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August 21, 2019
Town of Weymouth

Board of Zoning Appeals Application – Randlett, Shannon
Letter of Intent

Dear Board of Zoning;

I write to request a variance for an existing shed on my property located at 15 Canacum Rd, Weymouth, MA. On August 1, 2019, I had an 8' x 12' storage shed installed in parallel to the back corner of my house, behind my existing fence line. Prior to the installation, I consulted the installing company to understand if the shed could be placed where I was requesting it and if any permitting was required. During this consultation, I was advised that the location was acceptable and also that a permit was not required. The installers arrived very early, which understandably upset my neighbors (Newell, 19 Canacum Rd) and they notified the building inspector of the install, at which time, I learned a permit was required and, based on town setback requirements, the placement would require a variance to remain as-is installed. *The setback requirement is to be greater than 5' of the property line; to which, current placement is approximately 3' from the property line.*

In advance of appealing for the variance, I partnered with my neighbors, the Building Inspector, the town Planning Department, an independent site surveyor and the installation company to understand options for placement of the shed. All parties recommended the best path forward was to apply for a variance and leave the shed in it's installed location given:

1. When the original contractor built the house in 2015, he modified the grade of the property by approximately 3'- 4' (based on estimate from a landscaper [M. Nichols] in 2016) by filling the back yard with construction trash. In doing this, he eroded the property line and grade, as well as, caused failure of a 3' high existing retaining wall between my property and 20 Driftway Rd, which abuts the back of my property line. In December 2016, I installed fencing, removed the trash and backfilled the yard, as well as, attempted to stabilize the ground erosion by installing a 6' retaining wall between the properties.
 - a. In Spring 2017, it was further discovered that in modifying the grade of the property, the contractor caused (and choose not to address) issues with the ground water drainage, such that, during heavy rains and snow melts, the property and my basement significantly flood.
 - b. Since the fencing and retaining wall installation in December 2016, the flooding has caused soil erosion and the property grade is dropping (as evidenced by gaps

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appearing between fencing and ground level, where this was originally flush), suggesting that the work to fill the backyard has not stabilized the soil.

- c. For these reasons, moving the shed into the back yard is not advised
2. There is a utility pole along the side property line, approximately 18' from the back-property line. The placement of this pole requires an easement for cable and power companies to access my backyard by foot or with large trucks, as may be required.
 - a. Moving the shed into the back yard could block the easement required for large trucks to access the pole.
3. Since August 1st, I have reviewed and discussed the different paths forward with the Newell family and they are supportive of leaving the shed where it is and of the town granting me a variance. No other neighbors have expressed concern. Neighbors I have discussed with:
 - a. Newell; 19 Canacum Rd
 - b. Kenyon; 14 Driftway Rd
 - c. Newell; 10 Driftway Rd
 - d. Newell; 8 Driftway Rd

In summary, this letter of intent highlights the setback requirement needing a variance and the supporting hardships that drive the appeal:

- **Location:** Along side/corner of house; within existing fence line (as drawn by building inspection department in Plot Plan)
- **Setback Requirement:** Shed placement must be greater than 5' of the property line; to which, current placement is approximately 3' from the property line
- **Hardship:** Due to degradation of soil/property grade by original home contractor, the back yard is shifting and floods, resulting in unstable conditions for heavy property; due to easement for utility companies to access a pole; the back yard must remain open.

Thank you for considering this appeal and I look forward to partnership with the town to grant the variance required.

Shannon Randlett