

**BOARD OF ZONING APPEALS  
RECORD OF MINUTES AND PROCEEDINGS  
September 17, 2008**

The Board of Zoning Appeals of the Town of Weymouth held a public hearing on Wednesday, September 17, 2008, at 7:02pm at McCulloch Building, Whipple Center Conference Room, 182 Green Street, Weymouth, MA for the purpose of passing on the applications of certain persons whose petitions were properly before the Board. Notice of the public hearing had been given by mail to the parties in interest of the subject locus and by publication in the Weymouth News.

Present:	Mary McElroy, Clerk Martin Joyce Charles Golden Donald Holzworth
Not Present:	Edward Foley
Staff:	Rod Fuqua, Principal Planner
Recording Secretary:	Janet Murray

The Chairman called the hearing to order and explained the procedures that would be followed to the people present. A MOTION was made to open the public hearing and waive the reading of the legal advertisement, and was seconded and UNANIMOUSLY VOTED.

**BZA CASE #3010 110 Main Street & 559 Washington Street (Discussion and/or Decision)**

Application of RK Weymouth, LLC for property at 110 Main Street and 559 Washington Street, also shown on the Weymouth Town Atlas Sheet 29, Block 329, Lots 10, 12, 15, & 21, located in a B-1 zoning district seeking a special permit and/or variance under Chapter 120-25(A), 120-25(B) and 120-25(C) for an addition to a Shopping Center - a 10,000 +/- sq. ft. retail building on Block 329, Lot 21 and a restaurant with a drive-through on Lots 12 & 15. The applicant will be adding 100 parking spaces to the shopping center thereby making the parking less nonconforming.

Mr. Foley was unable to attend this evening's meeting. The applicant chose to have the matter tabled until 10/1/08.

A MOTION was made by Mrs. McElroy to TABLE discussion on this matter until 10/1/08 and was seconded by Mr. Kenneally and was UNANIMOUSLY VOTED.

**CASE TABLED UNTIL 10/1/08**

**BZA CASE #3022 541-555 Columbian Street**

Application of Fox Rock Properties for property at 541-555 Columbian Street, also shown on the Weymouth Town Atlas Sheet 40, Block 480, Lot 9, located in a B-1 zoning district seeking a special permit and/or variance under Chapter 120-25A(1)(B), 120-119A(3) , 120-74I and 120-40 to construct an addition to an existing dwelling part of which lies within the setback area. Addition is on the first floor and a dormer on the second floor.

Present:	Richard McLeod, Chairman Mary McElroy, Clerk Charles Golden Francis Kenneally Martin Joyce
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## BZA MINUTES - September 17, 2008

Staff: Rod Fuqua, Principal Planner  
Recording Secretary: Janet Murray

The Chairman called the hearing to order and explained the procedures that would be followed to the people present. A MOTION was made to open the public hearing and waive the reading of the legal advertisement, and was seconded and UNANIMOUSLY VOTED.

The applicant has asked for a continuation until 10/15/08 as major revisions to the plans are being considered.

A MOTION was made by Mrs. McElroy to CONTINUE Case #3022 and was seconded by Mr. Joyce and UNANIMOUSLY VOTED.

**HEARING CONTINUED UNTIL 10/15/08.**

### **BZA CASE #3024 52 Hinston Road**

Application of David Montana for property at 52 Hinston Road, also shown on the Weymouth Town Atlas Sheet 14, Block 162, Lot 19, located in an R-1 zoning district seeking a special permit and/or variance under Chapter 120-40 construct an addition to an existing dwelling part of which lies within the setback area. Addition is on the first floor and a dormer on the second floor.

Present: Richard McLeod, Chairman  
Mary McElroy, Clerk  
Charles Golden  
Francis Kenneally  
Martin Joyce  
Staff: Rod Fuqua, Principal Planner  
Recording Secretary: Janet Murray

The Chairman called the hearing to order and explained the procedures that would be followed to the people present. A MOTION was made to open the public hearing and waive the reading of the legal advertisement, and was seconded and UNANIMOUSLY VOTED.

The applicant has submitted a request to withdraw the application.

A MOTION was made by Mrs. McElroy to allow the applicant to WITHDRAW WITHOUT PREJUDICE the application and was seconded by Mr. Joyce and UNANIMOUSLY VOTED.

**APPLICATION WITHDRAWN WITHOUT PREJUDICE**

### **BZA CASE #3023 Greenvale Avenue**

Application of Christopher Brazer for property at Greenvale Ave., also shown on the Weymouth Town Atlas Sheet 25, Block 335, Lot 29, located in an R-1 zoning district seeking a special permit and/or variance under Chapter 120-51 & Table 1 to construct a single family dwelling on a pre-existing undersized lot.

Present: Richard McLeod, Chairman  
Mary McElroy, Clerk

	Charles Golden
	Francis Kenneally
	Martin Joyce
Staff:	Rod Fuqua, Principal Planner
Recording Secretary:	Janet Murray

The Chairman called the hearing to order and explained the procedures that would be followed to the people present. A MOTION was made to open the public hearing and waive the reading of the legal advertisement, and was seconded and UNANIMOUSLY VOTED.

This application needs to be reviewed by the building inspector.

A MOTION was made by Mr. Golden to CONTINUE the public hearing until 10/1/08 and was seconded by Mrs. McElroy and UNANIMOUSLY VOTED.

**HEARING CONTINUED UNTIL 10/1/08**

**BZA Case #2952 1055-1057 Front Street – Clarify Commercial Vehicles**

The applicant has requested a clarification that the condition for this case that no commercial vehicles allowed to be parked on the site applies to vehicles weighing one ton or more.

A MOTION was made by Mrs. McElroy to CLARIFY the condition that no commercial vehicles allowed to be parked on the site applies to commercial vehicles weighing one ton or more and was seconded by Mr. Golden and UNANIMOUSLY VOTED.

**MINUTES 8/27/08, Case # 3021, 3020**

A MOTION was made by Mrs. McElroy to APPROVE the minutes from 8/27/08, case # 3021 and 3020 and was seconded by Mr. Golden and UNANIMOUSLY VOTED.

**ADJOURNMENT**

A MOTION was made and seconded to ADJOURN the meeting at 7:04 and was UNANIMOUSLY VOTED.

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Mary McElroy, Clerk

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Date