

RECEIVED  
TOWN OF WEYMOUTH  
TOWN CLERK'S OFFICE

TOWN OF WEYMOUTH  
BOARD OF ZONING APPEALS APPLICATION

2016 AUG 10 AM 8:53

TO BE COMPLETED BY STAFF

Case Number: #3304 Town Clerk Stamp  
Submittal Accepted: E.S. Date 8/2/16  
Signature of Planning Dept. Staff for minimal requirements  
Determined to be complete and may now be filed with Town Clerk: \_\_\_\_\_  
Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 29 Arnold Road

Assessor's Map Sheet, Block, & Lot: 10-124-15

Zoning District: R1 Overlay District: \_\_\_\_\_

OWNER OF RECORD (S) (print&sign): Sheila Buchanan  
(The owner of record is the person or entity who owns title to the property as of today's date)

Address of owner of record: 76 Lamberts Lane, Cohasset, MA 02025

Norfolk County Registry of Deeds Book and Page No. 9112 Page 619

Or registered in Land Registration Office under Certificate No. n/a

NAME OF APPLICANT (S) (print&sign): Jason Kennedy + SHEILA BUCHANAN

Applicant's Address: PO BOX 1365 Pembroke, MA 02359

Contact Information: Email JKbuilt@icloud.com Phone 781-727-9755

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

NAME & AFFILIATION OF REPRESENTATIVE: \_\_\_\_\_

Address: n/a

Contact Information: Email \_\_\_\_\_ Phone \_\_\_\_\_

NAME OF ENGINEER AND / OR ARCHITECT: Norman Clapp

Prior to submitting your application you must review this entire package and the Board Rules and Regulations outlining the Board's policies and procedures. Your signature signifies that you have read the required material and you will be expected to adhere to them.

I (we) hereby certify that I (we) have read the Board of Zoning Appeals Rules and Regulations and that the statements within my (our) application are true and accurate to the best of my (our) knowledge.

[Signature] 8/2/16  
Applicant / Petitioner - Date (sign & print)

X Suburban

## NATURE OF REQUEST

Application is for: \_\_\_\_\_ Special Permit ☒ Variance \_\_\_\_\_ Amendment \_\_\_\_\_ Other: \_\_\_\_\_

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

The land is landlocked with a right of way. The house had a fire and is a total loss and we propose to build another house.

*The above relief and Ordinance sections will be further reviewed after a complete package is submitted. This may be amended by the Planning or Building staff during the application review process after having the benefit of plan to accurately advertise the application before the Board.*

## PETITIONER'S DESCRIPTION AND NARRATIVE:

To be completed by all Board of Appeals Applicants. Attach additional sheets as necessary.

1. Describe what is presently located on the property (use as much detail as possible including all uses and square footage of each use):

The existing house was a 943 sq ft cape and had a fire that caused a total loss. The house has been torn down by the insurance company.

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

We are seeking approval to build a 2,000+- 3 bedroom colonial with 2.5 bathrooms

3. Such a use is permitted by the Town of Weymouth Zoning Ordinance under Article (insert Article, Section of the Zoning Ordinance which permits the proposed use of the property).

TBD

4. Are you aware if this property has been previously granted approvals from any Town Board or Commission? If so, please list (provide dates of previous approvals, book and page numbers or any recorded decisions and copies of past decisions).

No

5. Any other additional information as relevant to the Variance or Special Permit:

The existing foundation is in disrepair. The proposed dwelling meets the current set back requirements

## ZONING COMPUTATION WORKSHEET

(To be attached with all Board of Zoning Appeals Applications)

The Zoning Computation Worksheet must be completed by the Applicant / Petitioner. All information should be measured and calculated in accordance with the Weymouth Zoning Ordinance (Section 120-51 Table 1 "Schedule District Regulations" and other applicable sections of the Zoning Ordinance). The information should be based on engineer/surveyor/architectural prepared plans and or calculations. Further guidance can also be provided by the Board's step-by-step application instructions and by contacting the Planning or Building Department while completing this section.

Data	Required	Existing	Proposed
Use			
Lot Area / Size (Sq. Ft.)		26484	26484
Dwelling Units		1	1
Frontage (ft.)		0	0
Lot Width (ft.)		150	150
Front Yard Setback (ft.)		18	TBD
Front Yard Setback (ft.) – corner lots		n/a	n/a
Side Yard Setback (ft.)		10'	39'
Side Yard Setback (ft.)		10'	20'
Rear Yard Setback (ft.)		24'	75+'
Height (ft.) & # of Stories		0	30' 2 story
Lot Coverage		1206	1176
Off-Street Parking Spaces		6	6
Off-Street Loading Spaces		n/a	n/a
Parking Setback		n/a	n/a
Accessory Structure Setback		n/a	n/a
Landscaping			
Floor Area Ratio		1206	1176
Signage		n/a	n/a
Other:			

## SPECIAL PERMIT APPLICATION

To be completed for Special Permit Applications only.

### SPECIAL PERMIT FINDINGS OF FACT

In the spaces below explain how the adverse effects of the proposal will not outweigh its beneficial impacts to the Town with respect to each of the following considerations per Article XXV, Section 120-122 of the Zoning Ordinance. The Special Permit Granting Authority may approve any such application for a special permit *only* if it finds that, in its judgment, all of the following conditions are met. (Attach additional supporting documentation as necessary).

1. Is the specific site an appropriate location for such a use? Please explain.  
Yes, there was a single family on the land, and we plan just to put 1 single family house on the land. It is surrounded by residential buildings.
  
2. Will the proposed use / structure be detrimental or adversely affect the character of the neighborhood or town? Please explain.  
No, the land is surrounded by residential buildings.
  
3. Is there potential for nuisance or serious hazard to vehicles or pedestrians? Please explain.  
no.
  
4. Will adequate and appropriate facilities, utilities and other public services be provided for the proper operation of the proposed use? Please explain.  
The previous house had all utilities. DPW has approved the existing water and sewer serves within the lot
  
5. Will the public convenience and welfare be substantially serviced with this proposal? Please explain.  
NO.

## SUPPLEMENTARY QUESTIONS - SECTION 120-40 SPECIAL PERMITS

### **Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure or Use**

#### **(Article XIII "Nonconforming Uses" Section 120-40 "Extension or Change")**

To be completed by Applicants applying for a Special Permit under Section 120-40 Only.

#### **EXTENSION OR CHANGE FINDINGS OF FACT:**

Any lawful structure or use in existences at the time the Zoning Ordinance was adopted or amended may be extended or altered, provided that no such extension or alteration shall be permitted unless there is a finding by the Board of Zoning Appeals that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use or structure to the neighborhood.

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities):

The house has a right of way to get access because there is no frontage.

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

Public records has the previous house being built in 1937

3. At the time the nonconformity was created (the structure or use initiated) was it compliant with the current zoning requirements? Past zoning ordinances are available for research at the Town Clerk's office and Planning Department. Past zoning maps are available at the Planning Department.

Based on the information provided, it was conforming with the "right of way" access

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

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

There is roughly parking for 6-8 cars. It would stay the same

6. Explain how the use or structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:

The previous house was a complete loss by fire.

## VARIANCE APPLICATION

To be completed for Variance applications only.

### VARIANCE FINDINGS OF FACT:

Criteria for approval. The Board may approve any such application for a Variance **only** if it finds that, in its judgment, all of the following conditions are met.

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

1. Describe how a literal enforcement of the provision of the Town of Weymouth Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner.

The current owner lost the house in a fire and without approval, the land becomes almost worthless.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

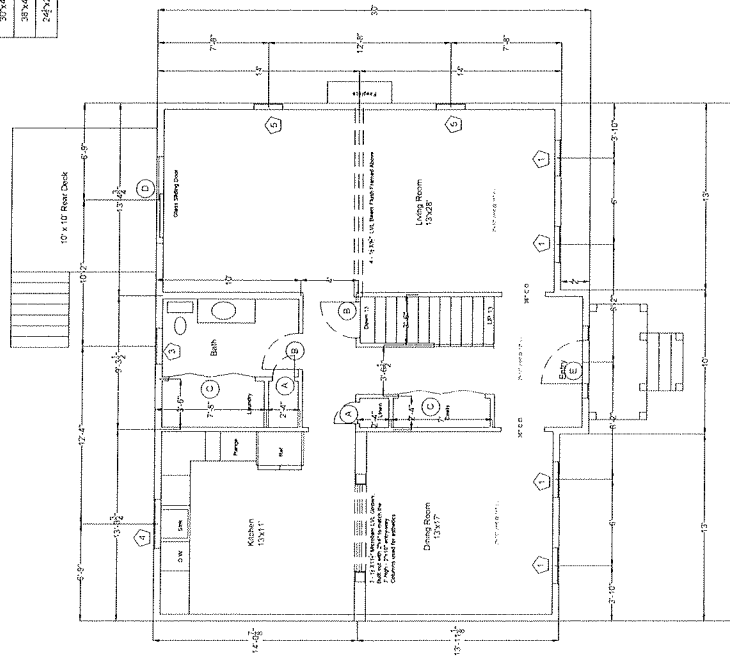
3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance. The proposed dwelling/site plan affects less area than existing. The new dwelling will be built without ledge in the basement which reduces radon.

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship.

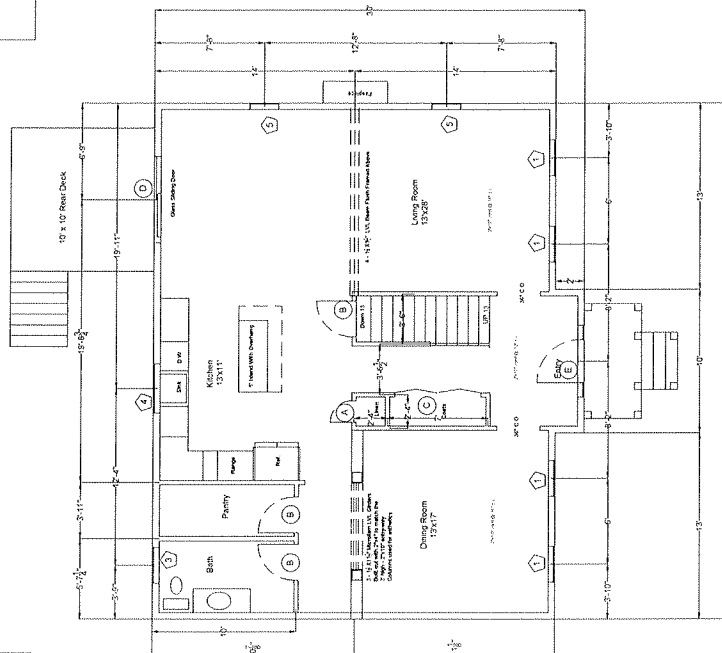
NOTE THAT THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMENTS SET FORTH IN CHAPTER 40A SECTION 10 OF THE GENERAL LAWS AND IN ARTICLE XXIV SECTION 120-119 OF THE WEYMOUTH ZONING ORDINANCE ARE SATISFIED. EACH OF THE ABOVE FINDINGS MUST BE ANSWERED IN DETAIL. ATTACH ADDITIONAL SHEETS IF NECESSARY.



WINDOW SCHEDULE		
R.O	Size Description	Type
370X40 <sup>1</sup>	"Heavy" ind. * , Vecon Classic Double Hung #2446 or equal	1
58 <sup>1</sup> X40 <sup>1</sup>	"Heavy" ind. * , Vecon Classic Double Hung #2446.2 or equal	2
30 <sup>1</sup> X40 <sup>1</sup>	"Heavy" ind. * , Vecon Classic Double Hung #2453 or equal	3
38 <sup>1</sup> X40 <sup>1</sup>	"Heavy" ind. * , Vecon Classic Double Hung #2602 or equal	4
24 <sup>1</sup> X40 <sup>1</sup>	"Heavy" ind. * , Vecon Classic Awning #2401 or equal	5

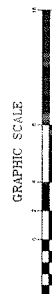


### First Floor Plan



### Optional First Floor Plan

DOOR SCHEDULE		Type	No
Size		Description	
1'-6" x 6'-0"	1 1/2"	Wood Panel	(A) 2
2'-0" x 6'-0"	1 1/2"	Wood Panel	(B) 11
5'-0" x 6'-0"	1 1/2"	Wood Panel	(C) 5
5'-0" x 6'-0"	1 1/2"	Wood Panel	(D) 1
3'-0" x 6'-0"	1 1/2"	Wood Panel	(E) 1



General Notes:

1. The contractor shall comply with all applicable codes, ordinances, regulations and instructions of authorities having jurisdiction at the location.
2. The contractor and subcontractors shall not "scale" drawings to obtain dimensions. Any questions shall be referred to the designer who shall provide the information.
3. The contractor shall obtain all permits and pay all fees related to construction of this project.
4. The contractor shall be responsible for notification to both town of any necessary inspections.
5. The contractor shall obtain all necessary permits and approvals from the town of Massachusetts.
6. Purchased and designed subcontractors shall be licensed within the Commonwealth of Massachusetts and shall meet all requirements of this town.

- Building Code 708 CMR:
  - F. Anchor bolts 3/8" i.d., w/c min 3"x12" plate washers.
  - G. All sills are to be 2"x6" P.T.
  - H. Exterior walls shall have windstorm vertical sheathing attached from sill plate to middle of board joist on all exterior walls.
  - I. All blocking and connections at panel edges perpendicular to floor framing members in the first two truss or joist spaces shall be spaced at a maximum of 6 feet on center.
  - J. Roof bracing - Blocking and connections shall be provided at panel edges perpendicular to floor framing members in the first two truss or joist spaces and shall be spaced at a maximum of 6 feet on center.
  - K. Floor Joists - Floor joists shall have a Simpson hurricane tie 1x2's.

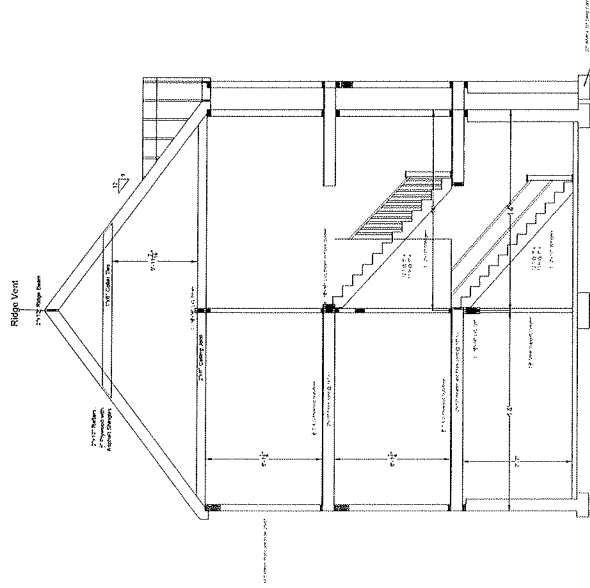


Kennedy Built LLC  
P.O. Box 1365  
Pembroke, Ma 02359  
James Kennedy  
781-394-7171

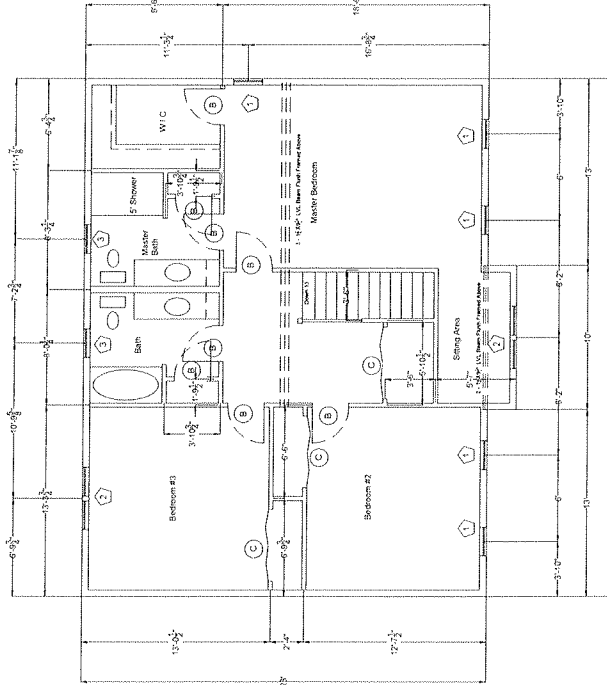
JOB LOCATION:

J.P. Plans  
73 Green St.  
Pembroke, MA 02359  
617-347-6478

Prepared For: Kennedy Built LLC  
Contractor: James Kennedy  
Location:  
SHEET NO.  
Page: 1 of 1



Main Cross-Section



Second Floor Plan



- General Notes:
- The contractor shall comply with all applicable codes, ordinances, regulations and instructions of authorities having jurisdiction at all times.
  - The contractor and subcontractors shall not "bake" drawings to obtain dimensions. Any questions shall be referred to the designer who shall provide the information.
  - The contractor shall obtain all permits and pay all fees related to construction of the project.
  - The contractor shall be responsible for obtaining all necessary permits and approvals from the local authorities.
  - Plumbing and electrical subcontractors shall be licensed within the Commonwealth of Massachusetts and shall meet all requirements of the town.

- Building Code 780 CMR:
- Anchor bolts 3/8" o.c. with 3"x2"x1/2" plate washers.
  - Exterior walls shall have windstorm vertical sheathing attached from sill plate to middle of band joist on all exterior walls.
  - Floor bracing - Blocking and connections shall be provided at panel edges perpendicular to floor framing members in the first two truss or joist spaces and shall be spaced at a maximum of 4 feet on center.
  - Road bracing - Blocking shall be provided at panel edges perpendicular to floor framing members in the first two truss or joist spaces and shall be spaced at a maximum of 4 feet on center.
  - Rafter Tie Downs: Each rafter shall have a Strap-on hurricane tie H2.5.
  - Internal brace wall shall be noted on plans.

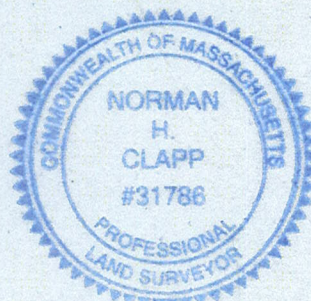


# PROPOSED SITE PLAN #29 ARNOLD ROAD WEYMOUTH, MA.

SCALE: 1"=40'

JUNE 1, 2016

NORMAN H. CLAPP, P.L.S.  
75 N. MAIN ST. #101  
RANDOLPH, MA.  
781-963-4947



JUNE 2016

Norman H. Clapp

## PROPERTY OWNER:

SHEILA BUCHANAN  
29 ARNOLD RD  
WEYMOUTH, MA.  
BK. 23565 PG. 42

## BUILDER

KENNEDY BUILT, LLC  
JAY KENNEDY  
P.O. BOX 1365  
PEMBROKE, MA.

## PROP. BUILDING

28'x42' GARRISON, 2'0" H. FRONT,  
2 CAR GARAGE UNDER  
TOP FOUNDATION= 38.0  
FINISH BASEMENT= 30.5  
GARAGE FLOOR= 30.1

## ASSESSOR'S

10-124-15

## ZONING

R-1

## BENCHMARK

SMH @ ARNOLD RD & NORTH ST  
INV. = 10.57 TOWN BASE (PLAN 69R506)  
RIM = 19.0 (SCALE)

## FIA FLOOD RATE MAPS - ZONE C

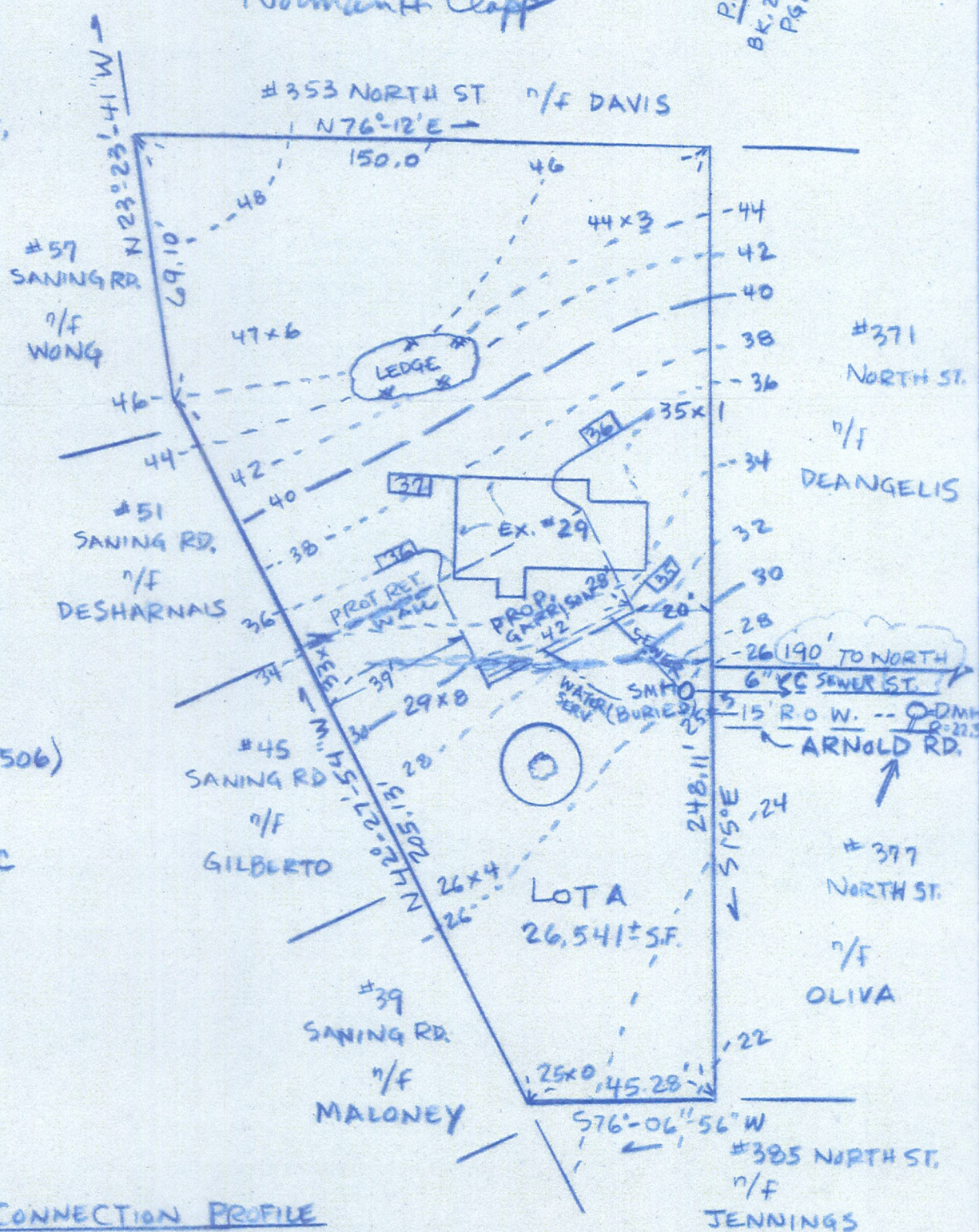
COMM #250257-0007B 9/30/80  
(See Revised)

## EX. BLDG. COVERAGE

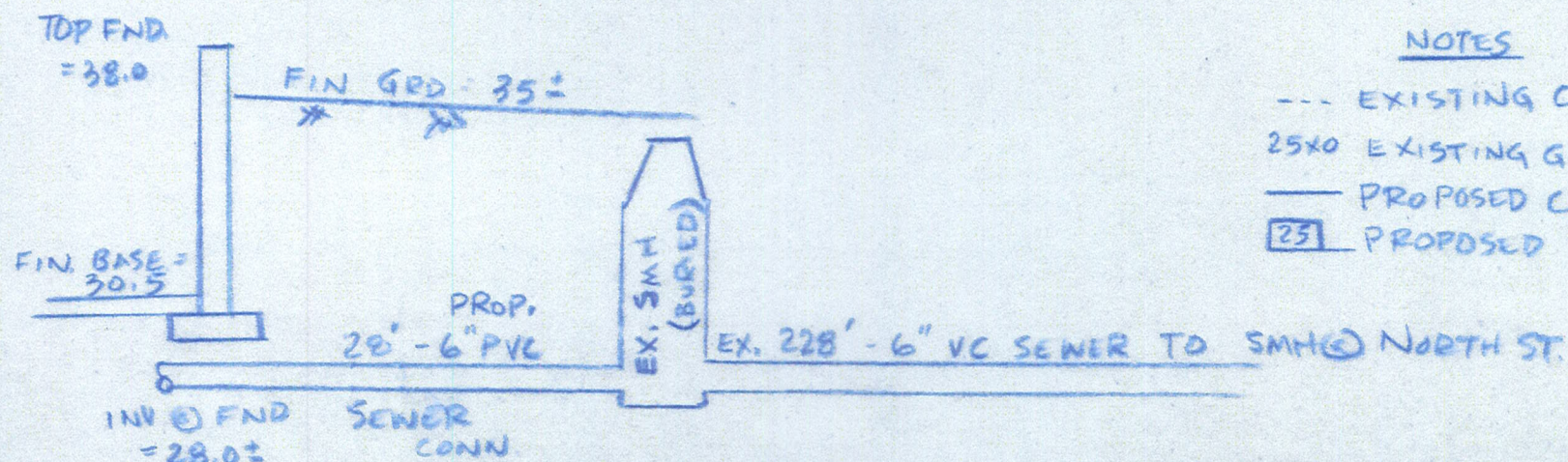
1206 S.F.

## PROP. BLDG. COV.

1176 S.F.



## PROP. SEWER CONNECTION PROFILE



## NOTES

- EXISTING CONTOURS
- 25x0 EXISTING GRADE
- PROPOSED CONTOURS
- [25] PROPOSED GRADE