Town of Weymouth
Massachusetts

Kathleen A. Deree
Town Clerk

Town Clerk's Department
781-340-5017
781-682-6129 (FAX)

Robert L. Hedlund
Mayor

75 Middle Street
Weymouth, MA 02189

January 6, 2020

To Whom It May Concern:

I, Kathleen A. Deree, Town Clerk of the Town of Weymouth do hereby certify this to be the action taken by the Board of Zoning Appeals at their meeting held on December 11, 2019 on APPLICATION OF: Hancock Real Estate Inv, LLC, Case # 3401.

No appeal was filed within the twenty (20) day appeal period.

Signed: Kathleen A. Deree

A True Copy. ATTEST:

Kathleen A. Deree

Kathleen A. Deree
Town Clerk

TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
125 FOREST ST

RECEIVED TOWN OF WEYMOUTH TOWN CLERK'S OFFICE
2019 DEC 17 AM 11: 17

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

Owner:	Hancock Real Estate Inv,LLC	**Date:**	December 16, 2019
Address:	74 Ivy Road Weymouth, MA 02190		
Applicant:	Hancock Real Estate Inv,LLC	**Case #:**	3401
Address:	74 Ivy Road Weymouth, MA 02190		
Representative:		**Site Address:**	125 FOREST ST
		Sheet:	48
		Block:	506
		Lot:	19
Filing Date:	11/7/2019		
Hearing Date:	12/11/2019		
Advertised:	11/13/2019 & 11/20/2019		

Zoning District: R-1

At a public hearing on 12/11/2019 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance 120-40, Extension or Change by Special Permit; and Article XIII Non-Conforming Uses* to grant relief for the petitioner to demolish deteriorated home and rebuild in a location suited to divide the lot with an ANR plan as per Subdivision and Proposed Dwelling Plan by Miller Surveying Services dated 11/25/2019. The existing lot is currently nonconforming as two legally recognized homes exist on the same lot and predate zoning. The newly created second lot will change the nonconformity as it will lack 120 feet at the building line now required in the R-1 zoning district.

FINDINGS:

The Board found that the proposal met the requirements for a Special Permit under Section 120-122 (D) as follows:

1. The specific site is an appropriate location for such a use. *This is an existing single family neighborhood. Each of the newly divided lots meet current lot size and frontage requirements. Two homes already exist.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *There will be no change in the use or density.*

3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *The Special Permit will allow the two homes to be separated and to be accessed by individual driveways. This will give both homes adequate off-street parking.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *The Special Permit requires the applicant to connect both homes to Town sewer as requested by the Weymouth Health Department. Both are currently on septic systems.*
5. That the public convenience and welfare will be substantially served with the proposal. *Both existing homes are in a state of disrepair and burdened by being on the same lot. The approval of this project will result in the substantial renovation of one home and the demolition and reconstruction of another on separate lots.*

CONDITIONS:

1. Both homes will be connected to Town of Weymouth sewer as required by the Town of Weymouth Health Department.
2. The Special Permit only grants relief from the requirement to have 120 feet at the building line. All other dimensional requirements will be adhered to.

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. 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 **December 16, 2019**

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

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

December 16, 2019

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 Hancock Real Estate Inv. LLC of 74 Ivy Road, Weymouth, MA 02190, affecting the rights of the owner with respect to land or buildings at 125 FOREST ST also shown on the Weymouth Town Atlas Sheet 48, Block 506, Lots 19, 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 # 3401
Date of Hearing: 12/11/2019