

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION ON SPECIAL PERMIT
42 JAFFREY STREET**

(To be mailed forthwith to the owner and applicant, if not the owner.)

Owner:	Ellen Corbett	Date:	August 26, 2016
Address:	42 Jaffrey Street Weymouth, MA 02189		
Applicant:	Ellen Corbett	Case #:	3295
Address:	42 Jaffrey Street Weymouth, MA 02189		
Representative:	N/A	Site Address:	42 Jaffrey Street
		Sheet:	17
		Block:	228
		Lot:	1

Zoning District: R-1 (Residence, Low Density / Single-Family)

Board of Zoning Appeals application filed on June 17, 2016.

After a public hearing on July 27, 2016, advertised in the Weymouth News on July 13, and July 20, 2016, the Board of Zoning Appeals at its meeting of July 27, 2016:

VOTED TO GRANT THE Special Permit under Weymouth Zoning Ordinance Section 20-40 Extension or change of a non-conforming lot; Setback: to allow the petitioner to demolish an existing deck on the rear of the dwelling and construct a single story ~240 SF addition, per plan by Joanna Reck, Architect, "Corbett Residence, 42 Jaffrey Street, Weymouth, MA 02189" dated May 23, 2016.

SPECIAL PERMIT FINDINGS:

The Board found that:

- 1. The specific site is an appropriate location for such a use:**
The current building is a single family home. The proposed addition will allow an expansion of the existing kitchen.
- 2. The use involved will not be detrimental to the established or future character of the neighborhood or town:**
Although oddly shaped and confined by two public roadways, the lot is of adequate size to accommodate the proposed addition.
- 3. There will be no nuisance or serious hazard to vehicles or pedestrians:**
The addition will be 26 feet from the paved portion of Chester Lane and screened by existing trees.
- 4. Adequate and appropriate facilities will be provided for the proper operation of the proposed use:**
All construction will be monitored by the Inspector of Buildings and comply with the Massachusetts Building Code.
- 5. The public convenience and welfare will be substantially served:**
The project will increase the assessed value of the home.

Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

After the twenty (20) day appeal period has passed, the Town Clerk will send to the petitioner: (1) the certificate that no appeal was filed, (2) the certificate of granting of variance and/or special permit, and (3) the Record of Proceedings. The petitioner shall record these documents with the Norfolk Registry of Deeds, Dedham, MA, with the appropriate filing fee.

When a receipt from the Registry of Deeds is presented to the Building Inspector (to show that the decision has been recorded), the proper permit will be issued.

Decision filed with the Town Clerk on August 26, 2016

IMPORTANT: Notice is further given that any person aggrieved by this decision may appeal, according to MGL Chapter 40A, Section 17, and said appeal, if any, must be filed with the Town Clerk within twenty (20) days after the filing of the decision with the Town Clerk.



Robert J. Luongo, Director of Planning and Community Development

BOARD OF ZONING APPEALS (BZA)
RECORD OF MINUTES AND PROCEEDINGS
Wednesday, July 27, 2016

Members Present: Richard McLeod, Chairman
Kemal Denizkurt
Chuck Golden
Jonathan Moriarty
Ed Foley
Brad Vinton

Also Present: Bob Luongo, Planning Director
Eric Schneider, Principal Planner
Lee Hultin, Recording Secretary

Chairman McLeod called the Board of Zoning Appeals meeting to order at 7:06 p.m. at the McCulloch Building, 182 Green Street and explained the procedures that would be followed to the people present.

Case #3295 – The petitioner, Ellen Corbett for property located at **42 Jaffrey Street**, also shown on the Weymouth Town Atlas sheet 17, block 228, lot 1, located in the R-1 zoning district. The petitioner is seeking the following relief from the requirements of the Weymouth Zoning Ordinance:

Variance; 120-40 Extension or change of a non-conforming lot.
Setback.

Presently located on the ~12,605 SF lot is an existing single-family dwelling. The petitioner seeks to demolish an existing deck on the rear of the dwelling and construct a ~240 SF addition.

Sitting Members: Richard McLeod
Kemal Denizkurt
Chuck Golden
Jonathan Moriarty

Jonathan Moriarty made a motion to open the public hearing on Case # 3295 and was seconded by Chuck Golden. VOTED 5-0

Jonathan Moriarty made a motion to waive the reading of the publication on Case # 3295 and was seconded by Chuck Golden. VOTED 5-0

Appearing before the board were Ellen and David Corbett who are looking to add on to the house with the existing footprint of the deck and will not exceed it. This addition will make the living room space an open concept and it will extend the dining room/kitchen.

They purchased the house 6 months ago.

There were no public comments.

Kemal Golden made a motion to close the public hearing on Case # 3295 and was seconded by Chuck Golden. VOTED 5-0

Kemal Denizkurt made a motion to approve the application for a Special Permit under section 120-122D.

Special Permit Criteria for Approval. The Board of Zoning Appeals may approve any Special Permit applications only if it finds that, in its judgment, all of the following conditions are met in accordance with Zoning Ordinance Section 120-122D.

1. The specific site is an appropriate location for such a use.
The current home is an existing single family home. The proposed addition will allow an expansion of the existing kitchen.
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town.
Although oddly shaped and confined to two public roadways, the lot is of adequate size to accommodate the proposed addition.
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
The addition will be 26 feet from the paved portion of Chester Lane and screened by existing trees.
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use.
All construction will be monitored by Inspector of Buildings and comply with the Massachusetts Building Code.
5. That the public convenience and welfare will be substantially served with the proposal.
The project will increase the assessed value of the home.

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

August 26, 2016

Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Ellen Corbett, 42 Jaffrey Street, Weymouth, MA 02189, affecting the rights of the owner with respect to land or buildings at 42 Jaffrey Street, also shown on the Weymouth Town Atlas Sheet 17, Block 228, Lot 1, and the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said variance – special permit, and that copies of said decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.



Robert J. Luongo, Planning Director

Kathleen Deree, Town Clerk

Case # 3295

Date of Hearing: 7/27/2016