

RECEIVED  
TOWN OF WEYMOUTH  
TOWN CLERK'S OFFICE  
2017 APR 20 AM 10:14  
TOWN OF WEYMOUTH  
PLANNING DEPARTMENT  
2017 APR 11 P 2:41  
TOWN OF WEYMOUTH  
BOARD OF ZONING APPEALS APPLICATION

TO BE COMPLETED BY STAFF

Case Number: #3333 Town Clerk Stamp  
Submittal Accepted: E.S. Date 4/20  
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: 345 Ralph Talbot Street

Assessor's Map Sheet, Block, & Lot: 43-500-11

Zoning District: R-1 Overlay District: Water Shed Protection District

OWNER OF RECORD (S) (print & sign): P&R Realty Trust, Paul Zakrzewski, Trustee

(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: 9 Mahoney Circle, Abington, Massachusetts 02352

Norfolk County Registry of Deeds Book and Page No. Book 2740, Page 175 and Book 3282, Page 436

Or registered in Land Registration Office under Certificate No. \_\_\_\_\_

NAME OF APPLICANT (S) (print & sign): Paul Zakrzewski

Applicant's Address: 9 Mahoney Circle, Abington, Massachusetts 02351

Contact Information: Email zak02351@yahoo.com Phone 781-878-9580

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

NAME & AFFILIATION OF REPRESENTATIVE: RONALD N. WHITNEY

Address: 549 Bedford Street, Whitman, Massachusetts 02382

Contact Information: Email rwhitlaw@live.com Phone 781-447-3899

NAME OF ENGINEER AND / OR ARCHITECT: Hoyt Land Surveying

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.

JR 4/11/17  
Applicant / Petitioner - Date (sign & print)

## NATURE OF REQUEST

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

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

Section 120-51 (Variance) Section 120-5-3 (Special Permit)

*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):

Lot area is 49,570 square feet. Currently Weymouth Grange, Inc. occupies the building on the property.

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

Demolish existing building and subdivide into two (2) residential house lots and build two (2) homes.

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).

120-10.3

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:

Per assessor's map, this would be conforming to existing residential properties around us and is R-1 Zone

## 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		Non-profit	Residential
Lot Area / Size (Sq. Ft.)	25000	49,570 s.f.	(2) 24,785 s.f.
Dwelling Units		0	2
Frontage (ft.)	120 feet	200 feet	(2) 100 feet
Lot Width (ft.)	120 feet	200 feet	(2) 100 feet
Front Yard Setback (ft.)	18 feet		18 feet
Front Yard Setback (ft.) — corner lots			
Side Yard Setback (ft.)	20 feet		20 feet
Side Yard Setback (ft.)	20 feet		20 feet
Rear Yard Setback (ft.)	24 feet		100 feet plus
Height (ft.) & # of Stories	35 feet		35 feet
Lot Coverage	30%		30% or less
Off-Street Parking Spaces			
Off-Street Loading Spaces			
Parking Setback			
Accessory Structure Setback			
Landscaping			
Floor Area Ratio			
Signage			
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.

The proposed use is for two (2) single family dwellings. The locus is surrounded by eleven (11) single family dwellings and is conducive to such use.

2. Will the proposed use / structure be detrimental or adversely affect the character of the neighborhood or town? Please explain.

No. The existing structure, which is of a commercial nature, will be removed.

3. Is there potential for nuisance or serious hazard to vehicles or pedestrians? Please explain.

No. The proposal is for two (2) single family homes in an area which is heavily residential.

4. Will adequate and appropriate facilities, utilities and other public services be provided for the proper operation of the proposed use? Please explain.

Yes. It is anticipated that both of the proposed homes will be connected to municipal water and sewerage services.

5. Will the public convenience and welfare be substantially serviced with this proposal? Please explain.

Yes. The proposal represents an improvement to the neighborhood.

**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):

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

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.

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:

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:

## 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.

Property is presently improved by a commercial structure in poor condition. The lot is substantially larger than all adjoining parcels.

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.

The existing structure is of little or no utility and needs to be removed.

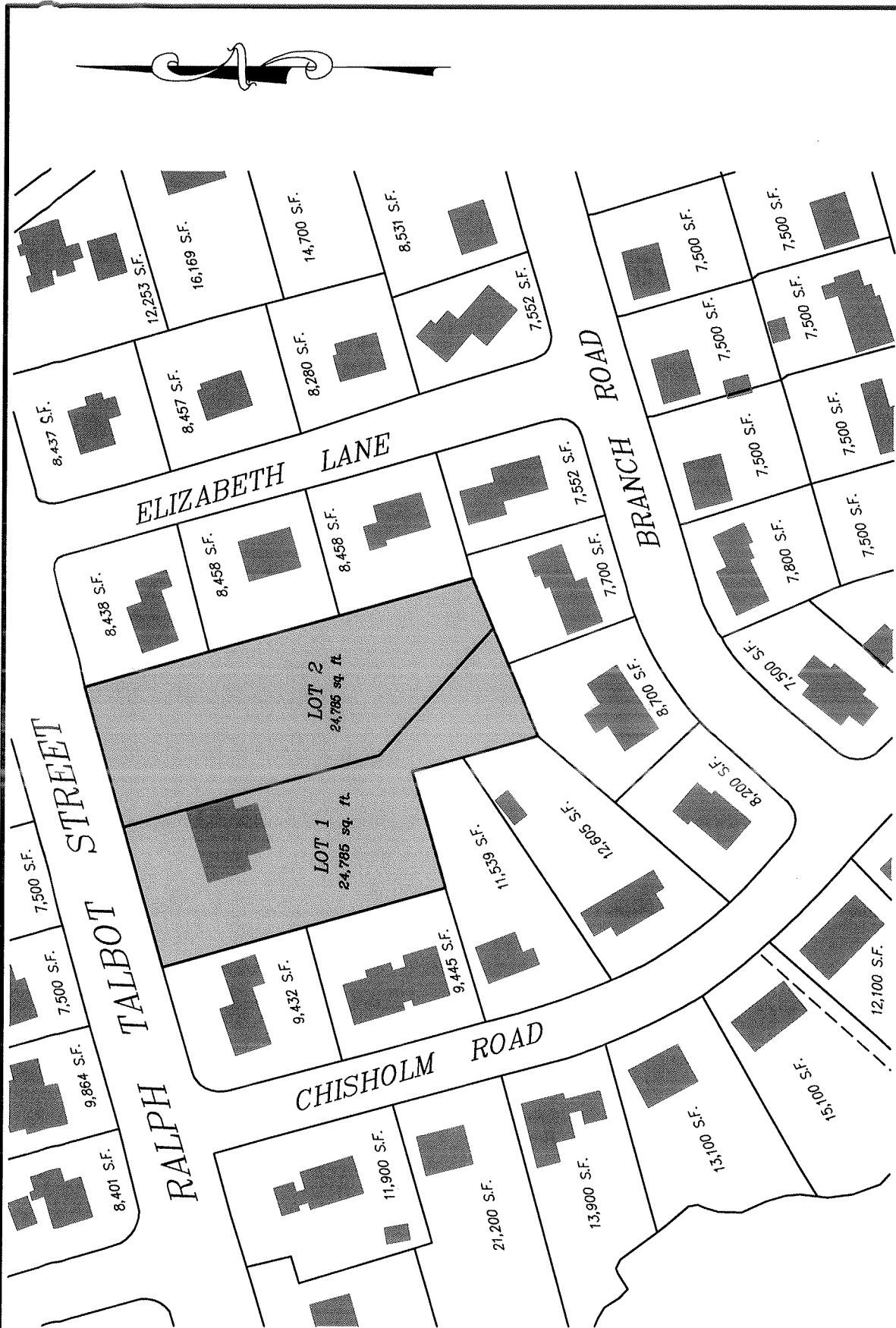
3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance.

The proposed use is for two (2) house lots in an area of many homes. The proposed lots will both be substantially larger than all area lots.

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.

The dimensional variances sought for lot width and size will result in two (2) lots that exceed the dimensions of all area lots.

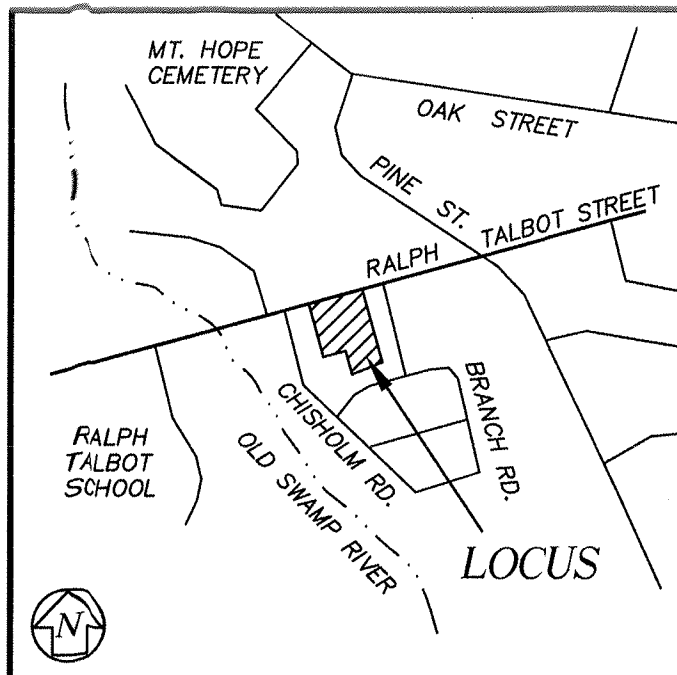
NOTE THAT THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMENTS SET FORTH IN CHAPTER 40A SECTION 10 OF THE GENERAL LAWS AND IN ARTICLE XXIV SECTION 120-119 OF THE WEYMOUTH ZONING ORDINANCE ARE SATISFIED. EACH OF THE ABOVE FINDINGS MUST BE ANSWERED IN DETAIL. ATTACH ADDITIONAL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



NOTE:  
ABUTTING LOT AREAS SHOWN WERE COMPILED  
FROM AVAILABLE RECORDS WITH THE TOWN OF  
WEYMOUTH ASSESSING DEPARTMENT.

SKETCH PLAN  
TO ACCOMPANY ZBA FILING  
345 RALPH TALBOT STREET  
WEYMOUTH, MASSACHUSETTS  
SCALE 1" = 100' DATE: 3-13-17





LOCUS MAP

SCALE: 1"=800'

**LOCUS INFORMATION:**  
CURRENT OWNER/APPLICANT:  
WEYMOUTH GRANGE INC #387  
56 BROOKFIELD ROAD  
ABINGTON, MA 02351

OWNERS REFERENCE:  
BOOK 2740 PAGE 175  
BOOK 3282 PAGE 436

ASSESSORS REFERENCE:  
43-500-11

ZONE:  
R-1 AND WATERSHED  
PROTECTION DISTRICT

LOT AREA:  
49,570 S.F. (CALC)

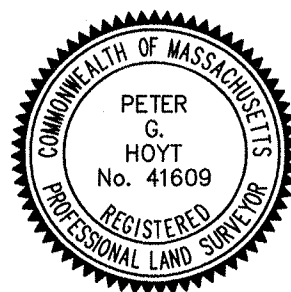
**FLOOD PLAIN NOTE:**  
LOCUS PROPERTY LIES WITHIN  
A ZONE X (AREA OF MINIMAL  
FLOODING) AS SHOWN ON  
FIRM 25021C0241E DATED  
7-17-12.

**PLAN REFERENCES:**

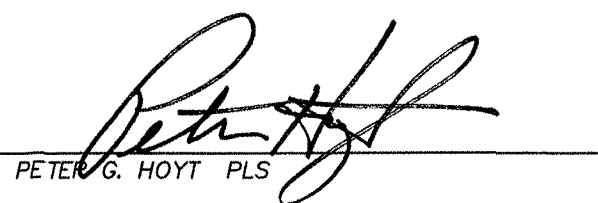
1. DEED BOOK 2541 PAGE 1
2. DEED BOOK 2711 PAGE 3
3. PLAN BOOK 148 PAGE 1132
4. PLAN BOOK 167 PAGE 1428

DIMENSIONAL REQUIREMENTS	
ZONING DISTRICT: RESIDENTIAL R-1	
SCHEDULE OF DISTRICT REGULATIONS	
TABLE 1	REQUIRED
AREA	25,000 S.F.
MIN. LOT WIDTH	120 FEET
MAX. HEIGHT	2.5 STORIES / 35 FEET
MIN. FRONT YARD DEPTH	18 FEET
MIN. SIDE YARD DEPTH	10 FEET*
MIN. REAR YARD DEPTH	24 FEET**
MAX. LOT COVERAGE	30%

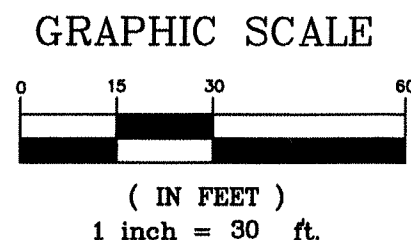
\* 20 FEET OF ANY OTHER DWELLING  
\*\* LESSER OF 24 FEET OR 1/5 LOT DEPTH



I CERTIFY THAT THIS PLAN IS THE RESULT OF AN  
ACTUAL ON THE GROUND SURVEY.

  
PETER G. HOYT PLS

**PLAN OF LAND**  
345 RALPH TALBOT STREET  
WEYMOUTH, MASSACHUSETTS  
SCALE: 1"=30' DATE: 3-10-17



**HOYT LAND SURVEYING**  
1287 WASHINGTON STREET  
WEYMOUTH MA. 02189  
781-682-9192

