

BOARD OF ZONING APPEALS (BZA)
RECORD OF MINUTES AND PROCEEDINGS

Wednesday, September 6, 2017

Mr. Johnson stated that the approximately 8500 SF of the area that was proposed to be fenced will instead be replaced with conservation seeding and planting. This will preclude outdoor storage of vehicles. It will also help with storm water control.

Mr. McLeod asked if there will be sprinklers for the property as it is a sunny corner. Mr. Johnson stated that they would be installed.

Mr. McLeod asked if there could be shade trees at the Washington Street and Pleasant Street corner. Mr. Johnson stated that this could be done.

Mr. Schneider asked what the units with the garage doors would be used for. He noted that there is concern that these units will create excessive traffic.

Mike Ferigno, local district manager for Extra Space stated that they have this type of unit is available at their location at 634 Plain Street in Marshfield. He added that the outdoor units are convenient. He noted that only three (3) of thirty units that are rented by commercial tenants.

The office is open 9:30am-6:00pm Monday through Friday and 9:00am-5:30pm. The office is closed on Sunday. Tenant access is allowed between 6am-10pm.

Mr. McLeod commented that the Quincy location does not have a large wasabi green panel as is proposed here.

Mr. Johnson stated that the color scheme is part of marketing and branding.

Mr. Moriarty stated that the wasabi green doors are not attractive.

Mr. McLeod stated that the green panel is not universal to all stores so he is not convinced that it is necessary.

Mr. Luongo stated that irrigation for landscaping should be included to maintain what is installed.

He noted that the corner of Pleasant and Washington Street is a Prominent location. He asked the applicant if they could break up the color of the wasabi green panel while keeping the garage doors.

He added that the landscaping should not obstruct vehicle sight lines.

Mr. Luongo reiterated that there will be no outdoor storage.

Mr. Luongo stated that the signage still needs to be worked out. Mr. Johnson stated that they will remove the pylon sign. Three (3) signs are proposed.

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Mr. Luongo suggested channel signs.

Mr. McLeod stated that the matter cannot be voted on this evening as there are only four (4) members present. The fifth member will watch the proceedings.

Mr. McLeod asked if there was anyone present who would like to speak. There was no response.

Mr. Moriarty made a motion to continue the public hearing and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

New Business:

Case #3339 - The petitioner, Sara Thurber, for property located at **65 Mathewson Drive**, also shown on the Weymouth Town Atlas sheet 34, block 444, lot 29, located in an I-1 Zoning District. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit: 120-29(E) Place of recreation or assembly

Presently located on the lot is a ~65,250 SF industrial building. The petitioner seeks to open a dance studio, with less than forty (40) students, in ~3,750 SF of space in a portion of the building known as Unit H.

Mr. Moriarty made a motion to open the public hearing on Case #3339 and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Mr. Moriarty made a motion to waive the reading of the public notice and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Sara Thurber stated that she is looking to move her dance studio from 1690 Main Street to Mathewson Drive.

Mr. McLeod asked about the number of parking spaces needed.

Ms. Thurber stated that she has 10 students per class. There is parking in the lot as well as additional parking in an overflow lot. She pointed out that classes begin after 5pm when the other businesses are closed.

Mr. Schneider stated that his office has been working with the applicant for the past six (6) weeks. She had an established business on Main Street; however, a methadone clinic moved in next door to the studio. This clinic shares an entrance with the dance studio.

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He added that the move from this location was prompted by her client base. He further added that he has letters supporting the applicant's request.

Mr. McLeod asked if there was anyone present who would like to speak. There was no response.

Mr. Moriarty made a motion to close the public hearing and was seconded by Mr. Denizkurt. **UNANIMOUSLY VOTED.**

Mr. Denizkurt made a motion to **APPROVE** the request for a **SPECIAL PERMIT** for Case #3339.

SPECIAL PERMIT

1. The specific site is an appropriate location for such a use.
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
4. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use.
5. That the public convenience and welfare will be substantially served with the proposal.

The motion was seconded by Mr. Moriarty. **UNANIMOUSLY VOTED.**

Case #3340 - The petitioner, Ryder Properties LLC, for property located at **1187 Commercial Street**, also shown on the Weymouth Town Atlas sheet 19, block 249, lot 34, located in the POS Zoning District. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Special Permit:	120-37.1 B (1) Reuse of quasi-public property for multiple residences
	120-40 Extension or change to a non-conforming structure (front setback)

Presently located on the lot is a former private school converted to ten (10) residential dwellings, allowed by Special Permit (Case #3237) in 2014; at that time the lower level was occupied by the Weymouth Food Pantry. The Food Pantry has vacated the space and the petitioner seeks to add two 1-bedroom dwelling units in the lower level, totaling ~1650 SF of additional living space.

Mr. Moriarty made a motion to open the public hearing on Case #3340 and was seconded by Mr. Denizkurt. **UNANIMOUSLY VOTED.**

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Mr. Moriarty made a motion to waive the reading of the public notice and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Mr. Galvin, attorney for the applicant, appeared before the board on behalf of Ryder Properties LLC. Mr. Ryder was also present.

Mr. Galvin stated that the applicant was before the board three (3) years ago. At that time, the applicant agreed to reduce the number of units from twelve (12) to ten (10) because the Weymouth Food Pantry was in the basement. The pantry has since moved out, sooner than expected.

The applicant is requesting to convert the basement space into two (2) one-bedroom units. The total FAR for this property still falls under the requirements of the by-laws.

Mr. Diem asked how many spaces there are? There are 28 parking spaces. The number of spaces required is 1.5 spaces per unit.

Mr. Luongo stated that conditions for this approval would be directional signs on the island and a landscape island to be created in the middle of the parking lot. These would need to be completed prior to the issuance of the occupancy permit.

Mr. Schneider stated that there was a discrepancy between the copy of the town's plan which shows the landscape island and the applicant's plan which does not show it.

Mr. Galvin expressed concern about adequate space for the safe movement of cars if the landscape island is built.

Mr. McLeod stated that the island will help to break up the look of a sea of asphalt.

Mr. McLeod asked if there was anyone present who would like to speak. There was the following response.

Mr. Ron Bowdoin, 1169 Commercial Street, spoke in opposition to the additional units. He expressed concern about additional traffic and parking. He stated that there are enough units already. He questioned the line spacing and identified spaces for church parking.

Mr. Moriarty made a motion to close the public hearing and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Mr. Moriarty made a motion to APPROVE the request for a SPECIAL PERMIT for Case #3340 with the conditions that the directional signs, the landscape island, and striping be completed prior to issuance of occupancy permit.

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SPECIAL PERMIT

1. The specific site is an appropriate location for such a use.
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
4. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use.
5. That the public convenience and welfare will be substantially served with the proposal.

The motion was seconded by Mr. Denizkurt. **UNANIMOUSLY VOTED.**

Case #3341 - The petitioner, Thomas Cleary, for a property located at **51 Granite Street**, also shown on the Weymouth Town Atlas sheet 16, block 205, lot 15, located in the R-1 Zoning District. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Variance: 120-40 Side yard setback

Presently located on the ~8712 SF lot is a single-family dwelling. The petitioner seeks to construct a 12' x 24' replacement deck on the north side of the dwelling partially within the setback area.

Mr. Moriarty made a motion to open the public hearing on Case #3341 and was seconded by Mr. Denizkurt. **UNANIMOUSLY VOTED.**

Mr. Moriarty made a motion to waive the reading of the public notice and was seconded by Mr. Denizkurt. **UNANIMOUSLY VOTED.**

Tom Cleary appeared before the board. He stated that he is seeking a variance on the side yard setback.

He is unable to put the deck on the driveway on right side due to a town sewer easement. Grading prevents putting deck off the back of the house.

Driveway goes down the right side of the building and to put the deck on the back would increase the construction costs.

He is looking to replace an existing deck. The old deck is 10'x12' and the new deck is 12'x24'. The existing deck met the setback.

Mr. Cleary stated that construction began last year. He stated that the contractor had agreed to pull permits but never did.

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The new deck was framed out at 12'. He then realized that the permit was never pulled. The deck has not been completed and is not in use.

Mr. Cleary stated that the owner of lot #2 at 61 Granite Street, Mr. Weeks, has put up a solid vinyl fence.

Mr. Schneider stated that there are three letters from neighbors at 43 Granite Street, 108 Phillips Street, and 61 Granite Street. All have no objections to the deck.

Mr. McLeod asked if there was anyone present who would like to speak. There was no response.

Mr. Moriarty made a motion to close the public hearing and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Mr. Denizkurt made a motion to APPROVE the request for a VARIANCE for Case #3341.

VARIANCE

Mr. Denizkurt made a motion to approve this application for a variance because the applicant has demonstrated a hardship that there is a town easement on one side of the property, and a substantial grade difference if built to the rear. The Board is able to grant the variance without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the ordinance. The motion was seconded by Mr. Moriarty. UNANIMOUSLY VOTED.

Minutes: 6/28/2017, 7/26/2017

Mr. Moriarty made a motion to approve the minutes of 6/28/2017 and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Mr. Moriarty made a motion to approve the minutes of 7/26/2017 and was seconded by Mr. Denizkurt. UNANIMOUSLY VOTED.

Upcoming Meetings - September 27, 2017, October 18, 2017, November 8, 2017.

ADJOURNMENT

Mr. Moriarty made a motion to adjourn at 8:25pm and was seconded by Mr. Denizkurt VOTED UNANIMOUSLY.

Approved by:

Mr. Denizkurt, Clerk



10/18/17
Date