDAN	3/27/2017	U	\$416,000	(195346)
PAGNOTTA GINA M	PAGLIARO VICTOR J & LORRAINE E	3/4/2003	F	\$0	(164336)
PAGNOTTA GINA M	PAGNOTTA GINA M	4/3/1997	L	\$147,000	745/186
	PAGNOTTA GINA M	4/3/1997	L	\$147,000	745/186
	BUCKLEY STEVEN J	5/30/1995	QS	\$197,000	724/109
	PAGLIARO VICTOR J	10/30/1985	QS	\$135,000	625/155

Primary Building Information

For additional building information, please review the building tab of the map viewer.

State Classification Code	TWO FAMILY DWG	Finished Basement	Yes
Building Square Footage	2,832	Attached Garage	No
Year Built	1923	Detached Garage	Yes
Dwelling Style	CONVENTIONAL	Number of Bedrooms	4
Exterior Walls		Number of Full Bathrooms	5
Foundation Type	CONT BSMT WALL	Number of Half Bathrooms	0
Deck Area	0 SF	Heating/Cooling Type	HW/COOL AIR
Porch Area	40 SF	Number of Fireplaces	0
Basement Area	1380 SF		

Building 1



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