

TOWN OF ROCKLAND
ZONING BOARD OF APPEALS
APPLICATION FOR A PUBLIC HEARING

SECTION 1:

**A. I/We hereby apply for a public hearing before the Zoning Board for the following:
(Check all that are applicable)**

- ☐ Application for Dimensional Variance
- ☐ Application for a Use Variance
- ☐ Application for a Section 6 Finding
- ☒ Special Permit for Use permissible by Special Permit
- ☐ Appeal from a Decision of the Zoning Enforcement Officer
- ☐ Comprehensive Permit (Chapter 40B)

SECTION 2:

B. Answer all of the following questions that pertain to your application:

1. Address of the property in question: 339 Centre Avenue Rockland, Massachusetts
2. Name(s) of Owner(s) of Property: GOL Realty Associates
3. Owner's Address: c/o Otis Management, P.O. Box 610424, Newton, MA 02461
4. Name of Applicant(s): Shayonam Corporation
5. Address of Applicant: 339 Centre Avenue, Unit 3, Rockland, MA 02370
6. Applicant's Phone: Home: Work:
Cell: 774-567-5266 Fax:
E-Mail: rnpatel1987@gmail.com
7. State the Assessor's Map # 60 and Lot # 4 of the property.
8. State the Zoning District in which the property is located: B-2
9. Explain in-depth what you are proposing to do:
Continue the existing convenience store use, including the sale of Beer and
Wine under new ownership pursuant to an Asset Purchase Agreement.
See also the attached letter.

Rockland Zoning Board Application

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10. Describe in detail any existing variance(s) or special permit(s) pertaining to this property. Copy/copies must be obtained at the Town Clerk's Office and must be attached to this application:

Special Permit dated February 2, 2012 attached.

11. List all applicable sections of the Zoning Bylaw that pertains to this application:

Section 415-14(c)(3)

12. If you are applying for a dimensional variance, state in detail any specific condition that effects the shape, soil, topography or structures on your lot that specifically effects your lot and does not effect the zoning district as a whole, and why these conditions cause a hardship to the land that warrants the granting of a variance (use a separate piece of paper if necessary)

N/A

13. If this is an application for a special permit, describe in detail the permit you are seeking and provide the Board with specific information as to how the proposed use will meet the Performance Standards of the Zoning By-Laws of Rockland:

N/A

Rockland Zoning Board Application
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14. If this is an appeal from a decision of the Zoning Enforcement Officer, state in detail the grounds upon which you claim that the Zoning Enforcement Officer/ Building Inspector's decision was in error. _____

N/A

Signed: DocuSigned by: Hammed Metghalchi
0112352320046E

Hammed Metghalchi
Owner(s) of Record

All owners must sign

Signed: Romil Patel

Romil Patel
Applicant(s) If Different from owner
All applicants must sign

Signed: William Edes
Signature of Attorney (if any) William Edes

Date: 8/15/23



TOWN OF ROCKLAND

Board of Assessors

Town Hall
242 Union Street
Rockland, Massachusetts 02370

July 10, 2023

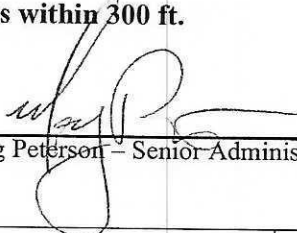
CERTIFIED ABUTTERS LIST OF MAP 60 – PARCEL 4

311-347 CENTRE AVE

BOARD – ZBA

REQUIREMENTS – All abutters within 300 ft.

CERTIFIED BY:


Meg Peterson – Senior Administrative Assistant

Parcel ID	Owner	Location	Mailing Street	Mailing City
60-4	GOL REALTY ASSOCIATES LLC	311-347 CENTRE AV	83 ANDREW ST	NEWTON MA 02461
55-72	MURPHY ROBERT A & LUCY F	102 CENTRAL ST	11 BIRCH BOTTOM CIR	ROCKLAND MA 02370
55-74	OLOUGHLIN JOHN	124 CENTRAL ST	124 CENTRAL ST	ROCKLAND MA 02370
55-77	BRUZZESE RAFFAELE & MARTIN JOYCE E	158 CENTRAL ST	158 CENTRAL ST	ROCKLAND MA 02370
55-78	MCCULLOUGH ADAM & CELLI KERRIN	178 CENTRAL ST	178 CENTRAL ST	ROCKLAND MA 02370
55-91	BEADLE HELEN A	285 CENTRE AV	285 CENTRE AV	ROCKLAND MA 02370
55-92-1	PIANO MILL 295, LLC	295 CENTRE AV	295 CENTRE AV	ROCKLAND MA 02370
55-92-2	HEMINGWAY STUART L	285-REAR CENTRE AV	PO BOX 333 C/O PIONEER CUSTOM BUILDERS	ROCKLAND MA 02370
55-92-3	HEMINGWAY STUART L	273 CENTRE AV	PO BOX 333 C/O PIONEER CUSTOM BUILDERS	ROCKLAND MA 02370
55-109	DACOSTA FABIO	128-132 CENTRAL ST	243 CHURCH ST #13	PEMBROKE MA 02359
55-111	TASSINARI SUSAN TRUSTEE TASSINARI FAM RLTY TRST 2021	2 CARLYS WAY	237 OLD SCHOOL HOUSE LN	HANOVER MA 02339
60-2	CENTRE POINTE CROSSING LLC	365 CENTRE AV	237 OLD SCHOOL HOUSE LN	HANOVER MA 02339
60-3	CENTRE POINTE CROSSING LLC	365-R CENTRE AV	237 OLD SCHOOL HOUSE LN	HANOVER MA 02339
60-7	YOUNG JOHN R TRUSTEE DURHAM REALTY TRUST	272 CENTRE AV	272 CENTRE AV	ROCKLAND MA 02370
60-8	DURHAM REALTY TR	282 CENTRE AV	ATTN DR JOHN YOUNG 272 CENTRE AV	ROCKLAND MA 02370
60-9	JAMINAC CORPORATION	320 CENTRE AV	790 N MAIN ST	W BRIDGEWATER MA 02379
60-10	BRIGHAM CAROL A TRUSTEE P G REALTY TRUST	344 CENTRE AV	308 CONCORD ST	ROCKLAND MA 02370
60-11-0	ABINGTON & ROCKLAND JOINT WATER WORKS	366 CENTRE AV	366 CENTRE AV	ROCKLAND MA 02370
60-13-1	TURNER LINDA L	340-01 CENTRE AV	340 CENTRE AV #1	ROCKLAND MA 02370
60-13-2	HOWARTH JAMES A & DUNCAN KELLYANNE J	340-02 CENTRE AV	340 CENTRE AV #2	ROCKLAND MA 02370

TOWN OF ROCKLAND

Board of Assessors

Town Hall

242 Union Street

Rockland, Massachusetts 02370



Parcel ID	Owner	Location	Mailing Street	Mailing City
60-13-3	SLAVEN FRANCIS W JR LE	340-03 CENTRE AV	340 CENTRE AV #3	ROCKLAND MA 02370
60-13-4	PANARO TIMOTHY J & DIANE	340-04 CENTRE AV	340 CENTRE AV #4	ROCKLAND MA 02370
60-13-5	DONAHUE JOHN P	340-05 CENTRE AV	340 CENTRE AV #5	ROCKLAND MA 02370
60-13-6	BARCELLOS JOHN F C/O PAN ZHONG P	340-06 CENTRE AV	340-06 CENTRE AV	ROCKLAND MA 02370
60-13-7	LABERNIK JOSEPH E	340-07 CENTRE AV	340-07 CENTRE AV	ROCKLAND MA 02370
60-13-8	DONOHUE SUSAN J	340-08 CENTRE AV	340 CENTRE AV # 8	ROCKLAND MA 02370
60-13-9	RUNKAL DAVID	340-09 CENTRE AV	340 CENTRE AV #9	ROCKLAND MA 02370
60-13-10	HARRINGTON MARIE J	340-10 CENTRE AV	340 CENTRE AV #10	ROCKLAND MA 02370
60-13-11	PRIMAVERA CAROLANN	340-11 CENTRE AV	340 CENTRE AV #11	ROCKLAND MA 02370
60-13-12	CASAVANT ROGER L	340-12 CENTRE AV	340 CENTRE AV #12	ROCKLAND MA 02370
60-13-13	DEBLOIS KARA	340-13 CENTRE AV	340-13 CENTRE AV	ROCKLAND MA 02370
60-13-14	FINEGAN RITA L & STEPHEN J	340-14 CENTRE AV	340 CENTRE AV #14	ROCKLAND MA 02370
60-13-15	HAGEN BRIAN J & DEBRA J	340-15 CENTRE AV	340 CENTRE AV # 15	ROCKLAND MA 02370
60-13-16	BEATSON ELIZABETH M	340-16 CENTRE AV	340 CENTRE AV #16	ROCKLAND MA 02370
60-13-17	QUIETO LYNMARIE	340-17 CENTRE AV	340 CENTRE AV #17	ROCKLAND MA 02370
60-13-18	KINSEY JUDY A	340-18 CENTRE AV	340 CENTRE AV #18	ROCKLAND MA 02370
60-13-19	CODY-MACKECHNIE JOSEPH & MAEVON	340-19 CENTRE AV	340 CENTRE AV #19	ROCKLAND MA 02370
60-13-20	MCCARTHY JANET	340-20 CENTRE AV	340 CENTRE AV #20	ROCKLAND MA 02370
60-13-21	PEREIRA MIGUEL, SIMONE & TANIA	340-21 CENTRE AV	340 CENTRE AV #21	ROCKLAND MA 02370
60-13-22	FICHTNER GEORGE A & MCCARTHY-FICHTNER CAROLYN M	340-22 CENTRE AV	340 CENTRE AV #22	ROCKLAND MA 02370
60-13-23	DOUGHERTY JOHN J JR & KATHLEEN	340-23 CENTRE AV	340 CENTRE AV #23	ROCKLAND MA 02370
60-13-24	CAMPBELL PAUL A & CONNIFFER	340-24 CENTRE AV	340 CENTRE AV #24	ROCKLAND MA 02370
60-13-25	VAUGHN LAUREN J TRUSTEE D A AIELLO IR INCM ONLY TRUST	340-25 CENTRE AV	340 CENTRE AV #25	ROCKLAND MA 02370
60-13-26	HODGKINS ROBIN	340-26 CENTRE AV	340 CENTRE AV #26	ROCKLAND MA 02370
60-13-27	KOREY NICHOLAS G.	340-27 CENTRE AV	340 CENTRE AV #27	ROCKLAND MA 02370
60-13-28	RIVERA CAROLE M TRUSTEE CAROLE M RIVERA LIVING TRUST	340-28 CENTRE AV	340 CENTRE AV #28	ROCKLAND MA 02370
60-13-29	HEWETT RODNEY L & CAROL A	340-29 CENTRE AV	340 CENTRE AV #29	ROCKLAND MA 02370
60-13-30	PAYNE ZACHARY T	340-30 CENTRE AV	340 CENTRE AV #30	ROCKLAND MA 02370
60-13-31	BODZIONY LAURA C	340-31 CENTRE AV	340 CENTRE AV #31	ROCKLAND MA 02370
60-13-32	SMITH WAYNE F	340-32 CENTRE AV	340 CENTRE AV #32	ROCKLAND MA 02370
60-13-33	CAMERON-CALEF JANICE TR CAMERON-CALEF FAMILY TRUST	340-33 CENTRE AV	340 CENTRE AV #33	ROCKLAND MA 02370
60-13-34	PENSWICK SUSAN E LE	340-34 CENTRE AV	340 CENTRE AV #34	ROCKLAND MA 02370
60-13-35	KINGHAM WILLIAM R & KATHLEEN E	340-35 CENTRE AV	340 CENTRE AV #35	ROCKLAND MA 02370
60-13-36	MAYS RICHARD M	340-36 CENTRE AV	340 CENTRE AV #36	ROCKLAND MA 02370
60-13-37	COLLERAN ANDREW J & PATRICIA A	340-37 CENTRE AV	340 CENTRE AV #37	ROCKLAND MA 02370



TOWN OF ROCKLAND

Board of Assessors

Town Hall
242 Union Street
Rockland, Massachusetts 02370

Parcel ID	Owner	Location	Mailing Street	Mailing City
60-13-38	LANE COSTANTINA F TRS C M L REALTY TRUST	340-38 CENTRE AV	340 CENTRE AV #38	ROCKLAND MA 02370
60-13-39	CIRELLI DANIELLE M	340-39 CENTRE AV	340 CENTRE AV #39	ROCKLAND MA 02370
60-13-40	BARBER DONNA M	340-40 CENTRE AV	340 CENTRE AV #40	ROCKLAND MA 02370
60-13-41	HENRIKSEN-BROWN MATTHEW TRSTE 340 CENTRE AV UNIT #41 RE TR	340-41 CENTRE AV	153 ELM ST	PEMBROKE MA 02359
60-13-42	LYONS DIANE M	340-42 CENTRE AV	340 CENTRE AV #42	ROCKLAND MA 02370
60-13-43	HOO TOBIN SOO & JENNY CHIN SOO	340-43 CENTRE AV	340 CENTRE AV #43	ROCKLAND MA 02370
60-13-44	HENFIKSEN KAITLIN M	340-44 CENTRE AV	340 CENTRE AV #44	ROCKLAND MA 02370
60-13-45	AIFA NICOLE	340-45 CENTRE AV	340 CENTRE AV #45	ROCKLAND MA 02370
60-13-46	KOCH MELISSA B	340-46 CENTRE AV	340 CENTRE AV #46	ROCKLAND MA 02370
60-13-47	KLEM CHERYL S	340-47 CENTRE AV	340 CENTRE AV #47	ROCKLAND MA 02370
60-13-48	GOLEBIOWSKI ANNA H	340-48 CENTRE AV	340 CENTRE AV #48	ROCKLAND MA 02370
60-13-49	CUNNINGHAM MARIE C	340-49 CENTRE AV	340 CENTRE AV #49	ROCKLAND MA 02370
60-13-50	LEONE DALE	340-50 CENTRE AV	340 CENTRE AV #50	ROCKLAND MA 02370
60-13-51	BRADY LESLIE A & KATHRYN M C/O DELVA YVENA	340-51 CENTRE AV	340-51 CENTRE AV	ROCKLAND MA 02370
60-13-52	LOVETT CONSTANCE J	340-52 CENTRE AV	340 CENTRE AV #52	ROCKLAND MA 02370
60-13-53	MELVIN KATHLEEN & ELIZABETH	340-53 CENTRE AV	340 CENTRE AV #53	ROCKLAND MA 02370
60-13-54	GAROFALO MICHAEL P & GAROFALO MARY P	340-54 CENTRE AV	340 CENTRE AV #54	ROCKLAND MA 02370
60-13-55	ODAY LAUREN R	340-55 CENTRE AV	340 CENTRE AV #55	ROCKLAND MA 02370
60-13-56	BACKLUND KENNETH H & DIANE E	340-56 CENTRE AV	340 CENTRE AV #56	ROCKLAND MA 02370
60-13-57	BRIGGS JACLYN B	340-57 CENTRE AV	340 CENTRE AV #57	ROCKLAND MA 02370
60-13-58	MELKER MARJORIE S	340-58 CENTRE AV	340 CENTRE AV #58	ROCKLAND MA 02370
60-17	CLARK FREDERICK A & ROBERT W	0 CENTRE AV	1 WHITE RD	ROCKLAND MA 02370

Planning Boards: Rockland, Abington, Whitman, Norwell, Hanson, Hanover,
Hingham & Weymouth:

Rockland Board of Assessors (Notice of decision only)

The above constitutes a complete list of all parties in interest as found in the most recent tax list,
pursuant to Chapter 40A, Section 11, of the General Law.

**Any person or entity that is requesting an abutters' list where the subject property abuts or is
located within 300 feet of the town's boundary line with another town is advised to obtain a
certified abutters' list for abutters and abutters to abutters within 300 feet in the adjoining
town.**

LIST IS VALID FOR 90 DAYS

State Tax Form 290
Certificate: 7362
Issuance Date: 07/05/2023

MUNICIPAL LIEN CERTIFICATE
Town of Rockland, MA
COMMONWEALTH OF MASSACHUSETTS

Requested by DEVIN, BARRY, MURRAY & AUSTIN P.C.
80 WASHINGTON ST BLDG 5
NORWELL MA 02061

I certify from available information that all taxes, assessments and charges now payable that constitute liens as of the date of this certificate on the parcel of real estate specified in your application received on 07/05/2023 are listed below.

DESCRIPTION OF PROPERTY

Parcel ID: 60-0004

311 347 CENTRE AV

GOL REALTY ASSOCIATES LLC
83 ANDREW ST
NEWTON MA 02461

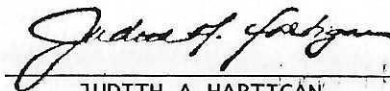
Land area : 1.95 AC
Land Value : 260,100
Impr Value : 1,646,100
Land Use : 0
Exemptions : 0
Taxable Value: 1,906,200

Deed date: Book/Page:
Class: 323-323

FISCAL YEAR	2023	2022	2021
DESCRIPTION			
COMMERCIAL REAL ESTATE TAX	\$29,012.36	\$30,136.60	\$31,389.12
COMMUNITY PRESERVATION ACT	\$435.19	\$452.05	\$470.84
RESIDENTIAL REAL ESTATE TAX	\$0.00	\$0.00	\$0.00
TOTAL BILLED:	\$29,447.55	\$30,588.65	\$31,859.96
Charges/Fees	\$0.00	\$0.00	\$0.00
Abatements/Exemptions	\$0.00	\$0.00	\$0.00
Payments/Credits	-\$29,447.55	-\$30,588.65	-\$31,859.96
Interest to 07/05/2023	\$0.00	\$0.00	\$0.00
TOTAL BALANCE DUE:	\$0.00	\$0.00	\$0.00

FINAL READINGS WATER, SEWER AND TRASH LIENS CALL:
WATER 781-878-0901; SEWER 781-878-1964; 781-871-1874 EXT 1005
ACCT # 2085
DUE DATE 05/30/2023
WATER: \$0.00
SEWER: \$0.00
TRASH: N/A

SEWER BETTERMENT: NO



JUDITH A HARTIGAN
TOWN COLLECTOR

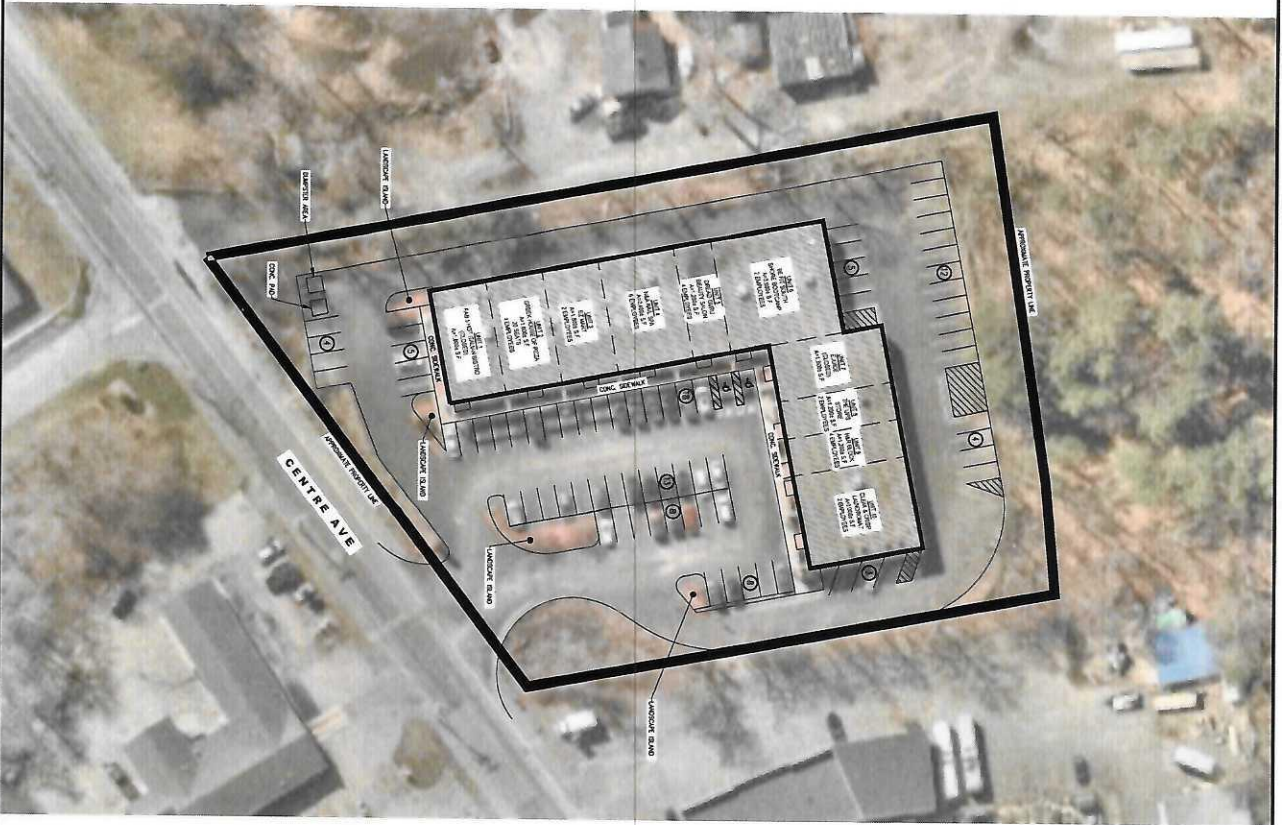
THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

PARKING CALCULATIONS				
RETAIL USE: 1 SPACE / 300 SF OF SALES FLOOR AREA + 1 SPACE / 20 EMPLOYEES				
RESTAURANT USE: 1 SPACE / 2 SEATS + 1 SPACE / 2 EMPLOYEES				
OFFICE: 1 SPACE / 250 SF OCCUPIED FLOOR AREA + 1 SPACE / 2 EMPLOYEES				
UNIT	SEATS	S.F.	EMPLOYEES	REQUIRED
1 (CLOSED)	-	1,800±	-	-
2 (RESTAURANT)	20	1,800±	4	12
3 (RETAIL)	-	1,800±	2	7
4 (RETAIL)	-	2,400±	6	11
5 (RETAIL)	-	1,200±	4	6
6 (RETAIL)	-	3,600±	2	13
7 (CLOSED)	-	1,800±	-	-
8 (RETAIL)	-	1,200±	2	5
9 (OFFICE)	-	1,200±	4	7
10 (RETAIL)	-	3,000±	2	11
TOTAL				72 (REQUIRED) 80 (PROVIDED)

RECORD OWNER:
ASSOCIATES WAY 60 LOT 04
311-347 CENTRE AVE
CO. REALTY ASSOCIATES
300 MARKET STREET
ROCKLAND, MA 01867
DEED BOOK 19036 PAGE 177

- NOTES:
1. PROPERTY LINE, STREET LINE AND OWNER INFORMATION WAS OBTAINED FROM THE RECORDS OF THE ROCKLAND COUNTY ENGINEER'S OFFICE AND THE TOWN OF ROCKLAND RECORDS DEPARTMENT.
 2. TYPICAL INSULATION HAS NOT BEEN INDICATED IN THIS PLAN. ALL FEATURES SHOWN HEREON ARE OBTAINED FROM AERIAL PHOTOGRAPHY AND FIELD SURVEY. THE EXISTING CONDITIONS SHALL BE CONSIDERED APPROPRIATE.
 3. SHADER SITE IS IN THE "B-2 BUSINESS-2" ZONE AS DEPICTED ON THE TOWN OF ROCKLAND ZONING MAP.

DISCLAIMER:
BY CARRYING FORWARD ONLY, THE PRESENT IS
LOADED IN THE "C" OF THE FLOOD INSURANCE
POLICY. THE POLICY IS SUBJECT TO THE FLOOD
INSURANCE ACT OF 1968, WHICH BANS AN EVIDENCE DATE
OF MAY 6, 2011, AND IS NOT IN A SPECIAL
FLOOD HAZARD AREA.



EXISTING CONDITIONS EXHIBIT

Project No. 18-001 Drawing No. EX-1

Date: 08/14/2023

Drawn By: TMM

Approved By: LMM

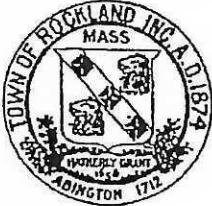
SHAYONAM CORPORATION
C/O RONIL PATEL
15 CANTON STREET
AYR, MA 01801

EZ MART PLAZA
300 CENTRE AVE
ROCKLAND, MA

CrocKer Design Group
3 FLAME STREET, UNIT A
ROCKLAND, MA 01867
P: 781-919-0008

339 Center
Main

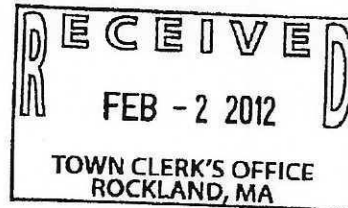
This Space is For Registry of Deeds Only:



ROCKLAND ZONING BOARD OF APPEALS
242 UNION STREET
ROCKLAND, MASSACHUSETTS 02370
E-mail: zoning@rockland-ma.gov

Phone: (781) 871-1874 extension 175
Facsimile: (781) 871-0386

Town Clerk's Date Stamp:



A public hearing was held at 7:45 P.M. on January 24, 2012 in the H. Bernard Monahan Memorial Hearing Room, Town Hall, 242 Union Street, Rockland on the petition submitted by Shrijiswami Corp. – Yogesh Bhavsar, 433 Washington Street, Norwell, MA 02061 for a Special Permit to operate a convenience store with a Beer and Wine License in a B-2 zone. The site is owned by GOL Realty Associates, 83 Andrew Street, Newton, MA 02461. The Applicant is proposing to purchase One Stop Mart located at 399 Centre Avenue, Unit 3. The Applicant is seeking approval from the ZBA to allow the change of ownership so that they may apply for a Beer & Wine License from the Board of Selectmen. The site is located at 339 Centre Avenue, Unit #3 and is also known as Lot #4 on the Rockland Assessor's Map #60. A copy of this application is on file in the Town Clerk's office and is available for inspection during regular office hours.

ATTENDANCE: Chairman Robert Manzella, Vice-Chairman Gregory Tansey, Rita Howes, Peter McDermott and Associate Members Stanley Cleaves and Robert Rosa.

ABSENT: Anton Materna, Land Use Counsel Robert W. Galvin and Building Commissioner/Zoning Enforcement Officer Tom Ruble.

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Decision of Yogesh Bhavsar – EZ Mart, 339 Centre Ave. #3 – January 24, 2012

MEMBERS VOTING: Robert Manzella, Gregory Tansey, Rita Howes, Peter McDermott and Robert Rosa.

DISCUSSION: Attorney Robert L. Devin of Devin, Barry & Austin, P.C., 80 Washington Street, Building S, Norwell, MA 02061 and his client Mr. Bhavsar came before the Board to make their presentation. Attorney Devin testified that the previous owner, Mr. Magner had a Beer and Wine License at this convenience store. Attorney Devin passed out a packet to the Board to review, which also included a floor plan from the previous owner. Attorney Devin testified that after his client filed the paperwork to go before the Zoning Board, he went to see him and wanted to change having the Special Permit to go in his name Yogesh Bhavsar and not the corporation.

Mr. Tansey asked the Applicant if he had TIPS certification. Attorney Devin testified that his client is TIPS certified as he also has a place in Norwell called EZ Mart. Mr. Tansey asked how many employees would be working at this location. Attorney Devin testified that there would be two employees at the Centre Avenue location. Attorney Devin testified that this is the same person, with a different corporation for the Rockland store; the liquor license will be under the name of Shree swami Corp. d/b/a EZ Mart and the Special Permit will be under the name of the EZ Mart store owner, Yogesh Bhavsar.

Ms. Howes stated that this location had been successful and asked the Applicant if he could do the same. The Applicant testified that he is not sure what happened to Mr. Magner's business, but is willing to make a go of it.

Mr. McDermott stated that he is delighted to have someone going into that location since it has been a Beer and Wine business for several years. Attorney Devin testified that Mr. Magner had a Beer and Wine license since 2009.

At this time Mr. Cleaves and Mr. Rosa had no questions for the Applicant.

Chairman Manzella asked the Applicant what the hours of the business operation would be. The Applicant testified that he would be open seven days per week and the hours would be 7:00 A.M. to 10:00 P.M. The Chairman stated to the Applicant that one of our conditions is that you cannot have temporary signs and/or banners at this location. The Chairman stated that the previous owner had put in an identity scan for persons purchasing beer and wine under the legal age. The Applicant testified that he would have a similar system (an ID scanner) to check the identifications of the patrons who purchase the beer and wine. The Chairman asked the Applicant if the coolers would be locked when you are not allowed to sell beer and wine. The Applicant testified that they would be locked. The Chairman asked the Applicant if there would be any remodeling done inside the store. The Applicant testified that minor changes would be done.

The Chairman asked if there was anyone in the audience in favor or against this petition. There were none.

The Chairman explained the 20 day appeal process and the filing of the decision with the Registry of Deeds if there were no appeals filed with the Town Clerk's office.

DELIBERATION: Mr. McDermott is delighted to have someone going into this location and selling beer and wine as the Board had no issues with the previous owner.

DECISION: The Board voted to grant the Special Permit with the following conditions:

CONDITIONS:

- 1) Hours of business operation: Seven days per week – 7:00 A.M. to 10:00 P.M.
- 2) The Special Permit shall be issued to Yogesh Bhavsar.
- 3) The name on the Beer and Wine Liquor license shall be: Shree swami Corp., d/b/a EZ Mart.
- 4) The Manager of the Beer and Wine license shall be Yogesh Bhavsar. If there is a change in ownership, the Applicant must come before the Zoning Board of Appeals.
- 5) The Zoning Board of Appeals will review this Special Permit in one year.
- 6) There shall be no temporary signs allowed in front of the store or out by Centre Avenue including, but not limited to, banners, flags, sandwich boards, etc.
- 7) There shall be some form of an Identi scan system used to check the ID's on individuals purchasing beer and wine.
- 8) Locks are to be installed on the coolers where the liquor is stored.
- 9) Coolers are to be locked when liquor is not being sold in accordance to the Beer and Wine Liquor license issued by the Rockland Board of Selectmen.

VOTE ON DECISION: Mr. McDermott made a motion to grant the Special Permit with the conditions as stated above. Ms. Howes seconded the motion. The vote of the Board was unanimous (5-0).

REASON FOR DECISION: Upon motion duly made and seconded, the Board found that the Applicant is seeking permission to go before the Board of Selectmen for a Beer and Wine license at 339 Centre Avenue, Unit 3. The Board found that this convenience store is located in a B-2 zone. The Board found that the previous owner had a Beer and Wine license at this location. The Board found that this location shall have an ID scanner unit to prevent false ID purchases of beer and wine. The Board found that the Applicant has another EZ Mart convenience store located in Norwell. The Board found

Page Four of Four

Decision of Yogesh Bhavsar – EZ Mart, 339 Centre Ave. #3 – January 24, 2012

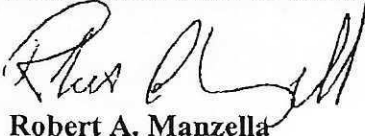
that there will be two employees at this location and that they are TIPS certified. The Board found that the hour of the business operation shall be seven days per week 7:00 A.M. to 10:00 P.M. and that the hours for sale of beer and wine will be designated by the Board of Selectmen. The Board found that by granting this Special Permit with the said conditions as stated-above, would not be a derogation to the Zoning By-Law and would be in harmony with the surrounding businesses.

THIS DECISION, ALONG WITH THE CERTIFICATION FROM THE TOWN CLERK THAT NO APPEAL HAS BEEN FILED, MUST BE RECORDED WITH THE PLYMOUTH COUNTY REGISTRY OF DEEDS PRIOR TO OBTAINING A BEER AND WINE LIQUOR LICENSE AND PROOF OF RECORDING MUST BE FILED WITH THE BOARD OF SELECTMEN.

NOTE:

- ❖ This decision may be appealed to the District Court, Housing Court, Land Court or Superior Court pursuant to Chapter 40A, Section 17. Said appeal must be filed within twenty (20) days after this decision is filed with the Town Clerk.
- ❖ Chapter 40A, Section 11, states that in part, that no variance or Special Permit shall take effect until the Town Clerk certifies that twenty (20) days have elapsed, and no appeal has been filed.
- ❖ This Board certifies that copies of this decision have been filed with the Planning Board as well as with the Town Clerk.

FOR THE ZONING BOARD OF APPEALS



Robert A. Manzella
Chairman