

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

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2021 JUN 15 11:10:46

TO BE COMPLETED BY STAFF

Case Number: 3434

Submittal Accepted: [Signature] Date 1/15/21
Signature of Planning Dept. Staff for minimal requirements

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: 655 Washington Street

Assessor's Map Sheet, Block, & Lot: 29-329-9

Zoning District: Limited Business District B-1 Overlay District: Commercial Corridor (CCOD)

OWNER OF RECORD (S) (print&sign): Dipika, Inc.
(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: 655 Washington Street, Weymouth, MA 02188

Norfolk County Registry of Deeds Book and Page No. 12661/61

Or registered in Land Registration Office under Certificate No. 152542

NAME OF APPLICANT (S) (print&sign): Trinity Green Development, LLC

Applicant's Address: 180 Canton Avenue, Milton, MA 02186

Contact Information: Email tgbroderick@aol.com Phone (617) 281-1833

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

NAME & AFFILIATION OF REPRESENTATIVE: Jeffery A. Tocchio, Esq.

Address: Drohan Tocchio & Morgan, PC, 175 Derby Street, Hingham, MA 02043

Contact Information: Email jtocchio@dtm-law.com Phone (781) 749-7200

NAME OF ENGINEER AND / OR ARCHITECT: McKenzie Engineering Group / Choo & Company, Inc.

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] 1-14-21
Applicant / Petitioner - Date (sign & print) Jeffery A. Tocchio
Counsel to Trinity Green Development, LLC

NATURE OF REQUEST

Application is for: X Special Permit Variance Amendment Other:

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

The applicant is seeking a Special Permit under Section 120-25.15B (1) of the Zoning Ordinance for a mixed-use proposal consisting of both a residential and nonresidential use with a portion of the ground floor of the building reserved for use as retail/commercial, and such other relief as may be applicable.

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):

The Boston Motel is presently located at the property. The property is 3.7± acres, and is improved with a 21,265± s.f., two-story building constructed in 1950. The property was previously improved with three (3) additional buildings, which were demolished to preserve health and safety. Expansive parking areas render almost the entirety of the property impervious.

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

The applicant seeks to (i) demolish the remaining building at the site, and (2) construct a 4-story, mixed-use building containing 160 dwelling units, consisting of 117 one-bedroom and 43 two-bedroom units, and 4,000± s.f. of commercial/retail space on the ground floor. The proposed parking for the site is a mix of ground floor garage parking (166 spaces) and exterior surface parking spaces (96 spaces), for a total of 262± parking spaces. New utility services will be installed. Drainage improvements proposed include subsurface chambers, piping and deep sump basins.

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 VIIB Commercial Corridor Overlay District, Section 120-25.15 B(1) of the Zoning Ordinance.

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).

Research of Registry and Land Court records indicates an Order of Conditions was issued on June 18, 1975, to Boston Motel, Inc., registered with the Land Court as Document No. 351398-1.

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		Motel	Mixed-Use (Res/Ret)
Lot Area / Size (Sq. Ft.)	30,000 s.f.	162,479± s.f.	162,479± s.f.
Dwelling Units	N/A	None	160 Units
Frontage (ft.)	None	214± ft.	214± ft.
Lot Width (ft.)	100 ft.	226± ft.	259± ft.
Front Yard Setback (ft.)	Max: 70 ft. (average) Min: 25 ft.	19± ft.	70 ft.
Front Yard Setback (ft.) – corner lots	N/A	N/A	N/A
Side Yard Setback (ft.)	10 ft. (min.) 20 ft. ("no build" buffer)	9± ft.	73± ft. (South)
Side Yard Setback (ft.)	10 ft. (min.)	71± ft.	10± ft. (North)
Rear Yard Setback (ft.)	15 ft. (min.)	7± ft.	29± ft.
Height (ft.) & # of Stories	45 ft./3 stories (min.) 70 ft./5 stories (max.)	2 stories	48 ft. / 4 stories
Lot Coverage	15% (min. open space) 60% (max. building) 75% (max. impervious)	>15% (open space) 16% (building) 66% (impervious)	>15% (open space) 47% (building) 75% (impervious)
Off-Street Parking Spaces	231 (min.) / 282 (max.)	93 spaces	262 spaces
Off-Street Loading Spaces			
Parking Setback	5 ft. along frontage 20 ft. buffer (South side)	5 ft. along frontage 9± ft. / No buffer (South side)	5 ft. along frontage 20 ft. buffer (South side)
Accessory Structure Setback	N/A		
Landscaping	15% (min. open space)	15.9%	>15%
Floor Area Ratio	1.00 (max.)	-	0.98
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.

The property is located on the Washington Street Corridor and is presently operated as a motel located in close proximity to the abutting residential uses located southerly of the property. The proposed project is in keeping with the intent of the Commercial Corridor Overlay District by redeveloping the existing blighted property with a mix of residential and retail uses within a 4-story building that greatly increases the setback distance from the abutting residential neighbors. The 4-story height – where 5 stories are allowed – and density are appropriate. A public transportation line is located directly adjacent to the property.

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

Both the residential and commercial/retail uses are appropriate for the Washington Street Corridor and compatible with the character of the surrounding area. The redevelopment of the blighted Boston Motel use/site to a state-of-the-art structure, which incorporates many of the design and architectural recommendations expressed throughout the CCOD, provides a mix of residential and retail/commercial that is compatible with and beneficial to the neighborhood and Town. Appropriate screening/buffering is provided to abutting residential uses. Additionally, the majority of onsite parking is provided within the ground floor of the building and shielded from view.

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

No. The project site has frontage along Washington Street (Route 53). The project site has been designed in accordance with applicable standards for vehicular and pedestrian access and circulation. A comprehensive traffic study accompanies the proposal, and will be reviewed by the Town's Traffic Engineer. MassDOT District 6 will review on behalf of the Commonwealth.

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

Domestic water, fire protection, sewer, gas, electric, and telecommunications services are all available to the site, and new services will be installed to serve the proposed building. Electric vehicle charging stations will be installed on site as well as adequate bike racks as required in Section 120-25.21 of the Commercial Corridor Overlay District. A swimming pool, within the interior building courtyard, will also be constructed as a site amenity. Upgraded stormwater measures have been provided that will significantly improve what currently exists onsite and will serve to better protect the adjacent areas and resources. Appropriate screening/buffering is provided to abutting residential uses.

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

The public convenience and welfare will be substantially served by the proposed project as it will redevelop the blighted Boston Motel use/site into a modern mixed-use of residential and commercial/retail – thereby enhancing the streetscape and significantly improving over the current onsite activities. The proposed retail/commercial use is intended to serve residents of the area and promote economic growth. The proposed building will be state-of-the-art, and the proposed site improvements will better protect the adjacent areas and resources.

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):

Not applicable.

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

Not applicable.

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.

Not applicable.

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

Not applicable.

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

Not applicable.

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:

Not applicable.

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.

Not applicable.

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.

Not applicable.

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.

Not applicable.

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.

Not applicable.

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.