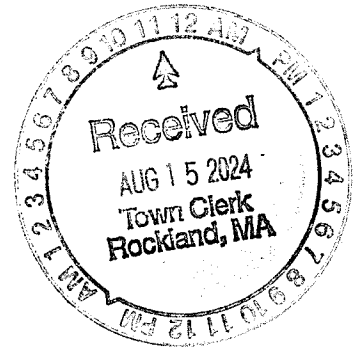


RONALD N. WHITNEY
ATTORNEY AT LAW
549 BEDFORD STREET
WHITMAN, MASSACHUSETTS 02382
TEL: (781) 447-3899
FAX: (781) 447-4042
EMAIL: rwhitlaw@live.com



July 24, 2024

Town of Rockland
Zoning Board of Appeals
242 Union Street
Rockland, Massachusetts 02370

Greetings,

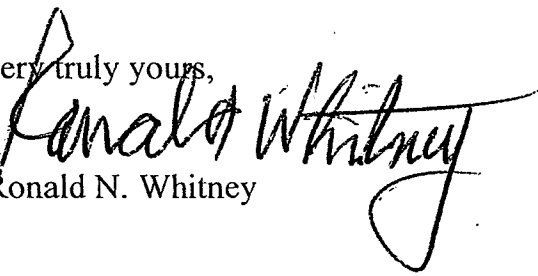
My office is counsel to JAM Real Estate Management LLC. As such, I am enclosing the following:

1. Original Petition for Zoning Relief;
2. Building Floor Plan;
3. Abutters List
4. Municipal Lien Certificate;
5. Prior Zoning Decision of July 2, 2024;
6. Prior Zoning Decision of August 30, 2006;
7. Prior Zoning Decision of August 16, 2016;
8. Fire Department Letter of July 12, 2024;
9. Site Plan of property.

I have also enclosed a check in the amount of \$200.00 for the filing fee. May I ask that this matter be scheduled for a hearing at the Board's earliest convenience?

Thank you.

Very truly yours,


Ronald N. Whitney

RNW/jm
Enclosures

EXHIBIT

1

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: 200 VFW Drive, Rockland, MA 02370
2. Name(s) of Owner(s) of Property: JAM Real Estate MGMT LLC, John Melchione
3. Owner's Address: 416 Plain Street, Rockland, MA 02370
4. Name of Applicant(s): JAM Real Estate MGMT LLC, John A Melchione
5. Address of Applicant: 200 VFW Drive
Rockland, MA 02370
6. Applicant's Phone: Home: _____ Work: 781-878-4020
Cell: 781-983-4020 Fax: 781-982-0259 fax
E-Mail: Supremesmb@aol.com
7. State the Assessor's Map # 19 and Lot # 88 of the property.
8. State the Zoning District in which the property is located: B-2 Business
9. Explain in-depth what you are proposing to do:
To obtain a Variance to store classic cars along with lawn and snow removal equipment
for the maintenance of the building. The storage of these classic cars will be in existing
garage space in lower part of the building. Which was designed and inspected by
in all stages of construction and has proper floor drainage and sprinkler system.
SEE ATTACHED WALTER A. MCKINNON ASSOCIATES, INC.
Engineer of Blue Prints

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:

August 17, 2006, zoning was approved for gas station/convenience store
Certified of Title, October 12, 2007. See attached exhibit 3.

August 16, 2016, zoning was approved for beer/wine (415-14 C.3)
See exhibit 4

11. List all applicable sections of the Zoning Bylaw that pertain to this application:
Article 2(definitions) 415-14 Allowed uses.

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)

Not Applicable

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:

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. Not Applicable

Signed: John A Malchione

Owner(s) of Record

All owners must sign

Signed: _____

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

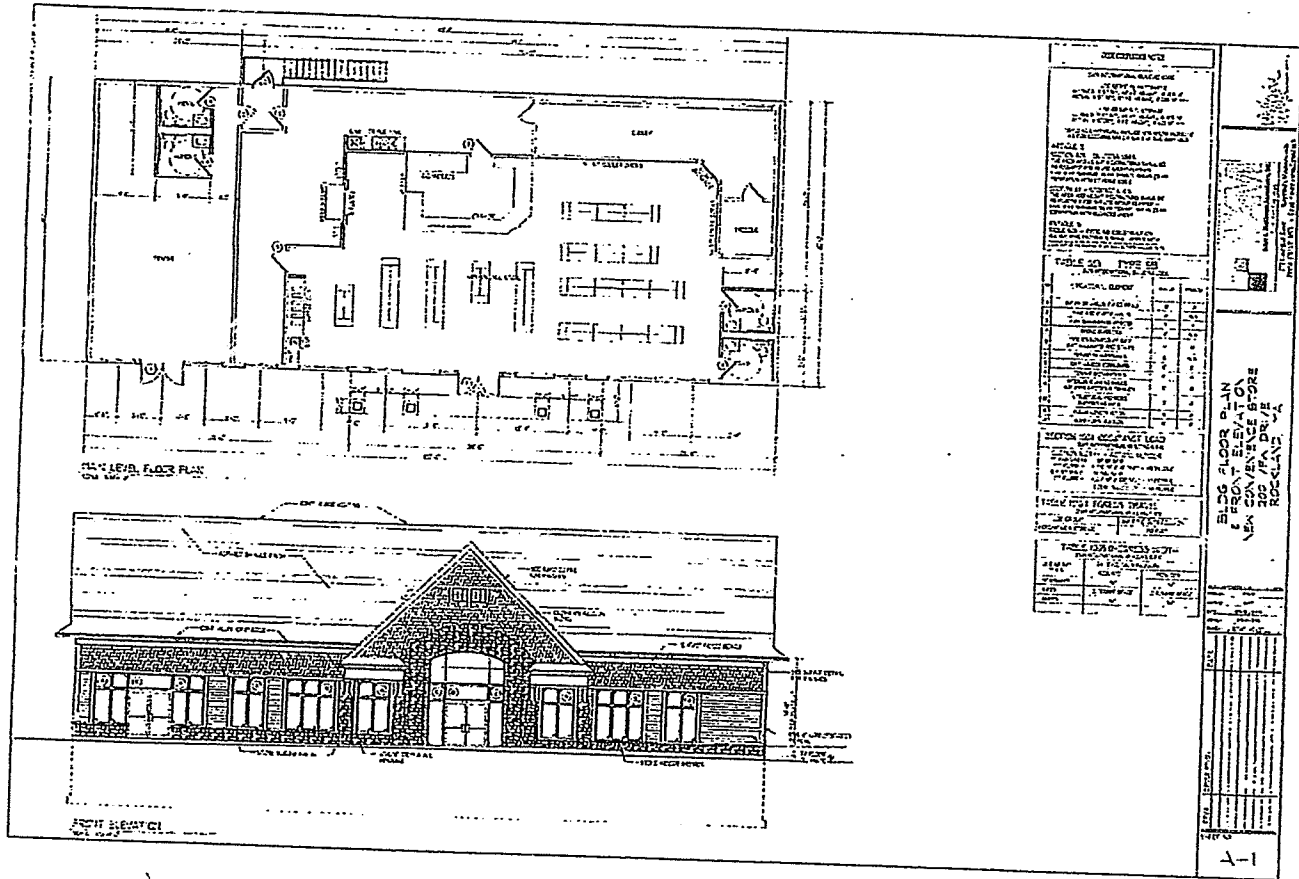
Signed: Ronald Whitney

Signature of Attorney (if any)

Date: 7/24/2024

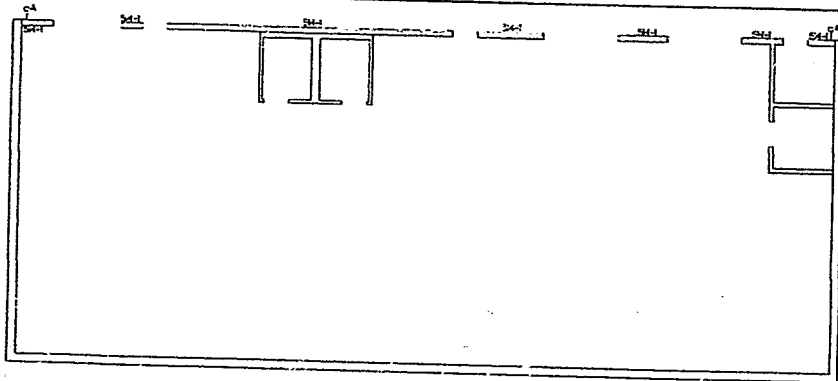
EXHIBIT

2



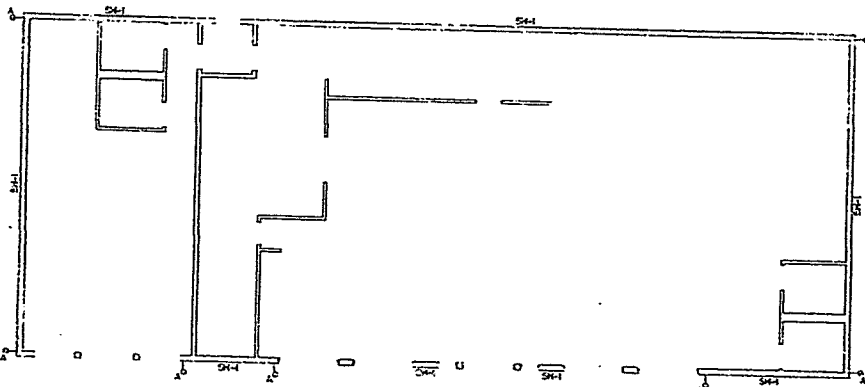
2

2



LOWER LEVEL
SHEARWALL PLAN

SH-1 - INDICATES HOLDOVER LOCATION
(SEE SCHED. FOR SIZE & ANCHORAGE)
SH-7 - INDICATES SHEARWALL TYPE
(SEE SCHED. FOR NAILING PATTERN)



MAIN LEVEL
SHEARWALL PLAN

SH-1 - INDICATES HOLDOVER LOCATION
(SEE SCHED. FOR SIZE & ANCHORAGE)
SH-7 - INDICATES SHEARWALL TYPE
(SEE SCHED. FOR NAILING PATTERN)

HOLDOVER SCHEDULE				
MARK	HOLDOVER	REINFORCEMENT	FASTENERS	ANCHORAGE
A	10#	3-#4 BARS	6-#4 BARS	10' MIN. WITH 10' MIN. OF BAR EXTENSION

SHEARWALL SCHEDULE			
ITEM	STUDS	SPACING	NAILING ATTACHMENT AT EDGES
SH-1	24" SECTION 4" x 4"	10" MIN. WITH 10' MIN. OF BAR EXTENSION	10' MIN. WITH 10' MIN. OF BAR EXTENSION

GENERAL NAILING SCHEDULE		
JOINT TYPE	SECTION	NAIL SPACING
ROOF FLASHING		
BLOCKING TO RAFTER (TIE-NAILED)	2-16	EACH END
ROOF BOARD TO RAFTER (TIE-NAILED)	2-16	EACH END
WALL FLASHING		
TOP PLATE & INTERSECTIONS (FACE-NAILED)	4-16	AT JOINTS
STUD TO STUD (FACE-NAILED)	2-16	2' o.c.
HEADER TO HEADER (FACE-NAILED)	16	16" o.c. @ EDGES
FLOOR FLASHING		
JOIST TO SILL, TOP PLATE OR GUSSET (TIE-NAILED)	4-16	PER JOIST
BLOCKING TO JOIST (TIE-NAILED)	2-16	EACH END
BLOCKING TO SILL OR TOP PLATE (TIE-NAILED)	3-16	EACH BLOCK
LEDGER STRIP TO BEAM (TIE-NAILED)	3-16	EACH JOIST
JOIST ON LEDGER (TIE-NAILED)	3-16	PER JOIST
BAND JOIST TO JOIST (TIE-NAILED)	3-16	PER JOIST
BAND JOIST TO SILL, TOP PLATE (TIE-NAILED)	2-16	PER FOOT
ROOF SHEATHING		
WOOD STRUCTURAL PANELS		
RAFTERS/ TRUSSES UP TO 16" o.c.	6d	12" EDGE @ 16" o.c.
RAFTERS/ TRUSSES OVER 16" o.c.	6d	12" EDGE @ 16" o.c.
GABLE ENDWALL RAFTERS OR RAKE TRUSSES W/O CHANGING	6d	12" EDGE @ 16" o.c.
GABLE ENDWALL RAFTERS OR RAKE TRUSSES W/ OUTSIDERS	6d	12" EDGE @ 16" o.c.
GABLE ENDWALL RAFTERS OR RAKE TRUSSES W/ LOGOUT BLOCKS	6d	12" EDGE @ 16" o.c.
CEILING SHEATHING		
GYPSON HALLBOARD		
HALL SHEATHING		
WOOD STRUCTURAL PANELS		
STUDS SPACED UP TO 24" o.c.	6d	12" EDGE @ 16" o.c.
1/2" & 5/8" FIBERBOARD PANELS	6d	12" EDGE @ 16" o.c.
1/2" GYPSON HALLBOARD	5d COOLERS	12" EDGE @ 16" o.c.
FLOOR SHEATHING		
WOOD STRUCTURAL PANELS		
1" OR LESS	6d	12" EDGE @ 16" o.c.
GREATER THAN 1"	6d	12" EDGE @ 16" o.c.

WAV
WAVE ROOFING & SHEATHING CO., INC.
1000 W. 10th St., Suite 100, Rockland, MA 01966
Tel: (508) 866-1111 Fax: (508) 866-1112

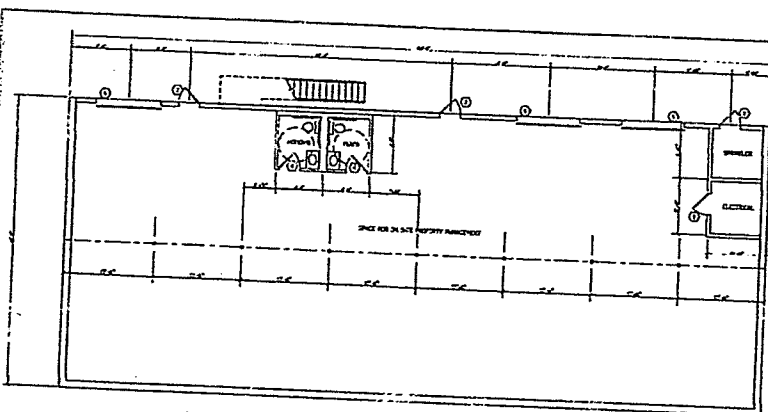
SHEARWALL PLANS & TABLES
NEW CONVENIENCE STORE
200 WYOMING DRIVE
ROCKLAND, MA

DATE: _____
BY: _____
CHECKED BY: _____
APPROVED BY: _____

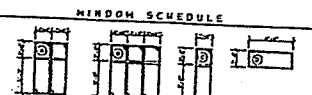
SHEET NO. **S-3**

2

2



DOOR SCHEDULE						
NO	Q	TYPE	SIZE	FINISH	HARDWARE	REMARKS
1	1	DOOR	3'0"	1/2"	BRASS	BRASS
2	2	DOOR	3'0"	1/2"	BRASS	BRASS
3	3	DOOR	3'0"	1/2"	BRASS	BRASS
4	4	DOOR	3'0"	1/2"	BRASS	BRASS
5	5	DOOR	3'0"	1/2"	BRASS	BRASS
6	6	DOOR	3'0"	1/2"	BRASS	BRASS
7	7	DOOR	3'0"	1/2"	BRASS	BRASS
8	8	DOOR	3'0"	1/2"	BRASS	BRASS
9	9	DOOR	3'0"	1/2"	BRASS	BRASS
10	10	DOOR	3'0"	1/2"	BRASS	BRASS



WALL TYPE SCHEDULE		
WALL TYPE	SECTION	DESCRIPTION
1	1	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
2	2	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
3	3	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
4	4	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
5	5	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
6	6	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
7	7	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
8	8	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
9	9	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.
10	10	CONCRETE WALL, 12" THICK, FINISH WITH PLASTER AND PAINT.

FLOOR/CEILING TYPES		
TYPE	SECTION	DESCRIPTION
1	1	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
2	2	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
3	3	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
4	4	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
5	5	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
6	6	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
7	7	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
8	8	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
9	9	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.
10	10	CONCRETE FLOOR, 4" THICK, FINISH WITH POLISHED CONCRETE.

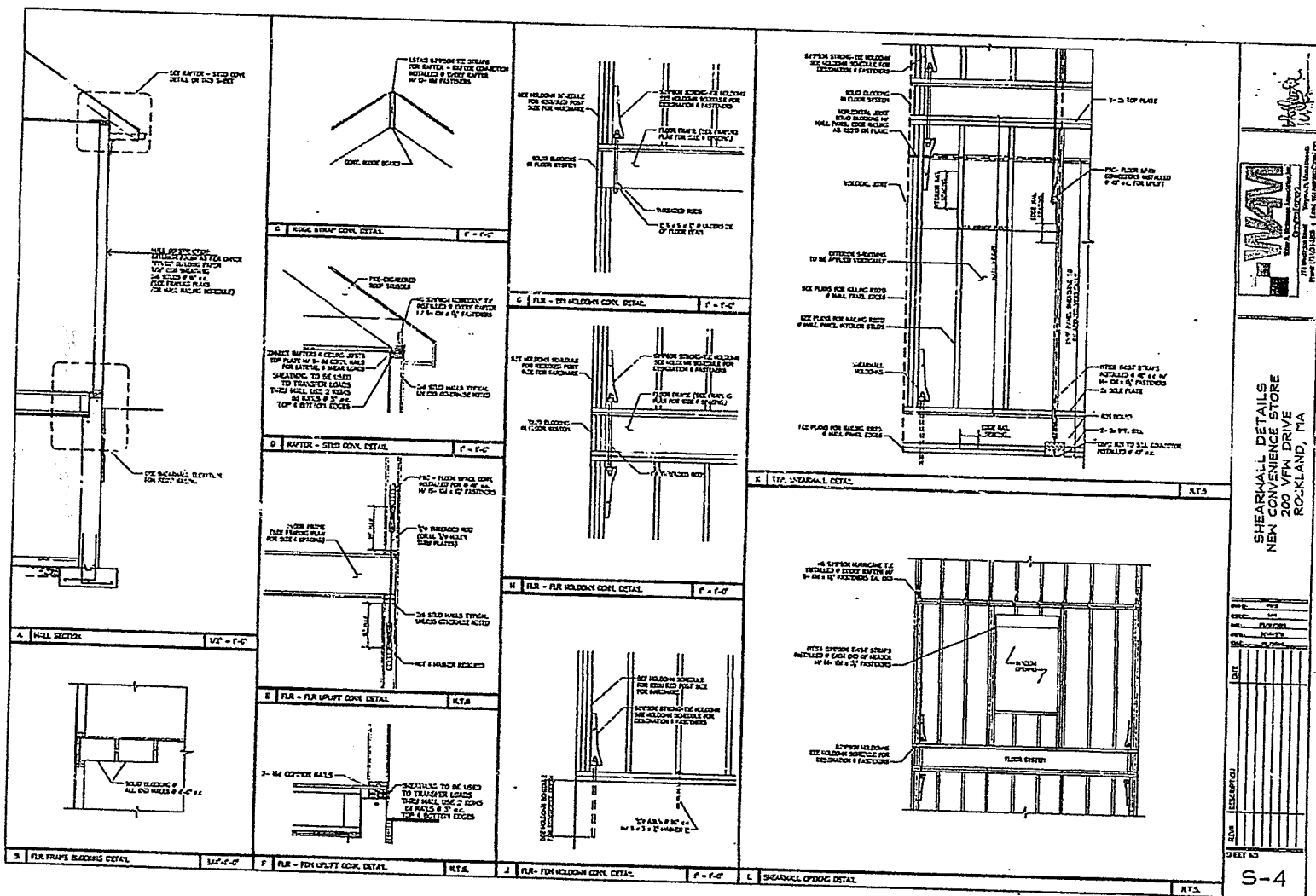
LOWER LEVEL FLOOR PLAN
NEW CONVENIENCE STORE
200 W. MAIN DRIVE
ROCKLAND, ILL.

DATE: _____
DRAWN BY: _____
CHECKED BY: _____
APPROVED BY: _____

A-2

[illegible]

9



[illegible]

Architectural drawings of Shearwall Details for New Convenience Store, 200 VFN Drive, Rockland, MA. The drawings include:

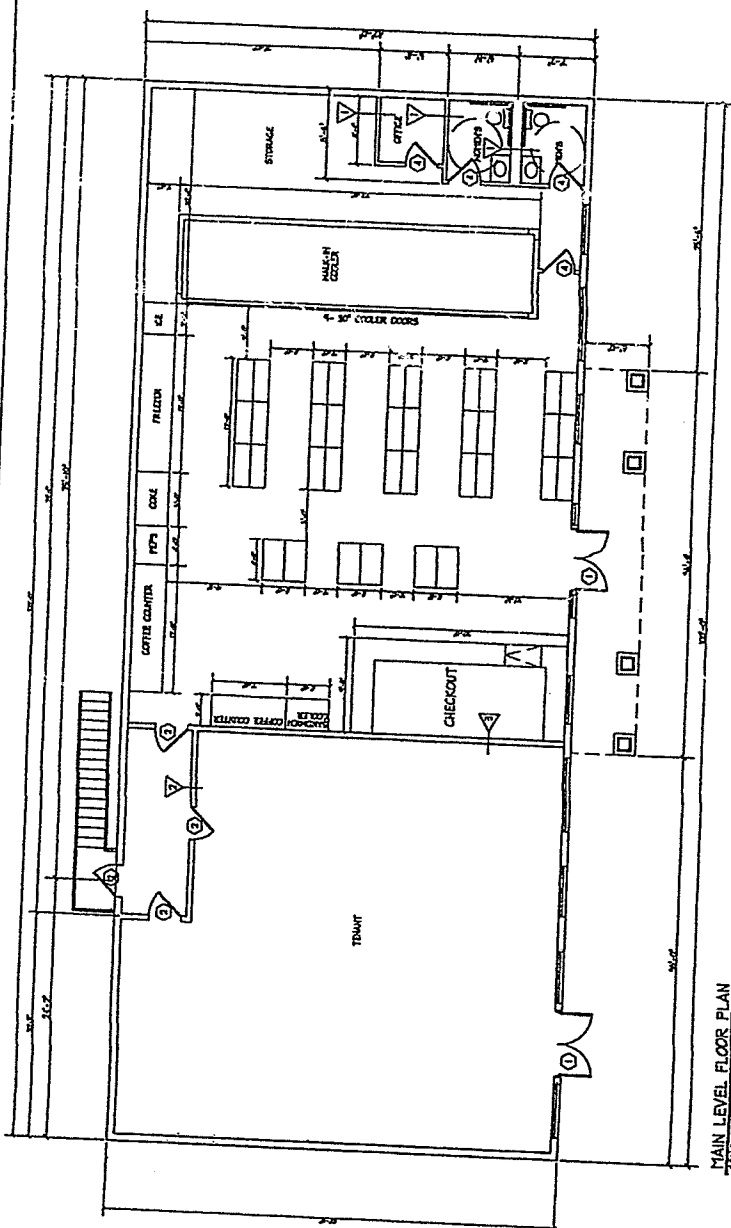
- 1. Wall Section (1' x 6'-0")
- 2. Wall Section (1' x 6'-0")
- 3. Wall Section (1' x 6'-0")
- 4. Wall Section (1' x 6'-0")
- 5. Wall Section (1' x 6'-0")
- 6. Wall Section (1' x 6'-0")
- 7. Wall Section (1' x 6'-0")
- 8. Wall Section (1' x 6'-0")
- 9. Wall Section (1' x 6'-0")
- 10. Wall Section (1' x 6'-0")
- 11. Wall Section (1' x 6'-0")
- 12. Wall Section (1' x 6'-0")
- 13. Wall Section (1' x 6'-0")
- 14. Wall Section (1' x 6'-0")
- 15. Wall Section (1' x 6'-0")
- 16. Wall Section (1' x 6'-0")
- 17. Wall Section (1' x 6'-0")
- 18. Wall Section (1' x 6'-0")
- 19. Wall Section (1' x 6'-0")
- 20. Wall Section (1' x 6'-0")

DATE _____

DATE	DESCRIPTION	AMOUNT
10-1-78	1000	1000
10-2-78	1000	1000
10-3-78	1000	1000
10-4-78	1000	1000
10-5-78	1000	1000
10-6-78	1000	1000
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10-26-78	1000	1000
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10-31-78	1000	1000

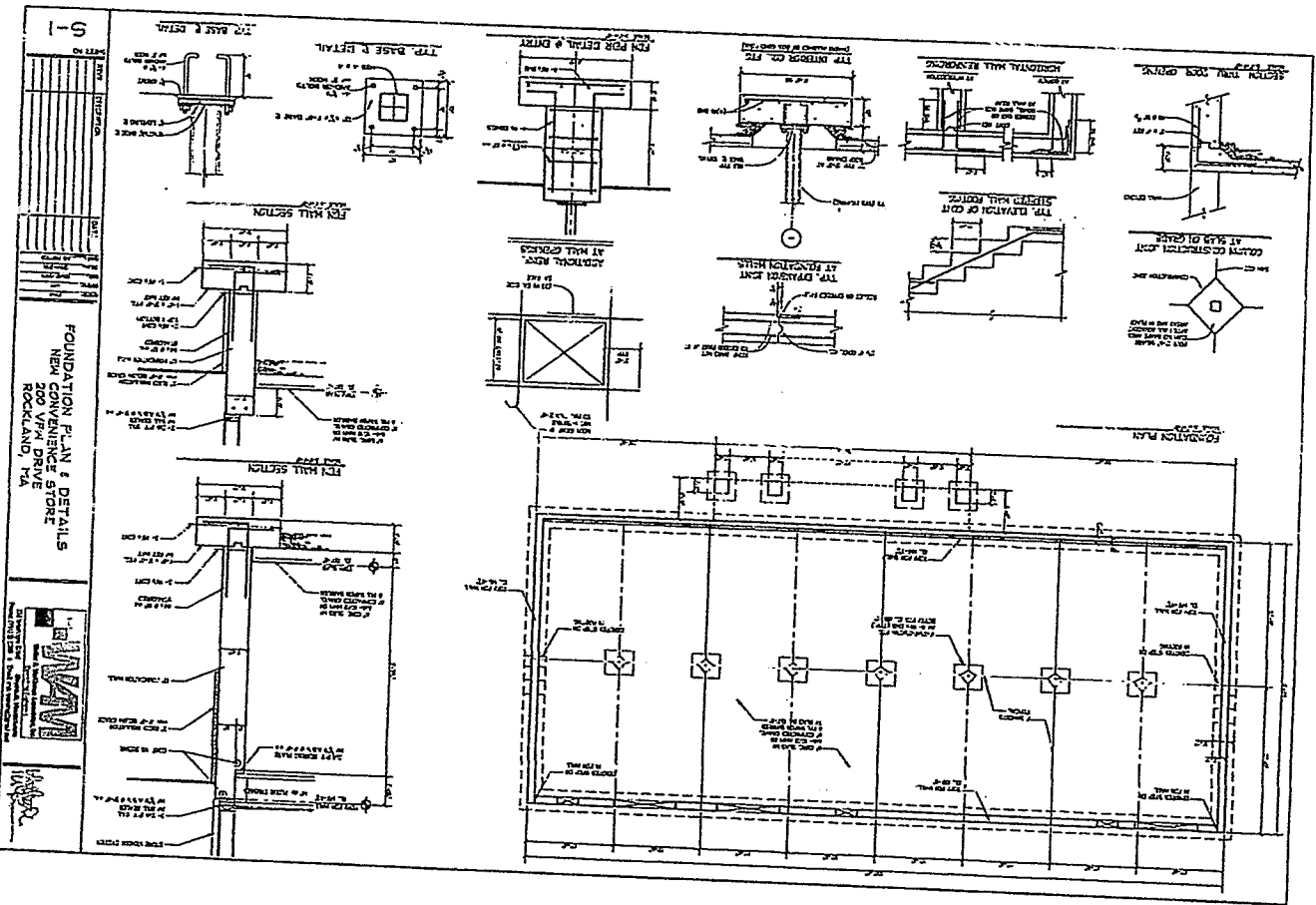
NEW TENANT FITOUT PLAN
SAMS FOOD STORE
200 VFM DR.
ROCKLAND, MA

WAMI
William A. MacDonnell Associates, Inc.
Consulting Engineers
275 Washington Street
Weymouth, Massachusetts
Phone (781) 371-5522 • Email: wami@wami.com



MAIN LEVEL FLOOR PLAN
SCALE 1/8"=1'-0"

9



EXHIBIT

3

8/5/24, 1:28 PM

Mail - Ronald Whitney - Outlook

Certified Abutters' list for 200 VFW Drive

Karen Doherty <kdoherty@rockland-ma.gov>

Mon 8/5/2024 1:25 PM

To: rwhitlaw@live.com <rwhitlaw@live.com>

📎 1 attachments (351 KB)

19-80-200 VFW DR - ZBA-8-5-24-KD.pdf

Mr. Whitney,

You will find the list of abutters you requested attached. A copy of the original list is available in the Assessors' office.

Please let me know if you have any questions.

Kind regards,

Karen Doherty

*Karen Doherty
Senior Clerk
Assessors' Office
Town of Rockland
242 Union Street
Rockland, MA 02370
kdoherty@rockland-ma.gov*

(781)871-1004 - Office

(781)871-2241 - Fax

Town Hall Hours:

Mon - Fri 8:30am - 4:30pm

Open until 8:00 pm on the 1st and 3rd Tuesday of each month during Sept-June

Closed Fridays in July & August

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TOWN OF ROCKLAND

Board of Assessors

Town Hall

242 Union Street

Rockland, Massachusetts 02370

August 5, 2024

CERTIFIED ABUTTERS LIST OF MAP 19 - PARCEL 80

200 VFW DRIVE

BOARD - ZBA

REQUIREMENTS - Abutters within 300 ft.

CERTIFIED BY:

Karen Doherty
Karen Doherty - Senior Clerk

Parcel ID	Owner	Location	Mailing Street	Mailing City
19-80	JAM REAL ESTATE MGMT LLC	200 VFW DR	218 VFW DRIVE	ROCKLAND MA 02370
19-66	L & F REALTY PARTNERS LLC	250 VFW DR	100 LEDGEWOOD PLACE STE 301	ROCKLAND MA 02370
19-67	TOWN OF ROCKLAND	0 VFW DR	242 UNION ST	ROCKLAND MA 02370
19-70	TOWN OF ROCKLAND BOARD OF HEALTH	279 PLEASANT ST	242 UNION ST (TOWN HALL)	ROCKLAND MA 02370
19-73	SPATARO SALVATORE & VINCENT J. TRS - CENTRO REALTY TR	265 PLEASANT ST	BOX 552	ROCKLAND MA 02370
19-75	SPATARO SALVATORE & SPATARO VINCENT JAMES	0 PLEASANT ST	26 STETSON SHRINE LN	NORWELL MA 02061
19-77	LYONS RAYMOND E & TERI L TKS R T L REALTY TR OF THE	197 VFW DR	197 VFW DRIVE	ROCKLAND MA 02370
19-78	HARRIS SHAWN TRUSTEE	195 VFW DR	PO BOX 395	SCITUATE MA 02066
19-82	CABLE HOLDCO EXCHANGE III LLC C/O COMCAST CORP	320 PLEASANT ST	PROPERTY TAX DEPARTMENT ONE COMCAST CENTER, 32ND FLOOR	PHILADELPHIA PA 19103-2838
19-83	COCOMAZZI MICHAEL L TRUSTEE 330 PLEASANT ST REALTY TRUST	330 PLEASANT ST	27 MOUNTAIN ASH DR	KINGSTON MA 02364
19-87-1	GREENWOOD CAITLIN D	1 BOXBERRY LN	1 BOXBERRY LN	ROCKLAND MA 02370
19-87-2	MCGUINNESS ANDREW J C/O MCGUINNESS ANDREW J TRUSRE	2 BOXBERRY LN	2 BOXBERRY LN	ROCKLAND MA 02370
19-87-3	HAUTALA ERIC JOHN & PATRICIA M	3 BOXBERRY LN	3 BOXBERRY LN	ROCKLAND MA 02370
19-87-4	GORDON RONALD L & KEYES S TRS BOXBERRY KEYES REALTY TRUST	4 BOXBERRY LN	77 ACCORD PARK DRIVE #C-14	NORWELL MA 02061
19-87-5	MAXWELL JORDAN & KREUZ NICOLE	5 BOXBERRY LN	5 BOXBERRY LN	ROCKLAND MA 02370
19-87-6	ROBBINS STEVEN A	6 BOXBERRY LN	6 BOXBERRY LN	ROCKLAND MA 02370
19-87-7	DOYLE JOHN J IV	7 BOXBERRY LN	7 BOXBERRY LN	ROCKLAND MA 02370
19-87-8	MOREAU JANICE E & BRICK C & S TRUSTEES 8 BOXBERRY LN RLTY TR	8 BOXBERRY LN	8 BOXBERRY LN	ROCKLAND MA 02370
19-87-9	MURPHY NOREEN	9 BOXBERRY LN	9 BOXBERRY LN	ROCKLAND MA 02370
19-87-10	MCCARTHY ANDREW L	10 BOXBERRY LN	10 BOXBERRY LN	ROCKLAND MA 02370
19-87-11	FULFORD JOSEPH	11 BOXBERRY LN	11 BOXBERRY LN	ROCKLAND MA 02370
19-87-12	DOYLE BRENDAN J & CONNOLLY KERRIN J	12 BOXBERRY LN	12 BOXBERRY LN	ROCKLAND MA 02370
19-87-13	PANDOLFO WILLIAM S	13 BOXBERRY LN	33 TYLER LN	HANOVER MA 02339
19-87-14	LILLANEY SHIV & NANDA S	14 BOXBERRY LN	23 CHEROKEE RD	CANTON MA 02021
19-87-15	PANDOLFO WILLIAM S	15 BOXBERRY LN	33 TYLER LN	HANOVER MA 02339
19-87-16	WILYTE KATHRYN E	16 BOXBERRY LN	16 BOXBERRY LN	ROCKLAND MA 02370
19-87-17	DE SOUZA ELTON HENRIQUE	17 BOXBERRY LN	17 BOXBERRY LN	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
19-87-18	DOYLE MAUREEN & DANIEL	18 BOXBERRY LN	88 RING RD	PLYMPTON MA 02367
19-87-19	MATIYOSUS MARK	19 BOXBERRY LN	19 BOXBERRY LN	ROCKLAND MA 02370
19-87-20	COLLYER MICHAEL JR C/O BRIGHT COURTNEY	20 BOXBERRY LN	20 BOXBERRY LN	ROCKLAND MA 02370
19-87-21	ROCHE KELLI J	21 BOXBERRY LN	21 BOXBERRY LN	ROCKLAND MA 02370
19-87-22	REARDON JOHN R & ELAINE F	22 BOXBERRY LN	22 BOXBERRY LN	ROCKLAND MA 02370
19-87-23	GANNON MICHELLE I. & MATTHEW O	23 BOXBERRY LN	23 BOXBERRY LN	ROCKLAND MA 02370
19-87-24	OUELLETTE MARK D	24 BOXBERRY LN	24 BOXBERRY LN	ROCKLAND MA 02370
19-87-25	HENDRY DAVID D	25 BOXBERRY LN	25 BOXBERRY LN	ROCKLAND MA 02370
19-87-26	WANG TEWEI & CHONG SUSANNA M	26 BOXBERRY LN	114 FOREST STREET	MIDDLETON MA 01949
19-87-27	SPORTSMANS TRAIL TRUST	27 BOXBERRY LN	27 BOXBERRY LN	ROCKLAND MA 02370
19-87-28	OGAR JUDITH	28 BOXBERRY LN	28 BOXBERRY LN	ROCKLAND MA 02370
19-87-29	VISCONTE STEPHEN M	29 BOXBERRY LN	29 BOXBERRY LN	ROCKLAND MA 02370
19-87-30	LILLANEY SHIV C TRUSTEE GEM949 REALTY TRUST	30 BOXBERRY LN	23 CHEROKEE RD	CANTON MA 02021
19-87-31	MCCANN LIAM MICHAEL & MCCANN MARGARET KELLY	31 BOXBERRY LN	31 BOXBERRY LN	ROCKLAND MA 02370
19-87-32	KING KEITH	32 BOXBERRY LN	32 BOXBERRY LN	ROCKLAND MA 02370
19-87-33	NULLE KATHERINE & RITZ ROBERT II	33 BOXBERRY LN	33 BOXBERRY LN	ROCKLAND MA 02370
19-87-34	LEBBOSSIERE EMILY & LESAGE THOMAS JR	34 BOXBERRY LN	34 BOXBERRY LN	ROCKLAND MA 02370
19-87-35	BUCKLEY MARC F	35 BOXBERRY LN	35 BOXBERRY LN	ROCKLAND MA 02370
19-87-36	MOREAU JANICE E & BRICK C & S TRUSTEES 36 BOXBERRY LN RLTY T	36 BOXBERRY LN	36 BOXBERRY LN	ROCKLAND MA 02370
19-87-37	FOREMAN LAURIE	37 BOXBERRY LN	37 BOXBERRY LN	ROCKLAND MA 02370
19-87-38	FU CELIA J	38 BOXBERRY LN	38 BOXBERRY LN	ROCKLAND MA 02370
19-87-39	KAING SOVANDARATH M & HAMILTON KAREN	39 BOXBERRY LN	39 BOXBERRY LN	ROCKLAND MA 02370
19-87-40	CORCORAN BLAIR E	40 BOXBERRY LN	40 BOXBERRY LN	ROCKLAND MA 02370
19-87-41	YUEN CATHERINE V	41 BOXBERRY LN	41 BOXBERRY LN	ROCKLAND MA 02370
19-87-42	WHITE STEVEN J. & JOANNE J. TRUSTEES OF THE 42 BOXBERRY LN	42 BOXBERRY LN	PO BOX 59 15 CENTRAL ST	ABINGTON MA 02351
19-87-43	PATEL BINAL V & VINAY B	43 BOXBERRY LN	51 WINDWARD LN	HANOVER MA 02339
19-87-44	PICARDI VINCENT JR	44 BOXBERRY LN	44 BOXBERRY LN	ROCKLAND MA 02370
19-87-45	MALIGNO CHRISTOPHER	45 BOXBERRY LN	45 BOXBERRY LN	ROCKLAND MA 02370
19-87-46	KRASNIQI KORAB & FANGO DHESPINA	46 BOXBERRY LN	46 BOXBERRY LN	ROCKLAND MA 02370
19-87-47	THIBEAU JAMES B	47 BOXBERRY LN	47 BOXBERRY LN	ROCKLAND MA 02370
19-87-48	DURFEE CLINTON J	48 BOXBERRY LN	48 BOXBERRY LN	ROCKLAND MA 02370
19-87-49	DIGANGI ANTHONY R	49 BOXBERRY LN	49 BOXBERRY LN	ROCKLAND MA 02370
19-87-50	SHAW KRISTINE H TRUSTEE KRISTINE H SHAW REVOCABLE TR	50 BOXBERRY LN	50 BOXBERRY LN	ROCKLAND MA 02370
19-87-51	AVITABILE PETER	51 BOXBERRY LN	51 BOXBERRY LN	ROCKLAND MA 02370
19-87-52	NATHAN SUZETTE	52 BOXBERRY LN	52 BOXBERRY LN	ROCKLAND MA 02370
19-87-53	CARR KATHERINE	53 BOXBERRY LN	53 BOXBERRY LN	ROCKLAND MA 02370
19-87-54	STAFFORD ROBERT	54 BOXBERRY LN	54 BOXBERRY LN	ROCKLAND MA 02370
19-87-55	KORONA ELAINE F LE	55 BOXBERRY LN	55 BOXBERRY LN	ROCKLAND MA 02370
19-87-56	DERAMO JASON	56 BOXBERRY LN	56 BOXBERRY LN	ROCKLAND MA 02370
19-87-57	BRADY SHAUNA C	57 BOXBERRY LN	57 BOXBERRY LN	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
19-87-58	EROMIN ANJEL B & DONAHUE JOHN MARK JR	53 BOXBERRY LN	58 BOXBERRY LN	ROCKLAND MA 02370
19-87-59	JACOBS MATTHEW	59 BOXBERRY LN	41 NORTHFIELD RD	LONGMEADOW MA 01106
19-87-60	DEPATTO MATTHEW LOUIS	60 BOXBERRY LN	60 BOXBERRY LN	ROCKLAND MA 02370
19-87-61	MCNEIL MICHAEL & ST. GEORGE CYNDI	61 BOXBERRY LN	61 BOXBERRY LN	ROCKLAND MA 02370
19-87-62	MARTIN DEBORAH L	62 BOXBERRY LN	62 BOXBERRY LN	ROCKLAND MA 02370
19-87-63	CIAMPA KERRIE A	63 BOXBERRY LN	63 BOXBERRY LN	ROCKLAND MA 02370
19-87-64	REYNOLDS THOMAS W & EDWARDS SHELLEY A	64 BOXBERRY LN	64 BOXBERRY LN	ROCKLAND MA 02370
19-87-65	HARRISON SEAN & ALLISON FINCH	65 BOXBERRY LN	55 OAK ST	SOUTH WEYMOUTH MA 02190-3325
19-87-66	GALVIN KATHLEEN L & CHRISTIAN 66 BOXBERRY LANE REALTY TRUST	66 BOXBERRY LN	66 BOXBERRY LN	ROCKLAND MA 02370
19-87-67	KELLEHER EDMOND J & MICHELLE P	67 BOXBERRY LN	67 BOXBERRY LN	ROCKLAND MA 02370
19-87-68	OHA SAYDE MARIA TRUSTEE 68 BOXBERRY LN NOMINEE RE TRST	68 BOXBERRY LN	68 BOXBERRY LN	ROCKLAND MA 02370
19-87-69	LEHR JOSHUA M	69 BOXBERRY LN	69 BOXBERRY LN	ROCKLAND MA 02370
19-87-70	BERESNITZKY BENITO & VIVIAN	70 BOXBERRY LN	70 BOXBERRY LN	ROCKLAND MA 02370
19-87-71	CORBETT JOSEPH F.	71 BOXBERRY LN	71 BOXBERRY LN	ROCKLAND MA 02370
19-87-72	WALTERS SHAYLIN	72 BOXBERRY LN	72 BOXBERRY LN	ROCKLAND MA 02370
19-87-73	EMJAY INVESTMENTS LLC	73 BOXBERRY LN	23 CHEROKEE RD	CANTON MA 02021
19-87-74	WHITE STEVEN T TRS OF FOUR B REALTY TRUST	74 BOXBERRY LN	PO BOX 59 15 CENTRAL ST	ABINGTON MA 02351
19-87-75	BOUZAN MELISSA A	75 BOXBERRY LN	75 BOXBERRY LN	ROCKLAND MA 02370
19-87-76	TUTTY DEBRA J	76 BOXBERRY LN	76 BOXBERRY LN	ROCKLAND MA 02370
19-87-77	MCCONNELL MATHEW R & MARTHA A	77 BOXBERRY LN	77 BOXBERRY LN	ROCKLAND MA 02370
19-87-78	BLAUER ZACKARY	78 BOXBERRY LN	78 BOXBERRY LN	ROCKLAND MA 02370
19-87-79	MILLER WILLIAM	79 BOXBERRY LN	79 BOXBERRY LN	ROCKLAND MA 02370
19-87-80	MANNING DIAN TRUSTEE DIAN MANNING 2020 TRUST	80 BOXBERRY LN	22 DRIFTWAY RD	WEYMOUTH MA 02191
19-87-81	BAILEY KATHLEEN G	81 BOXBERRY LN	81 BOXBERRY LN	ROCKLAND MA 02370
19-87-82	SOUTHWORTH KENNETH CHARLES	82 BOXBERRY LN	82 BOXBERRY LN	ROCKLAND MA 02370
19-87-83	ANDREWS JORDAN J & CASEY L	83 BOXBERRY LN	83 BOXBERRY LN	ROCKLAND MA 02370
19-87-84	MCNEIL COREY R & SARAH S TRS MCNEIL FAMILY TRUST	84 BOXBERRY LN	1099 MAIN STREET	NORWELL MA 02061
19-87-85	ROFFO STEVEN	85 BOXBERRY LN	85 BOXBERRY LN	ROCKLAND MA 02370
19-87-86	CONNERS KATIE	86 BOXBERRY LN	86 BOXBERRY LN	ROCKLAND MA 02370
19-87-87	YERINA YULIYA	87 BOXBERRY LN	87 BOXBERRY LN	ROCKLAND MA 02370
19-87-88	ROSE CHRISTINE M	88 BOXBERRY LN	88 BOXBERRY LN	ROCKLAND MA 02370
19-87-89	YANNIZZI TRACY A & CAITLIN	89 BOXBERRY LN	89 BOXBERRY LN	ROCKLAND MA 02370
19-87-91	MORIARTY KATE R	91 BOXBERRY LN	91 BOXBERRY LN	ROCKLAND MA 02370
19-87-93	FERDIE LLC	93 BOXBERRY LN	1540 BEDFORD ST	ABINGTON MA 02351
19-87-95	MINKLE JAMES W	95 BOXBERRY LN	95 BOXBERRY LN	ROCKLAND MA 02370
19-87-97	SUBRAMANIAN SUGUNAN	97 BOXBERRY LN	97 BOXBERRY LN	ROCKLAND MA 02370
19-87-99	PUSATERI ANTHONY J JR & JOAN S	99 BOXBERRY LN	6 PUSATERI PL	ABINGTON MA 02351
19-87-101	PUSATERI JOHN M & DEBRA	101 BOXBERRY LN	161 SPRING MEADOW LN	HANOVER MA 02339
19-87-103	GAROFALO JOHN J	103 BOXBERRY LN	103 BOXBERRY LN	ROCKLAND MA 02370
19-87-105	OLEN MICHAEL DAVID	105 BOXBERRY LN	105 BOXBERRY LN	ROCKLAND MA 02370
19-87-107	RIZZO MICHAEL J	107 BOXBERRY LN	107 BOXBERRY LN	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
19-87-109	BROOKFIELD ARTHUR J SR TRS FIELDBROOK REALTY TR	109 BOXBERRY LN	109 BOXBERRY LN	ROCKLAND MA 02370
19-87-111	CARDOSO GILBERT D & ROSE P	111 BOXBERRY LN	111 BOXBERRY LN	ROCKLAND MA 02370
19-87-113	OWENS NANCY J	113 BOXBERRY LN	113 BOXBERRY LN	ROCKLAND MA 02370
19-87-115	BAUER KERRY LEIGH	115 BOXBERRY LN	115 BOXBERRY LN	ROCKLAND MA 02370
19-100	MELCHIONE JOHN A TRUSTEE	218 VFW DR	ATTN JAM REAL ESTATE TRUST 218 VFW DR	ROCKLAND MA 02370
19-101	ALBANY ROAD-ROCKLAND 190 LLC C/O MAGOOS REALTY PARTNERS INC	190 VFW DR	50 WASHINGTON ST	WHITMAN MA 02382
24-32	HARRIS ROBERT E	244 PLEASANT ST	2 BORDEN RD	SCITUATE MA 02066
24-33	LUNDGREN GARY TRUSTEE HRG REALTY TRUST/HIGHWAY-AUTO	189 VFW DR	189 V F W DRIVE	ROCKLAND MA 02370
24-83	ALBANY ROAD-ROCKLAND LLC	180 VFW DR	155 FEDERAL ST SUITE 1202	BOSTON MA 02110

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.

THIS LIST IS VALID FOR 90 DAYS

EXHIBIT

4

State Tax Form 290
Certificate: 7775
Issuance Date: 07/17/2024

MUNICIPAL LIEN CERTIFICATE
Town of Rockland, MA
COMMONWEALTH OF MASSACHUSETTS

Requested by JAM REAL ESTATE MANAGEMENT, LLC
218 VFW DRIVE
ROCKLAND, MA 02370

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 07/17/2024 are listed below.

DESCRIPTION OF PROPERTY

Parcel ID: 19-0080

200 VFW DR

JAM REAL ESTATE MGMT LLC
218 VFW DRIVE
ROCKLAND MA 02370

Land area : 0.64 AC
Land Value : 188,000
Impr Value : 893,500
Land Use : 0
Exemptions : 0
Taxable Value: 1,081,500

Deed date: Book/Page: Registered Land Doc :584751
Cert: 107127

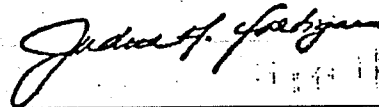
Class: 325-325

FISCAL YEAR	2025	2024	2023
DESCRIPTION			
COMMERCIAL REAL ESTATE TAX	\$7,803.03	\$15,205.89	\$14,621.85
COMMUNITY PRESERVATION ACT	\$117.05	\$228.09	\$219.33
RESIDENTIAL REAL ESTATE TAX	\$0.00	\$0.00	\$0.00
I&E CI PENALTY	\$0.00	\$250.00	\$250.00
TOTAL BILLED:	\$7,920.08	\$15,683.98	\$15,091.18
Charges/Fees	\$0.00	\$0.00	\$0.00
Abatements/Exemptions	\$0.00	\$0.00	\$0.00
Payments/Credits	-\$3,960.04	-\$15,683.98	-\$15,091.18
Interest to 07/17/2024	\$0.00	\$0.00	\$0.00
TOTAL BALANCE DUE:	\$3,960.04	\$0.00	\$0.00

NOTE: Actual 2025 taxes not yet issued.

FINAL READINGS WATER, SEWER AND TRASH LIENS CALL:
WATER 781-878-0901
SEWER 781-878-1964
BOARD OF HEALTH 781-871-1874 EXT 1005

SEWER BETTERMENT: NO

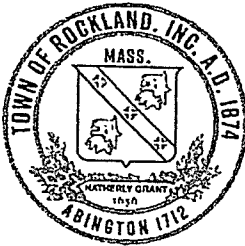


JUDITH A HARTIGAN
TOWN COLLECTOR

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

EXHIBIT

5



TOWN OF ROCKLAND ZONING BOARD OF APPEALS

Town Hall - 242 Union Street, Rockland, Massachusetts 02370
Phone: 781-871-0154, ext. 1195; E-MAIL: zoning@rockland-ma.gov

FINDINGS AND DECISION OF THE ZONING BOARD OF APPEALS

ZBA Case No.: 2024-08
Date: July 2, 2024
Decision: Denial of Section 6 Finding
Applicant: John Melchione, Manager, JAM Real Estate MGMT LLC
Property Address: 200 VFW Drive, Rockland, Massachusetts

The Rockland Zoning Board of Appeals has considered the application submitted by John Melchione, Manager, JAM Real Estate MGMT LLC, 416 Plain Street, Rockland, MA, for a Sec. 6 Finding pursuant to Zoning Bylaws §415-2, Definitions and word usage, and/or §415-89, Special Permits, to allow applicant to store personal classic cars along with lawn and snow removal equipment for the maintenance of the building in the lower part of the building that has proper drainage and sprinkler system. The premises is known as 200 VFW Drive, Rockland, MA and is in the B-2 Business II Zoning District, §415-14 of the Zoning Bylaw, Assessor's Ref: Lot 80, Map 19 on the Rockland Assessor's Maps. The owner is JAM Real Estate MGMT LLC, 218 VFW Drive, Rockland, MA.

The Board certifies that it has complied with all statutory requirements relative to notice to abutters and new publication of notice of the public hearing and has filed copies of this decision and all plans referred to herein with the Town Clerk, Planning Board, and the Building Department pursuant to Mass. Gen. L. c. 40A, Section 11.

Advertised: May 29, 2024, and June 5, 2024, in the Patriot Ledger.

TOWN CLERK ROCKLAND
JUL 2 2 24 PM 2:32

ZONING BOARD OF APPEALS
DECISION: DENIAL OF SECTION 6 FINDING
Applicant: John Melchione, Manager,
JAM Real Estate MGMT LLC
Address: 200 VFW Drive

The Board lastly has taken into consideration testimony of the applicant, the public, the application materials, plans and revised plans, and communications from various Town boards, abutters, and with interested parties.

A virtual remote Public Hearing was held via Zoom at 7:30 P.M. on June 18, 2024.

ATTENDANCE:

Board Members: Robert C. Rosa, III, Gregory Tansey, Robert Baker, Jr., Robert Baker, Sr. and Stephen Galley.

Also present:

Building Commissioner/Zoning Enforcement Officer Thomas Ruble
Town Planner Allyson Quinn

MEMBERS VOTING: Chair Robert C. Rosa, III, Gregory Tansey, Robert Baker, Jr., Robert Baker, Sr., and Stephen Galley.

DISCUSSION:

The Chair of the Zoning Board introduced the members of the Board advising the public that the hearing is being recorded.

The Chair asked the members of the ZBA for a roll call vote to open the public hearing. The ZBA members then took a roll call vote:

Robert C. Rosa, III – Yes, Gregory Tansey – Yes, Robert Baker, Sr. – Yes; Stephen Galley – Yes, Robert Baker, Jr. – Yes. The vote was unanimous and the public hearing was opened.

The Chair read the advertised notice in the Patriot Ledger with a Public Hearing Date of June 18, 2024.

The applicant testified that he owns several pieces of property in Rockland and has since 1989. In 2015 a building permit was issued for 200 VFW Drive to build retail space (convenient store and coffee shop) and lower level storage only. The current retail tenants are Sam's Convenience Store and Mima's Cuban Cafe. He stated that the basement has gas traps, is sprinklered and he is currently looking for a Special Permit/Section 6 Finding to store the cars as

ZONING BOARD OF APPEALS
DECISION: DENIAL OF SECTION 6 FINDING
Applicant: John Melchione, Manager,
JAM Real Estate MGMT LLC
Address: 200 VFW Drive

he was not aware that he needed one but that he would eventually like to store up to 15 cars in the basement.

The Chair then opened the meeting to the Board for questions.

Mr. Tansey asked the applicant how many cars he had on the premises. Applicant answered 7; the basement area is approximately 4,200 square feet, has 3 garage bay doors, 4 entrance doors, and 2 full bathrooms. Mr. Tansey then asked if there was ventilation in the building and the applicant answered there was no ventilation system but the basement is heated. He also stated that he uses these cars maybe a half dozen times over the summer.

Mr. Baker, Jr. asked the applicant if his intent was to sell the cars and if the cars were maintained on the site. The applicant stated no, he was a collector and did not intend to sell the cars, and that he did not do any maintenance there. Mr. Baker, Jr. asked if the cars were driven into and out of the basement and applicant stated yes. He also stated that he stored a lawn mower, snow blower and a bob cat machine in the basement. Mr. Baker, Jr. asked if there was fuel in the vehicles and machinery and applicant answered yes.

Mr. Galley asked if the vehicles were all registered and applicant answered no.

Mr. Baker, Sr. asked the applicant what boards he had come to. The applicant stated that the site had been approved for a gas station, convenience store and a Dunkin Donuts but the drive-through was not approved. The property sat for approximately 8 to 10 years then was designed by an architect and he went through the Planning Board, ZBA and Building Department. He stated that the building was designed with basement storage.

Allyson Quinn, the Town Planner, stated that the applicant did get site plan approval and that the use of the building was retail, a convenience store and a restaurant. She stated that the issue before the Board was storage, which is ancillary to the businesses in the building and not to store personal vehicles.

Mr. Rosa stated that storage of personal vehicles was never mentioned, nor was heavy equipment storage. The basement storage is to be ancillary to the uses approved. Cars are not ancillary to those uses. The applicant stated that that was why he was asking for relief now. Mr. Rosa stated that that use is now allowed.)

ZONING BOARD OF APPEALS
DECISION: DENIAL OF SECTION 6 FINDING
Applicant: John Melchione, Manager,
JAM Real Estate MGMT LLC
Address: 200 VFW Drive

Mr. Galley then read the following into the public record: Attorney Robert W. Galvin's email dated May 8, 2024, Board of Health Agent's email dated June 18, 2024, Deputy Fire Chief email dated June 18, 2024, and a Memo from the Town Planner and Zoning Enforcement Officer dated June 18, 2024.

Mr. Baker, Sr. stated that Attorney Galvin's email stated that this is not a permissible use and did not think section 6 applies.

Mr. Ruble, Building Commissioner/Zoning Enforcement Officer stated that the building codes and fire systems were OK, it was a dry system with an alarm system. His concerns were the businesses above.

Mr. Rosa asked if the tenants had been notified of the public hearing and if the green return receipt cards had been received, which they were. Neither tenant attended the public hearing. He then asked the applicant how the cars got into the middle of the building. The applicant stated that the cars were driven into the building and would run for a minute or so going in or out and that he could design a ventilation system for the fumes.

The Chair then opened the meeting up to members of the public, asking if any of the attendees would like to speak either in favor or opposed to this applicant.

No one spoke in favor.

No one spoke in opposition.

Mr. Tansey asked if this is a permitted use under a Special Permit. It is not as it is not a use ancillary to the principal use of the building.

Mr. Rosa stated that in the B-2 zoning district, it is not allowed by right for automobile storage.

Mr. Baker, Sr. stated that a vehicle running for 1 minute with carbon monoxide is dangerous.

Robert Baker, Sr. makes a motion to close the public portion of the hearing.
Seconded by Robert Baker, Jr.

ZONING BOARD OF APPEALS
DECISION: DENIAL OF SECTION 6 FINDING
Applicant: John Melchione, Manager,
JAM Real Estate MGMT LLC
Address: 200 VFW Drive

The ZBA members then took a vote: Robert Rosa – Yes, Robert Baker, Sr. – Yes, Gregory Tansey – Yes, Robert Baker, Jr – Yes, Stephen Galley – Yes. The vote is unanimous, and the public portion of the hearing has been closed.

The Chair read to the applicant the appeal process and stated a decision will be made later the same night and that the applicant was welcome to be present during deliberations and informed him of his obligation to request a certificate of no appeal. If no one has appealed to the Town Clerk, the certification and an attested copy of the original decision will need to be recorded at the Registry of Deeds to be valid, and the applicant must provide proof of recording to the Building Department.

DELIBERATION:

The Board is in agreement that a section 6 finding is not the way to accomplish what applicant desires as this is not a finding situation and that the basement storage is for the retail businesses located in the building. The applicant never applied for storage of personal vehicles in the basement and that would not be permissible as a part of retail use. There was discussion as to imposing conditions on the applicant if the relief sought was denied in order to prevent a use that is now allowed.

DECISION ON SECTION 6 FINDING:

Robert Baker, Jr. makes a motion to deny the Section 6 application as Section 6 is not the means by which the applicant can obtain the relief that he seeks.

Seconded by Robert Baker, Sr.

The ZBA members take a vote: Robert Rosa – Yes, Robert Baker, Sr. – Yes, Gregory Tansey – Yes, Robert Baker, Jr – Yes, Stephen Galley – Yes. The vote is unanimous and the Section 6 finding is denied.

The motion is read again to confirm that there is a unanimous vote to deny.

FINDINGS:

The Board found that the storage of personal vehicles belonging to the building owner in the basement of a retail building that is not ancillary to the retail businesses in the building is not allowed by right or by special permit.

ZONING BOARD OF APPEALS
TOWN OF ROCKLAND

Town Hall, 242 Union Street, Rockland, Massachusetts 02370

July 2, 2024

Mr. John Melchione
JAM Real Estate Mgmt LLC
218 VFW Drive
Rockland, MA 02370

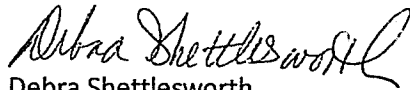
Re: June 18, 2024 ZBA Hearing – 200 VFW Drive
Decision Filed July 2, 2024

Dear Sir:

Enclosed please find a copy of the Zoning Board of Appeals Decision regarding the above-captioned hearing. There is a twenty (20) day appeal period.

Please do not hesitate to contact me if we can be of further assistance. Thank you.

Very truly yours,



Debra Shettlesworth
Land Use Coordinator
Phone: 781-871-0154, ext. 1195
Email: dshettlesworth@rockland-ma.gov

Certified Mail No.: 9589 0710 5270 0884 6624 90
Return Receipt Requested

C: Diane Harvey (Via email: SupremeSMB@AOL.com)
Mima's Cuban Cafe
Certified Mail No.: 9589 0710 5270 0884 6625 06, RRR
Sam's Store
Certified Mail No.: 9589 0710 5270 0884 6650 88, RRR
Building Department
Assessor
Planning Board
/All with Attachment

ZONING BOARD OF APPEALS
DECISION: DENIAL OF SECTION 6 FINDING
Applicant: John Melchione, Manager,
JAM Real Estate MGMT LLC
Address: 200 VFW Drive

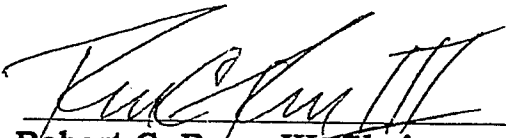
REASON FOR DECISION:

The Board found that the applicant did not meet the standard for a section 6 finding as storage of vehicles in the basement of a building built for retail purposes is not a use allowed under the zoning bylaws. The Board found that a special permit for the storage of vehicles not ancillary to the businesses is also not allowed.

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

By: 
Robert C. Rosa, III, Chairman

EXHIBIT

6

(2)
Plymouth Registry District

628747

Received for Registration

12 OCT 2007

09:37AM

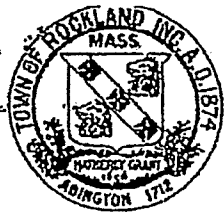
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Fee: 75.00

Affected Cert(s): 107127

Pages: 513

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1-copy
1-post
Cotters Cotters



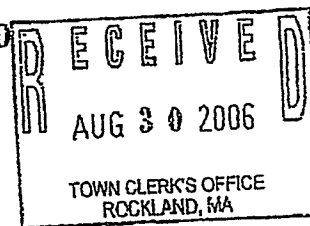
ROCKLAND ZONING BOARD OF APPEALS

242 UNION STREET

ROCKLAND, MASSACHUSETTS 02370

(781) 871-1874 x175

(781) 871-0386 fax



A public hearing was held on May 17, 2006 and continued to June 7, 2006, August 9, 2006 and August 17, 2006 in the H. Bernard Monahan Memorial Hearing Room, Town Hall, 242 Union Street, Rockland on the petition submitted by **John Melchione, 416 Plain Street, Rockland to allow the construction of a gas station, convenience store and a Dunkin Donut drive-up window in a B-2 zone. The Applicant is seeking a Special Permit for the gas station, a Special Permit for a drive-up window and a variance from the 400-foot requirement for a cueing lane for a donut shop.** The site is located at 200 VFW Drive (Old Suburban Auto) and is also known as Lot #80 on the Rockland Assessor's Map #19. A copy of this application is on file in the Town Clerk's office and is available for inspection during regular office hours.

ATTENDANCE (meeting of August 17, 2006): Chairman Robert Manzella, Vice-Chairman Stanley Cleaves, Anton Materna, Peter McDermott and Associate Members Gregory Tansey and Alan McPhee. **Absent:** Ms. Howes and Town Counsel.

MEMBERS VOTING: Robert Manzella, Anton Materna, Peter McDermott, Gregory Tansey and Alan McPhee. Mr. Cleaves step-down from this hearing and abstained from voting.

DISCUSSION:

May 17, 2006: The Chairman read the advertisement. At that time the Chairman stated that Mr. Cleaves would be stepping down from this hearing due to a legal matter and Ms. Howes would be abstaining from voting on this hearing as the Petitioner does work on her vehicle and is an abutter to the Petitioner's business on the corner of North Avenue and Plain Street. The Chairman also stated that there were not enough voting members in attendance as Mr. Materna and Mr. Tansey were not present for this hearing, therefore leaving only three voting members. The Board motioned to continue the hearing to June 7, 2006. The Chairman also stated that he wanted to hear input from the Water Department and Fire Department regarding this petition at the next hearing.

A TRUE RECORD, ATTEST

Mary Pat Kaszanek
MARY PAT KASZANEK, TOWN CLERK

200 VFW Drive Trust
John A Melchione TR

Certificate of Title # 107127

June 7, 2006: Attorney Shawn Cotter came before the Board to make a presentation on behalf of his client John Melchione. Attorney Cotter testified that many years ago there was a Chevron gas station on this site and that the tanks were removed. Attorney Cotter testified that his client proposes to build a gas station, have a convenience store operation (ex. 7-Eleven set-up) and have a drive-up window for a donut shop with no seating. Attorney Cotter testified that the primary issue before the ZBA is that his client needs 400 feet to meet the requirement for a drive-up window cueing lane which would be the smallest cueing lane proposed to the ZBA. Attorney Cotter testified that his client has more than 400 feet if you combine the double lane drive-up. Attorney Cotter testified that this new business would be a great asset to that area of Rockland especially for gas and grocery items. Attorney Cotter testified that the traffic volume has changed since the closing of the VFW cut-off. Mr. Randy Hubert, Engineer for the Applicant testified about that Mr. Melchione is seeking 4 gas pump islands, 1,800 square feet for the convenience store and 1,150 square feet for the Dunkin Donut operation. Mr. Hubert testified about the setbacks, drive-up layout and when fueling vehicles, customers would be facing the convenience store and Dunkin Donuts. Mr. Hubert testified that if his client were to meet the 400 foot cueing lane, they would have to turn the building and have people back out of the parking area. Mr. Hubert testified that he feels with the amount of stacking vehicles and two lanes, it would total 500 feet easily and does not expect the second lane to be used. Mr. Hubert testified that the vehicles would have to alternate when they got to a certain point and that the coffee facility would have the problem and make it work by maybe putting in a double order station. Attorney Cotter testified about other out-of-town locations with double drive-up cueing lanes. Attorney Cotter testified that the fuel delivery would be dropped off in a certain area and the fuel truck would not be exiting the cueing lane and delivery might be at 2:00 AM, but could change. Attorney Cotter testified that the existing building would be torn down, there would be tank installations, he believes the site is clean, but a 21E needs to be done for financing purposes. Attorney Cotter testified that Mr. Melchione owns the lot in question and would be leasing it out and that the soul owner would be responsible for spills, etc, new lighting, parking lot and landscaping. The Board discussed a double stacked, double order cueing lane. Mr. Hubert testified that there could be a bit taken off the back for a 2 foot curb. Mr. McPhee has concerns about the two lane cueing and the confusion of who what vehicle goes next, what the total acreage of the property was and there would be a problem with the turning radius from the gas pump as that the customers on the left would have to turn to the right. There was discussion with the Board and the Applicant about having vehicles go around and have the pumps heading out. There was discussion as to how

wide the buffer zone was and that zoning requires a 20 foot front landscaped buffer in a B-2 zone. Mr. Hubert testified that there is a 6-foot front landscaped buffer proposed. The Board also discussed that the Applicant would be changing the use of the property. Mr. McDermott discussed what was allowed in a B-1 zone and a B-2 zone and Attorney Cotter testified that a supermarket is a box store and it falls under the category with this application. Mr. McDermott had concerns about removing the old building, building a new building and leasing out to three (3) businesses. Attorney Cotter testified that it would be one lease (example: Mobil on the Run in Rockland). Mr. McDermott had concerns about the fact that three different people would be managing three (3) businesses on one lot and you would definitely need a manager for the convenience store and gas station. Attorney Cotter testified that Mobil Gas station sells convenience store items, has a gas station and also sells coffee and the only difference his client is asking for is a drive-thru window. Attorney Cotter testified that his client would not be selling liquor, but possibly sell cigarettes and have the lottery. The Board had concerns about the double lane with the vehicles weaving in and out. The Board discussed in length the leasing process and who would be in the donut shop, convenience store and gas station. Attorney Cotter testified that there would be one person for the gas and convenience store and that the donut shop would be separate. The Board had concerns about the traffic at this location, with a 102 unit condominium complex abutting the property. Attorney Cotter testified that the only way to meet the 400 foot zoning requirement was to have two lanes which would be about 260 feet from the drive-up window to VFW Drive by having an inside and outside lane. The Board discussed that the intent of the 400 foot lane for a drive-up window was a long strip, not two lanes put together to total 400 feet. Mr. Materna asked the Applicant if the tanks were removed and if the removal operation was supervised. Attorney Cotter testified that the removal was done under Fire Chief Tanzi and that he has no records of the removal and leakage at this site. Attorney Cotter testified that the new gas tanks would be double hulled fiberglass and with alarms. The Board read into the record a letter from Mayor David M. Madden of the Town of Weymouth stating that this location is within the watershed of the Old Swamp River which is part of the Town of Weymouth's drinking water supply and that the stream flows under Forest Street. Attorney Cotter replied that his client is not putting in a service station and thinks the parking spaces meets the requirements of the Zoning By-Law and does not think double wall tanks will affect the drinking water. The Chairman asked Attorney Cotter if he and his client would like to meet with Mayor Madden to discuss this letter and their response was that the Town of Weymouth can appeal this decision and his

client will fight it. Attorney Cotter testified that there would be two employees for the donut shop and one employee for the convenience store/gas station. Attorney Cotter testified that the hours of operation would be 6:00 A.M. to 11:00 P.M. for all businesses. Attorney Cotter testified that the walk-in area for the donut shop operation would be at the left front corner of the building. Mr. Manzella had concerns about the cross over traffic, the frontage buffer and parking spots. There was much discussion as to why there was a need for a drive-up window. Attorney Cotter testified that the customers are looking for service and convenience to a drive-up window and if there is no drive-up, his client would have to build a bigger store for seating. Attorney Cotter testified that there are minor issues here such as single drive up, double order board and this type of business is much needed. Mr. McPhee testified that he thinks there is a need for this kind of business, but also thinks that there is not enough on parking to do minimal shopping. Locate the parking in back of the store instead of a drive-thru lane. The Applicant testified that restrooms would only be available for the employees. There was discussion about the State law requirements for a handicap person at the pump island and that the employee in the convenience store would have to come out to help the customer, which would then leave the convenience store abandoned. There was discussion from an abutter that if someone had gone through the drive-thru lane and then decided they needed gas, it might get more congested at the pump. There was discussion as to whether the Boxberry Square tenants would drive or walk-up to the convenience store. Mr. Solari, abutter to the property had questions about the drainage, sewerage and the Swamp River being 800 feet away from the property. Mr. Melchione testified that the grade has to be changed a bit. Mr. Mark Trabucco of Boxberry Square Condominiums testified that he thought this would be congested, there is only one entry next to Boxberry and feels there is too much going on off of VFW drive the first 30 feet or so. The Chairman again asked the Applicant for reports from the Water Department Fire Department and the Board still does not have their input. Attorney Cotter testified that he has not heard from those departments. The Chairman discussed the run-off and Attorney Cotter replied that the only concern was the 18 foot drive behind the building for the Fire trucks. The Chairman asked about how wide the rear buffer zone was and the Applicant replied 10 feet. The Chairman discussed that the issue presented was good, the Applicant is pushing a lot into a little box, they need to work on the front, drive-up window cueing lane and parking spaces and try to reconfigure the building. Attorney Cotter testified that he was looking for a positive vote from the Board and if they like the idea, what are the major issues. Mr. McPhee testified that if approved without a variance/special permit for a drive-up window, option would be like having a Mobil quick mart and to reposition the

building to make more parking spaces. Mr. McPhee also had concerns about the pile up of vehicles that could possibly end up on VFW Drive while waiting to get into the drive-up cueing lane. The Board discussed another gas station in town and that the customers are not blocking the street and are still able to get supplies, staples and gasoline. The Chairman asked the Applicant if he wanted the Board to vote to reconfigure and that you need 400 feet for a cueing lane for drive-up as you are creating the hardship. An Abutter replied that this is not a grandfathered lot and the applicant is changing the use. Attorney Cotter testified he and his client argue the front buffer line and landscape issue and will revise the variance, buffer, the front parking space and maybe, possibly come up with 310 feet for drive thru lane. Mr. McPhee testified that this plan is so congested, there are too many businesses on one lot and it cannot support all of that. Other Board members discussed that no wall go up between the donut shop and the convenience store as this is also a gas station/convenience store selling donuts. The Chairman stated that there are two separate entities, two companies with one building. Attorney Cotter testified that a name brand donut client wants a drive-up window for the customers. The Applicant testified that there would be 4 dispensers at each gas pump island (2 sides) and 3 grades of gas and figures each island can pump gas up to eight (8) vehicles. The Chairman asked for the wish of the Board. The Board replied that they would not vote for drive-up 2 lanes, the By-law requirement is 400 feet for a drive-up window cueing lane and that is the purpose of the By-law to keep the vehicles off the main road and keep them traveling in an orderly fashion, possibly turning the building and gas pump and make a smaller building with less gas pump dispensers. At this point Mr. McDermott made a motion to table the hearing to the next available date on August 9, 2006. Mr. Tansey seconded the motion. The vote of the Board was unanimous. Attorney Cotter testified that he will talk to his potential tenants about removing a pump, not sure about the parking space and drive-up window, but maybe he could get a few more feet by turning the building, and have one drive-up cueing lane, not two and work on the front buffer.

August 9, 2006: The Chairman read the continuance and stated that he did not have a full Board to continue the hearing this evening and asked the Applicant to continue the hearing to August 17, 2006. Mr. McPhee made a motion to continue the hearing to August 17, 2006 and Mr. Tansey seconded the motion. The vote of the Board was 3-0. An Extension of Waiver was signed by Attorney Cotter at this meeting and filed with the Town Clerk's office.

August 17, 2006: Attorney Cotter passed out a new plan to the Board for the convenience store, gas station and donut shop. Attorney Cotter testified that the ordering window is now on the left side and is 325 feet to the curb. Attorney Cotter testified that the location of the building will take the Hingham Street business away and it might be the same owner as the Hingham Street property. Attorney Cotter testified that his client anticipates drawing Hingham Street traffic to this VFW location, which will help with the high volume of traffic on Hingham Street. Attorney Cotter testified that there will be a wide island with a lot of greenery and this will improve the area. Attorney Cotter testified that there are more parking spaces leaving a total of 14, but he is only required to have 9 spaces. Attorney Cotter testified that the customers would have to go into the convenience store to pay for their gasoline. Attorney Cotter testified that the Fire Department had concerns about the drive-up lane and wanted it to be 14 feet wide in the back area. Attorney Cotter testified that they reduced the width of 25 feet to add parking out front. Attorney Cotter testified that it was important for a drive-up window as the primary gas company and the primary Dunkin Donut business would work together. Attorney Cotter testified that without the drive-up window his client would go down leasing to a well known gas name and national donut company. Attorney Cotter testified that the cueing lane proposed on this plan is 325 feet and shows on the plan 14 full sized vehicles in the lane. Attorney Cotter testified that if the drive-up window is approved, his client has the commitment of Dunkin Donuts store coming. Attorney Cotter testified that there are 9 parking spaces for the convenience store customers. Attorney Cotter testified that there are no gas tanks on the site now and that a 21E needs to be done for financing and to have a clear history of lot being cleaned. Attorney Cotter testified that the gas tanks would meet all standard requirements for a gas station. Mr. McDermott had concerns about the operation of three (3) businesses in operation on a 27,600 square foot lot. Attorney Cotter testified that they would work in conjunction of each other as other towns on smaller lots seem to function well. Mr. McDermott testified that not all Dunkin Donuts have drive-up windows, (ex. Tedeschi in West Hanover has Dunkin Donut that you need to get out of your vehicle to purchase coffee). Attorney Cotter testified that his client is asking for a drive-up window, which would then free up parking spaces for customers entering the convenience store. Mr. McPhee has seen many changes since the first plan, but is still concerned about the traffic flow. Mr. Tansey testified that there has been an improvement with setbacks, cutting down the size of the building, the cueing lane is now closer to 400 feet and having a window is an efficiency issue which might improve traffic flow. Attorney Cotter testified that the 14 foot wide lane increases into 20 feet in the back of the building. Attorney Cotter testified that his client has gone

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from four (4) gas pump dispensers down to three (3) dispensers and that the Dunkin Donut shop would have no seating area, just counter space. Attorney Cotter testified that the distance between the ordering kiosk and the pick-up window is about 25 feet. Mr. Manzella stated that he thought that Dunkin Donuts wanted five (5) car separation between the two (2) windows. The Chairman mentioned the possibility of a customer who is in the middle of the cueing lane might want to get out of that lane for whatever reason they choose. Attorney Cotter testified that at the fire lane, the customer could not go by the order window as he sees the turn over quickly and unlikely would someone escape the cueing lane. Mr. Manzella asked how the Board could justify his client asking for a 75 foot variance. Attorney Cotter testified that he could do the 400 feet but would have to reconfigure the building. Attorney Cotter testified that hours of operation would be same as other Dunkin Donut businesses. Mr. McPhee discussed the hours of the drive-up be at 5:00 A.M. and inside area open at 6:00 A.M. and closing be 10:00 P.M. due to the residential neighborhood that surrounds this lot and convenient store/gas station would be from open 6:00 A.M. to 11:00 P.M. Mr. McDermott stated that there is high volume of traffic and is still concerned with the operation of three (3) businesses on one small lot. Attorney Cotter testified that he believes that the corporate businesses in that area such as Reservoir Park Drive, would come to the VFW Drive Dunkin Donut shop as they would easily be able to get gas, coffee and a newspaper, than stop at two different places on Hingham Street. Attorney Cotter testified that the Boxberry Square residents would have to access the property through the front entrance off of VFW Drive. At this point the Chairman asked Attorney Cotter if he wanted separate votes on what his client is requesting. Attorney Cotter replied yes.

DECISION and VOTE ON DECISION:

Special Permit for gas station/convenience store: Mr. McPhee made a motion to grant the Special Permit for a three (3) dispensing units (total of 3 hoses on each side within one island as per plan submitted to the Board and attached to this decision. There shall be one hose per dispensing unit per side. In no event shall there be more than six (6) hoses for the dispensing units. The following conditions are stated below for the gas station, convenience store and donut shop:

- (1) Hours of operation: Convenience store/gas station – 6:00 A.M. to 11:00 P.M. Donut shop (inside building) – 6:00 A.M. to 10:00 P.M. (drive-up only 5:00 A.M to 10:00 P.M.) and if any changes are made, the Applicant would have to come back to the ZBA.

- (2) Deliveries of baked goods are to be made between the hours of 4:00 A.M. and 5:00 A.M. and the lights from delivery vehicles shall not shine into abutting condominium units. Trucks shall not park overnight on the site.
- (3) Delivery vehicles shall refrain from making excessive noise and shall be shut down during delivery hours.
- (4) Paper good deliveries shall be twice per week and shall not be during peak rush hours.
- (5) This decision shall be reviewed, and if there is a problem that arises due to traffic with the gas island and convenience store/donut shop, the Applicant will be asked to then come back to the Zoning Board.
- (6) There shall be no parking of vehicles from other abutting businesses. The parking is for employees and customers of the site only.
- (7) There shall be no chairs, stools or table within the donut shop/gas station/convenience store as this will prevent customers from hanging around and causing a parking problem.
- (8) The Applicant shall meet all the standard requirements for installation and operation of a gas station.
- Mr. Tansey seconded the motion. The vote of the Board was 4-1 (Mr. McDermott opposed).

Special Permit for drive-up window: Mr. McPhee made a motion to grant the Special Permit for the drive-up window. Mr. Materna seconded the motion. The vote of the Board was 3-2 (Mr. McDermott and Mr. Manzella opposed). The Applicant needed a 4-0 vote in order for this drive-up window to pass.

Variance: This vote was now moot for a variance for less than a 400 foot cueing lane.

The Board voted for the Applicant to have a gas station, convenience store and an inside donut shop without a drive up window and deliveries would then be in the back of the building.

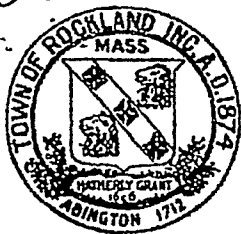
REASON FOR DECISION: Upon motion duly made and seconded, the Board found that the Applicant is now seeking to have an island with three (3) dispensing pumps for gasoline that will have 3 levels of octane, a convenience store and a donut shop for inside services. The Board found that there is a need for these services in this location, but also found that if granted a drive-up window, there would be heavy traffic that would impact the surrounding residential neighborhood, the cueing lane does not meet the By-law requirements of 400 feet. The Board also found that there would be an

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increase in truck and vehicular traffic and where would they park on the site. The Board found that deliveries would be done in a UPS size truck and would come two times per day as Abington has a warehouse for this location and that deliveries would be done in the off hour between 3:00 A.M. – 5:00 A.M. The Board found that by granting the Special Permit for gas station/convenience store with conditions stated herein would not derogate from the intent or purpose of the By-law or be detrimental to the public good. The Board found that the proposed location is small and that the plan presented to the ZBA on 8/17/06 hearing would be the Boards vote for the location of the building, gas pumps and parking. The Board found that a drive-up window would create more traffic and if the drive-up window special permit was granted, there would be a major derogation to the Zoning By-law and would not be in harmony with the surrounding neighborhood. The Board found that the Petitioner did not meet the hardship requirement for the drive-up window. The Board found that there was no hardship and is self created; therefore the Board could not grant the variance. The Board found that the convenience store/gas station would not be offensive by reason of the emission of odor, fumes, dust, smoke, noise and/or vibration, or that it would have a negative impact on the environment of living conditions within the Town. The Board found that the gas station/convenience store would be in harmony with the surrounding businesses and would not be a detriment to the intent of the Zoning By-law.

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 BUILDING PERMIT AND PROOF OF RECORDING MUST BE FILED WITH THE BUILDING INSPECTOR.

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.



(781) 871-1892

TOWN OF ROCKLAND

Town Clerk

Mary Pat Kaszanek, CMC, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

October 11, 2007

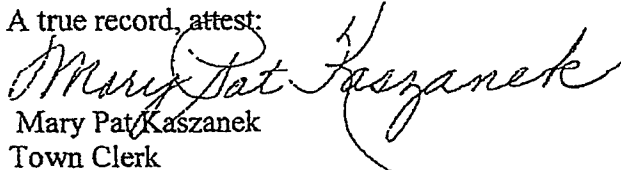
Re petition of: John Melchione
416 Plain Street
Rockland, MA 02370

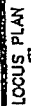
Property location: Lot #80 Map #19
200 VFW Drive
Rockland, MA 02370

To whom it may concern:

I certify that 20 days have elapsed since the Zoning Board of Appeals filed the attached decision (August 30, 2006) for a Special Permit in this office, and that no appeal has been filed.

A true record, attest:


Mary Pat Kaszanek
Town Clerk



ZONING DATA

ZONING DISTRICT: B-2 BUSINESS

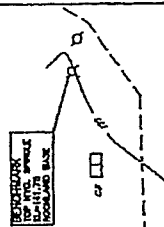
APPROVED BY SPECIAL PERMIT.

ESN DELIVERING A BETTER SERVICE

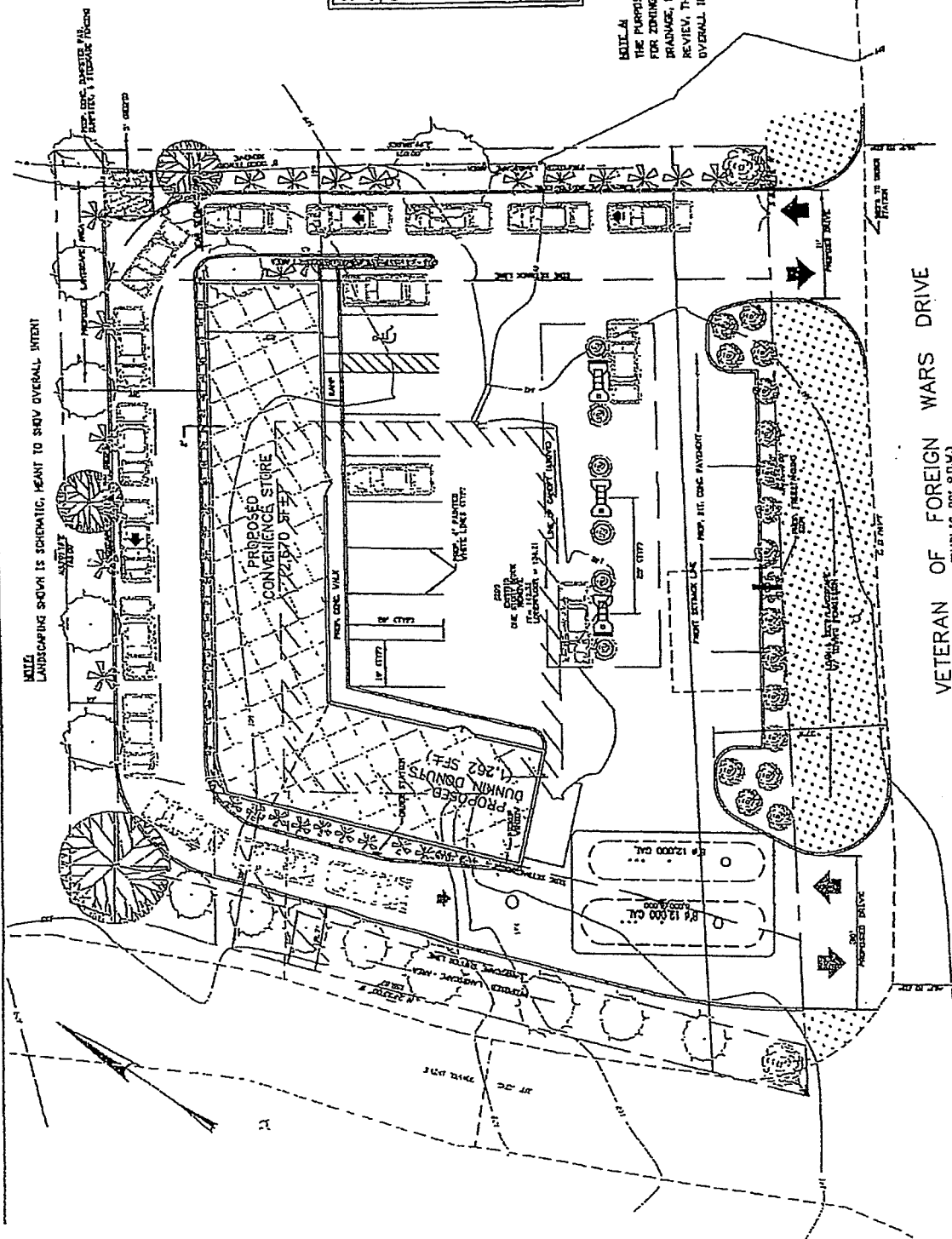
[illegible]

TWO BOLLS ONLY

THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED SITE LAYOUT FOR ZONING BOARD REVIEW/APPROVAL. PROPOSED SITE GRADING, UTILITIES, DRAINAGE, ETC. WILL BE COMPLETED AND SUBMITTED FOR FULL SITE PLAN REVIEW. THE DRAINAGE LAYOUT SHOWN, THEREFORE, IS MEANT TO DEMONSTRATE GENERAL INTENT, AND WILL BE FINALIZED DURING FINAL SITE DESIGN.



NO	REVISION	DATE	BY	PROPOSED SITE LAYOUT	KEEP THIS PAGE
1	REVISION REVISION REVISION	11/11/04	11/11/04	JOHN MALCHIONI 200 NEW PARKWAY ROCKLAND, MA	CLERK/OWNER
			SEAL	DESIGNED BY: JMC	CHECKED BY: JMC
			SCALE	NOV.	1" = 10'
			WARD ASSOCIATES, INC.		
			1000 WILLOW STREET		
			5000 STELLA STREET		
			ROCKLAND, MA 01866		
			TEL: 978-662-2288		

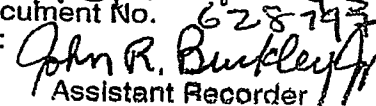


NOTES: PROPERTY LINE, CONTOURS, AND SITE DETAIL INFORMATION SHOWN IS TAKEN FROM PLAN ENTITLED "SITE PLAN FOR 200 VFW PARKWAY IN ROCKLAND", DATED APRIL 4, 2003, PREPARED BY ROSS ENGINEERING COMPANY INC., 680 MAIN STREET, NORWELL, MA. AND SUPPLIED THE BASE PLAN USED FOR THIS DRAWING.

- (3)
- Chapter 40A, Section II, 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

A true copy of document filed in
Plymouth District of the Land Court
on 10/12/2007 at 9:37 AM
as Document No. 628793
Attest: 
Assistant Recorder



TOWN OF ROCKLAND

Town Clerk

(781) 871-1892

Mary Pat Kaszanek, CMC, CMMC
Rockland Town Offices
242 Union Street
Rockland, Massachusetts 02370-1897

October 11, 2007

Re petition of: John Melchione
416 Plain Street
Rockland, MA 02370

Property location: Lot #80 Map #19
200 VFW Drive
Rockland, MA 02370

To whom it may concern:

I certify that 20 days have elapsed since the Zoning Board of Appeals filed the attached decision (August 30, 2006) for a Special Permit in this office, and that no appeal has been filed.

A true record, attest:

Mary Pat Kaszanek
Mary Pat Kaszanek
Town Clerk

EXHIBIT

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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:



CASE NO.: 2016-32

Property Address: 200 VFW Drive

A public hearing was held at 7:30 P.M. on August 16, 2016 in the Lower Hearing Room, Town Hall, 242 Union Street, Rockland, MA on the petition submitted by John A. Melchione, 416 Plain Street, Rockland, MA 02370 to allow the sale of Beer and Wine at 200 VFW Drive. The Applicant is seeking a Special Permit as per §415-14.C.3. The owner of the property is JAM Real Estate/John Melchione, 218 VFW Drive, Rockland, MA. The site is in a B-2 zone; it is located at 200 VFW Drive and is further identified as Lot #80 on the Rockland Assessor's Map #19. A copy of this application is on file in the Town Clerk's office and is available for inspection during regular office hours.

ATTENDANCE: Board Members: Chairman Robert Manzella, Rita Howes, Robert Rosa and Associate Members Stephen Johnson and Brian Hughes.
ABSENT: Gregory Tansey and Stanley Cleaves.

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Applicant: John A. Melchione

Property Address: 200 VFW Drive

Hearing Date: August 16, 2016

Also present was Land Use Counsel Robert W. Galvin and Building Commissioner/Zoning Enforcement Officer Tom Ruble.

MEMBERS VOTING: Robert Manzella, Rita Howes, Robert Rosa, Stephen Johnson and Brian Hughes.

DISCUSSION: Chairman Manzella read the advertisement from the Patriot Ledger.

The Applicant Mr. Melchione and his tenant Tariq Mahmud came before the Board to make their presentation. The Applicant testified that he is applying for a Special Permit for his building at VFW Drive where there will be a convenience store and would like to sell Beer and Wine at this location.

Mr. Johnson asked the Applicant if the building is there now. The Applicant replied, yes. Mr. Johnson asked the Applicant if the Beer and Wine sales would be from the convenient store. The Applicant replied, yes.

Ms. Howes testified that it is a lovely building but is concerned if there are enough parking spaces. The Applicant testified that when he went before the Planning Board the parking did work out and was not aware at that time that he needed a Special Permit for the sale of Beer and Wine as it just came to his attention. Ms. Howes asked if the tenant was here this evening. The Applicant testified that they were. Ms. Howes asked if they were both TIPS trained. The Applicant testified that she is only TIPS trained, not him.

Mr. Rosa had no questions at this time for the Applicant.

Mr. Hughes discussed the parking spaces, the spaces in the back of the building and was concerned about loitering. The Applicant testified that he will have cameras and lighting. Mr. Hughes testified that he is concerned about the people who purchase the Beer and Wine.

The Chairman asked the Applicant if there would be KENO at this location. The tenant replied, no. The Applicant testified that he will have the lottery. The Chairman asked the Applicant what is the space on the left side of the building. The Applicant testified that he plans on renting out the big side first, not sure right now what type of business will be next to the convenience store. The Chairman

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Applicant: John A. Melchione

Property Address: 200 VFW Drive

Hearing Date: August 16, 2016

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stated; that if it becomes and sandwich shop, parking could be an issue. The Chairman asked the Applicant what the store hours would be. The tenant testified, 5:00 A.M. to midnight seven days per week. The Chairman asked the tenant why 5:00 A.M. to open the business. The tenant testified those are standard hours. The Chairman asked if there would be coffee and donuts for sale. The tenant testified that they will sell stuff in packages and would not be like a MaryLou's. The tenant testified that the Board of Selectmen will determine the hours for the sale of Beer and Wine.

Ms. Howes asked if there would be sit down table and chairs. The tenant replied, no.

Attorney Galvin stated that they need to determine the intent of by By-law.

The Chairman asked the audience if there was anyone in favor or against this petition. The Chairman read a letter dated 8/8/16 from Kerry Bauer and Paul Winston residents of Boxberry Lane where they state they are against this petition.

Mr. Hughes addressed the Board testifying that he would like a condition that there will be no full alcohol license at this location.

The Applicant testified that a convenience store looks for Beer and Wine and has no intention of a full liquor license at this location as he needs the Beer and Wine so that his convenience store can flourish.

The Chairman closed the open portion of this hearing and explained to the Applicant the appeal process, the filing of the decision with the Town Clerk, and if the Special Permit and/or variances are granted, the Applicant must receive from the Town Clerk a Certificate of no appeal after the 20 day appeal period and then proceed to the Registry of Deeds to record the approved decision together with a Certificate of no appeal and proof of recording must be submitted to the Building Department before receiving a permit.

DELIBERATION: The Chairman stated to the Board that the Applicant is requesting a Special Permit as per §415-14.C.3 to sell Beer and Wine at 200 VFW Drive.

Ms. Howes testified that it can only be Beer and Wine and make it a condition.

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Applicant: John A. Melchione

Property Address: 200 VFW Drive

Hearing Date: August 16, 2016

Mr. Hughes testified that he would like the employs to park out back in the 3 spaces provided on the plan.

The Chairman stated he is concerned about the parking spaces if they rent out the other side and we do not know at this time what will be going in that empty space.

Mr. Hughes testified that the back parking spaces are to be used for the employees.

The Chairman discussed with Attorney Galvin that the Special Permit will be in the building owner's name John A. Melchione allowing the Applicant to seek a Beer and Wine license through the Board of Selectmen.

Mr. Hughes and Mr. Rosa testified that 2,520 square feet of the building will be used for the convenience store.

DECISION AND VOTE ON DECISION: Mr. Rosa made a motion to grant the Special Permit to John A. Melchione with the following conditions. Ms. Howes seconded the motion. The vote of the Board was unanimous (5-0)

CONDITIONS:

- 1). This location can only have a Special Permit for the Sale of Beer and Wine. There shall be no full liquor license at this location. The Beer and Wine shall be sold by the convenience store tenant only and shall not be consumed on the site.
- 2). This convenience store shall have no KENO but will have lottery sales.
- 3). The hours of the business operation: Seven days per week – 5:00 A.M. to midnight.
- 4). There shall be some form of an Identi scan system used to check the ID's on the individual(s) purchasing Beer and Wine.
- 5). The Special Permit shall be issued to John A. Melchione.
- 6). If there is a change in tenant/manager, they must meet with the Zoning Enforcement Officer prior to meeting with the Board of Selectmen so that they may be made aware of the conditions of the Special Permit.
- 7). The area where the Beer and Wine is stored shall be locked or under cover when the Beer and Wine is not being sold in accordance to the hours for the Beer and Wine license issued by the Rockland Board of Selectmen.

Page Five of Six

Applicant: John A. Melchione

Property Address: 200 VFW Drive

Hearing Date: August 16, 2016

8). There shall be no temporary signs allowed in front of the store or out on VFW Drive unless approved by the Building Department with a temporary sign permit.

9). If there is a change in ownership of the property, the Applicant must come before the Zoning Board of Appeals for a new Special Permit.

10). All employees shall park in the spaces located in the rear of the building.

11). Proof of recording this Decision and Certificate of no appeal must be presented to the Building Department and the Board of Selectmen prior to applying for a Beer and Wine License before the Board of Selectmen.

12). Any complaints concerning the operation of the business shall be diverted to the Building Department/Zoning Enforcement Officer for enforcement in accordance with M.G.L., Chapter 40A, Section 7. If warranted, the ZBA will advertise and notify the abutters for a public hearing to discuss the revocation of the Special Permit to allow the sale of Beer and Wine at 200 VFW Drive.

REASONS FOR DECISION: Upon motion duly made and seconded, the Board found that the Applicant is seeking permission to allow the sale of Beer and Wine at the convenience store side of 200 VFW Drive. The Board found that the Applicant is seeking a Special Permit as per §415-14.C.3. The Board found that the owner of the property is JAM Real Estate/John Melchione, 218 VFW Drive. The Board found that this convenience store is located in a B-2 zone. The Board found that one of the employees is TIPS certified. The Board found that the hours of the business operation shall be seven days per week 5:00 A.M. to midnight and 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 FROM THE BOARD OF SELECTMEN AND PROOF OF RECORDING MUST BE FILED WITH THE BUILDING COMMISSIONER AND THE BOARD OF SELECTMEN.

Page Six of Six

Applicant: John A. Melchione

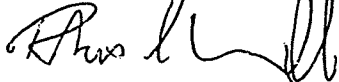
Property Address: 200 VFW Drive

Hearing Date: August 16, 2016

4
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

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

4

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

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

1. Address of the property in question: 200 VFW Drive
2. Name(s) of Owner(s) of Property: JAM Real Estate / John Melchione
3. Owner's Address: 218 VFW Drive, Rockland.
4. Name of Applicant(s): John A Melchione
5. Address of Applicant: 416 Plain Street
Rockland, MA 02370
6. Applicant's Phone: Home: _____ Work: 781-878-4020
Cell: 781-983-4020 Fax: 781-982-0259
7. State the Assessor's Map # 19 and Lot # 80 of the property.
8. State the Zoning District in which the property is located: MA
9. Explain in-depth what you are proposing to do: After constructing
an up to date state of the art retail
location for a convenience store, it would
be a must to be able to sell beer and
wine to succeed

10. Describe in detail any currently 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:

none

11. List all applicable section of the Zoning Bylaw that pertains to this application:
This section is to be filled out by the Building Inspector/Zoning Enforcement Officer.

Initialed by ZEO: _____ Date: _____
Tom Ruble

12. If you are applying for a dimensional variance, state in detail any specific conditions that effect the shape, soil, topography or structures on your lot that specifically effects your lot and do not effect the zoning district as a whole, and why these conditions cause a hardship to the land that warrants the grant of a variance (use a separate piece of paper if necessary) none

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:

(Beer, wine special permit)

In order to flourish in this location, we need a special permit to sell beer and wine.

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. _____

Signed:

Owner(s) of Record

All owners must sign

Signed:

Applicant(s) If Different from owner

All applicants must sign

Signed:

Signature of Attorney (if any)

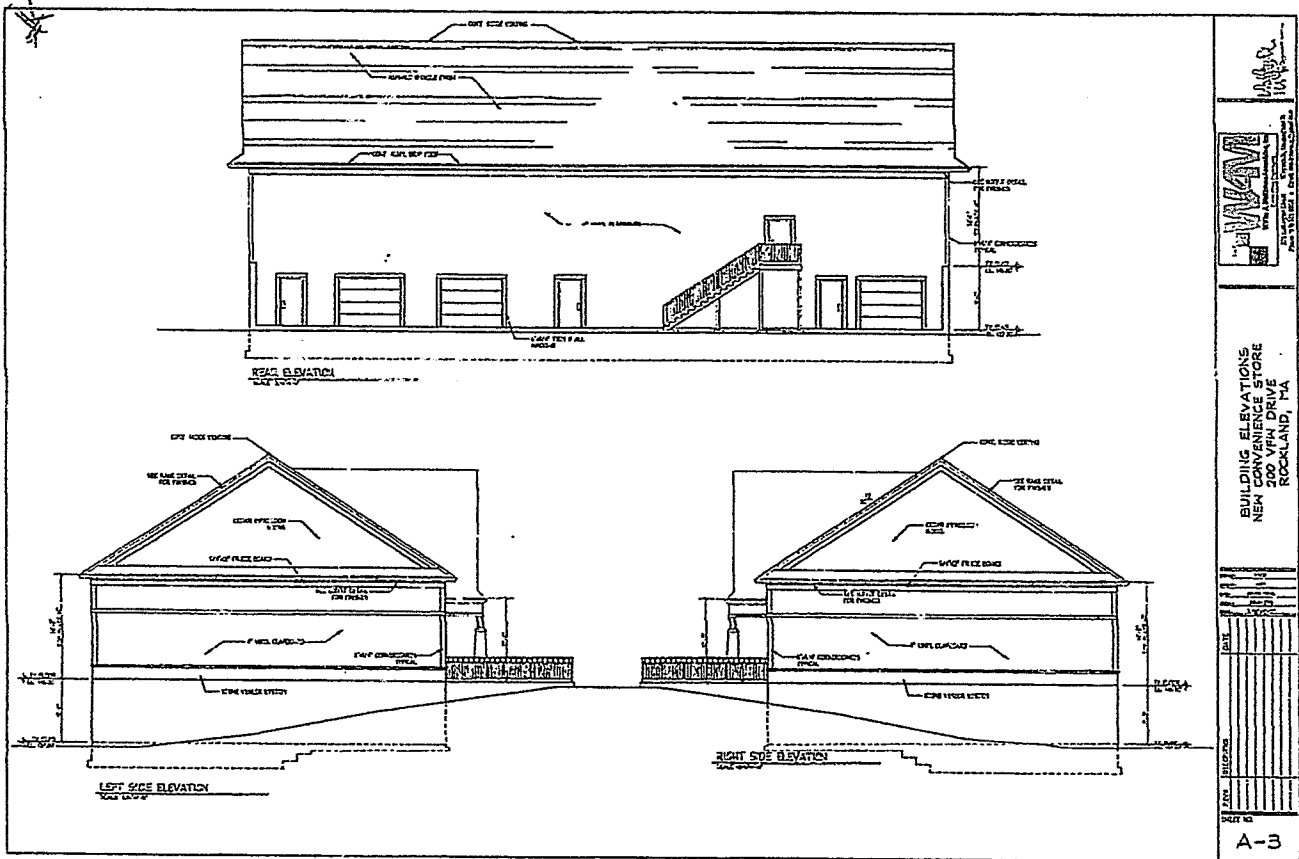
Date:

The Zoning Enforcement Officer, for compliance with the attached instructions, must approve this application and all relevant documentation. Thirteen (13) copies are then required before submission to the Town Clerk for date stamp.

Tom Ruble, Zoning Enforcement Officer

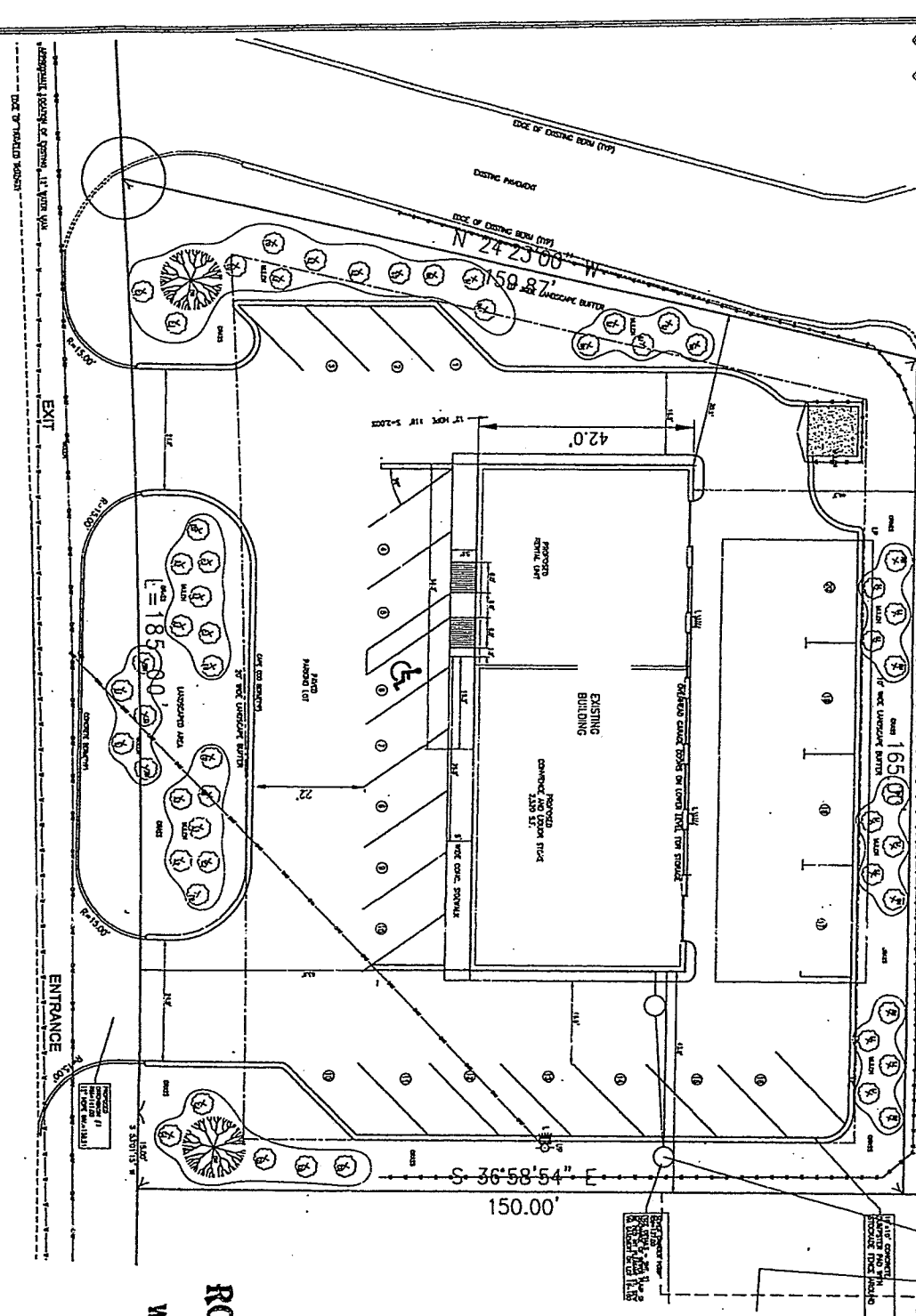
Date:

4





DATE: 10/16/16
N 53°01'16" E



VETERANS OF FOREIGN WARS DRIVE
(PUBLIC, 50 FEET)

SITE PLAN
OF PROPOSED CONVENIENCE AND LIQUOR STORE

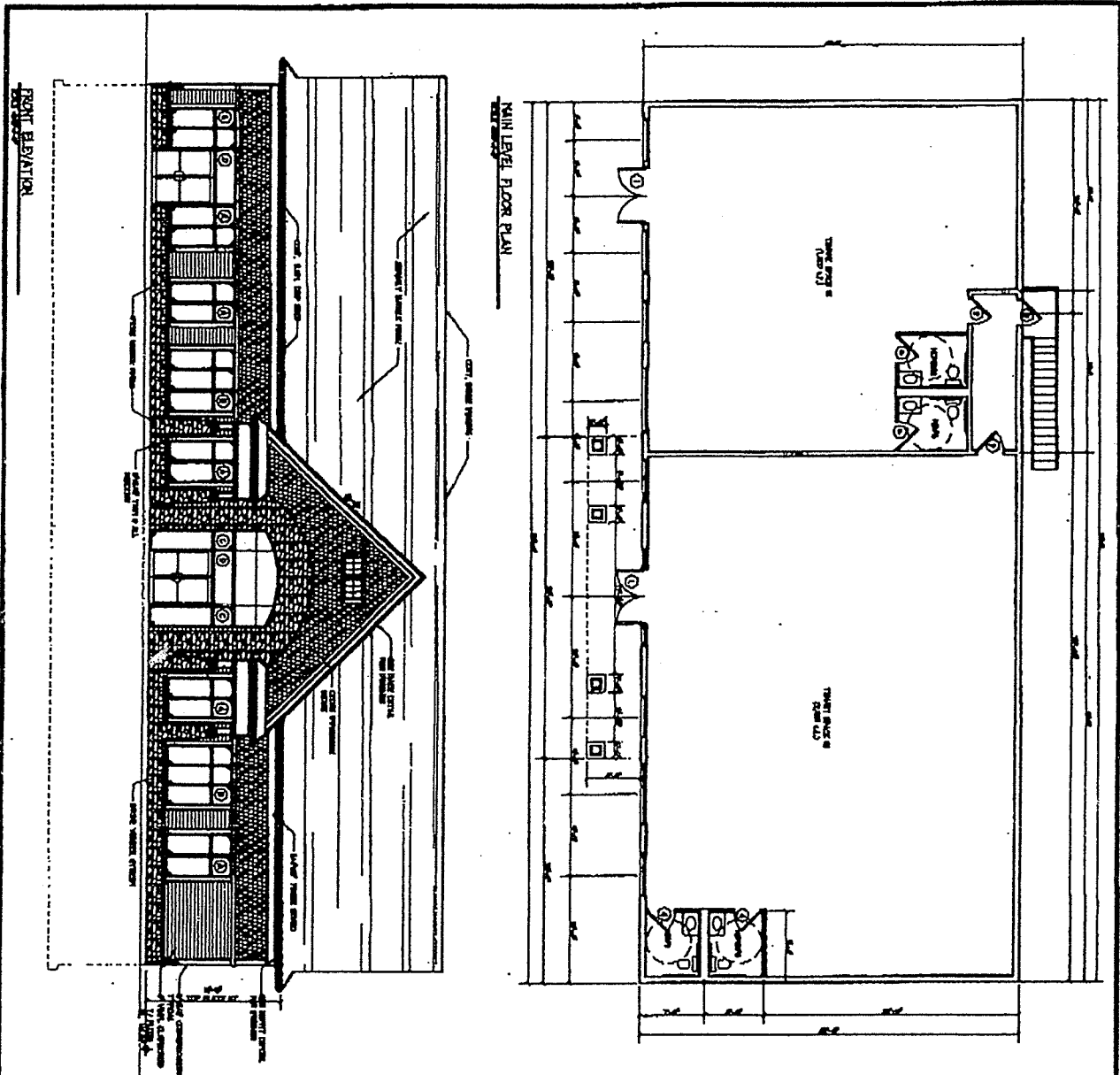
IN
ROCKLAND, MASSACHUSETTS
PREPARED FOR
JOHN MALCAGNONI
WEBBY ENGINEERING ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
180 COUNTY ROAD, PLAINTON MA 02367
Tel: (781)-585-1164



DATE	REVISIONS	DATE	SCALE
07/16	01	07/16	1"=10'
08/16	02	08/16	
09/16	03	09/16	
10/16	04	10/16	
11/16	05	11/16	
12/16	06	12/16	
01/17	07	01/17	
02/17	08	02/17	
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10/24	100	10/24	

1

John Malcagoni
Civil Engineer
State of Massachusetts
No. 10101
Exp. 12/31/2021

[illegible]

BLDG FLOOR PLAN
& FRONT ELEVATION
NEW CONVENIENCE STORE
200 VFW DRIVE
ROCKLAND, MA



1/2 Washington Blvd. New York, N.Y. 10036
Phone: (212) 691-5656 • Cable: RUMBERMAN/NEW YORK



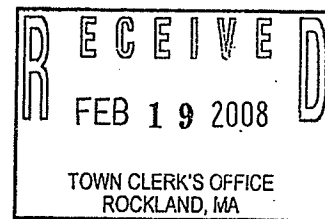
ROCKLAND ZONING BOARD OF APPEALS

242 UNION STREET

ROCKLAND, MASSACHUSETTS 02370

(781) 871-1874 x175

(781) 871-0386 fax



February 19, 2008

Mr. Robert Baker, Chairman
Rockland Planning Board
242 Union Street
Rockland, Ma. 02370

**Re: 200 VFW Drive
Site Plan & Design Review**

Dear Mr. Baker,

At our meeting on February 12, 2008, a site plan dated June 1, 2007 and signed by the Planning Board on June 13, 2007 shows parking spaces & pavement in a buffer zone.

Section V.A.1.iii states that the front property line in a B2 zone shall have a 20-foot landscaped buffer zone along the entire width of the front lot line with the exception only of sidewalks and driveways.

This matter should be reconsidered to ensure that there will be the proper amount of parking spaces for the proposed use and the proper landscaped buffer zones.

FOR THE ZONING BOARD OF APPEALS

Robert Manzella,
Chairman

cc. Tom Ruble, Building Inspector, ZEO
Town Counsel
Town Clerk
ZBA Board Members

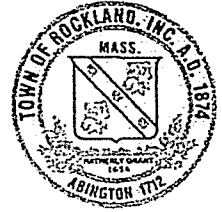
EXHIBIT

8



ROCKLAND FIRE DEPARTMENT

P.O. BOX 512
360 Union Street
Rockland, Massachusetts 02370-0512



Scott F. Duffey, *Chief*
Thomas Heaney, *Deputy Chief*
Christine MacPherson, *Executive Assistant*

Phone (781) 878-2123
Fax (781) 982-0302

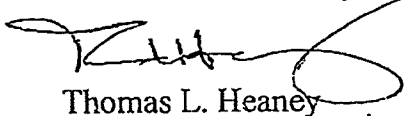
July 12, 2024

RE: 200 VFW Drive

Mr. Melchione,

In May of 2024, I was asked to conduct an inspection of 200 VFW Drive. I was met by the owner of the building, John Melchione. We walked throughout the building; 200 VFW Drive is a sprinklered building with a monitored fire alarm panel and plug in Carbon Monoxide alarms. Additionally, 5/8inch drywall protects the first floor in the event of fire. Mr. Melchione was instructed that no one could sleep in any portion of this building. The garage is not a working garage but utilized for storage of classic cars only.

Please contact me if you require any additional information.


Thomas L. Heaney
Deputy Fire Chief

EXHIBIT

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