

***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**

July 27, 2022

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 April 13, 2022 on APPLICATION OF: Shannon Randlett, Case # 3399.

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  
15 CANACUM RD**

RECEIVED  
TOWN OF WEYMOUTH  
TOWN CLERK'S OFFICE

2022 JUL -7 PM 2:37

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

**Owner:** Shannon Randlett  
**Address:** 15 Canacum Road  
Weymouth, MA 02191

**Date:** July 07, 2022

**Applicant:** Shannon Randlett  
**Address:** 15 Canacum Road  
Weymouth, MA 02191

**Case #:** 3399 **REMAND**

**Representative:**

**Site Address:** 15 CANACUM RD  
**Sheet:** 3  
**Block:** 2  
**Lot:** 21

**Filing Date:** 10/3/2019

**Hearing Date:** 4/13/2022

**Advertised:** 3/31/2022 & 4/6/2022

**Zoning District: R-1**

At a public hearing on 4/13/2022 the Board of Zoning Appeals;

**VOTED UNANIMOUSLY TO GRANT A VARIANCE** under *Weymouth Zoning Ordinance 120-54, confinement of accessory uses to rear yard & 120.55 one story accessory use buildings* to grant relief for the petitioner to install shed as per site plan by Borderland Engineering, Inc., dated 4/17/2015.

**BACKGROUND:**

The Board of Zoning Appeals had previously approved a Special Permit for this property under the same case number on December 11, 2019. That decision was appealed by abutters on the grounds that the applicant did not adequately prove the hardship required for the variance permitting the placement of a shed in the side yard. As the result of the court proceedings, both parties agreed to have the case remanded back to the Board of Zoning Appeals so that the Board could consider adding an additional condition to the original approval that would satisfy both sides.

The hearing was duly advertised with abutters notified. On 4/13/2022, the Board voted unanimously to reconfirm their earlier approval of case #3399 with the addition of one new condition stated below as Condition #2.

## FINDINGS:

The Board found the applicant was able to meet the high threshold required for a variance. The applicant's presentation to the Board focused on extenuating circumstances related to the shape, geology, and topography of the subject property. Specifically, the Board found that:

1. The rear yard of the property is dominated by a significant amount of rock ledge limiting the area that a shed could be constructed.
2. The only area within the rear yard that does not contain ledge is encumbered by a National Grid utility pole and wires. One Board member commented that this was a situation that he had never seen before.
3. The applicant testified that the original developer of the property had used sub-par fill when the home was originally constructed. The professionals hired to install the shed were concerned that the resulting soil conditions may not support the structure over time.

## CONDITIONS:

1. Given the proximity to the abutter's property line, the siding must be treated with a fire suppressing paint or other coating to satisfy building codes.
2. There shall be no storage of liquid combustible items in the shed.


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 July 07, 2022

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.

  
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Robert J. Luongo, Director of Planning and Community Development

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

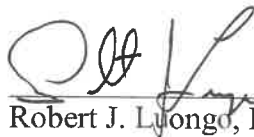
BOARD OF APPEALS

July 07, 2022

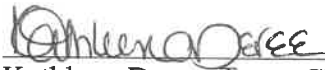
Certificate of Granting of Variance or Special Permit  
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Shannon Randlett, 15 Canacum Road, Weymouth, MA 02191, affecting the rights of the owner with respect to land or buildings at 15 CANACUM RD also shown on the Weymouth Town Atlas Sheet 3, Block 2, Lots 21, 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 # 3399

Date of Hearing: 4/13/2022