

TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION 2023 APR 24 PM 2:21

TO BE COMPLETED BY STAFF

Case Number: 3503

Town Clerk Stamp

Submittal Accepted: [Signature]

Signature of Planning Dept. Staff for minimal requirements

Date

4/24/23

Determined to be complete and may now be filed with Town Clerk:

[Signature]
Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 1675, 1677 Commercial Street

Assessor's Map Sheet, Block, & Lot: 19-260-6

Zoning District: R-1

Overlay District: [Signature]

OWNER OF RECORD (S) (print & sign): James F Cugini

(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: 1675 Commercial Street

Norfolk County Registry of Deeds Book and Page No. 11533/638

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): James Cugini

Applicant's Address: 1675 Commercial Street, E. Weymouth 02189

Contact Information: Email KCUGINI@COMCAST.NET Phone (508) 564-3354

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

NAME & AFFILIATION OF REPRESENTATIVE: N/A

Address: _____

Contact Information: Email _____

Phone _____

NAME OF ENGINEER AND / OR ARCHITECT: N/A

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.

Applicant / Petitioner - Date (sign & print)

[Signature]

James F Cugini

3/6/2023

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):

seeking relief from building height/#of stories restriction
requesting extension of existing non-conformity under § 120-40

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):

Existing two family residence, consisting of 1st floor unit (approx 1182 sqft), and owners unit (approx 1182 sqft 2nd floor, plus additional 672 sqft attic space used as master bedroom.

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

Construct a shed dormer in attic space to raise ceiling of master bedroom. Dormer will be approx 2/3 of North roof side, total roof line affected is approx 33%, Current restriction of 3 foot kneewall does not provide adequate headroom. Dormer wall is requested to be approx 8 feet.

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).

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:

Proposed project is to alleviate headroom issue due to homeowners neck injury. See attached letter.

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		2 Family	2 Family
Lot Area / Size (Sq. Ft.)	25000	.29	.29
Dwelling Units	1	2	2
Frontage (ft.)	120	60.26	60.26
Lot Width (ft.)	120	60.26	60.26
Front Yard Setback (ft.)	18	29.12	29.12
Front Yard Setback (ft.) - corner lots	N/A	N/A	N/A
Side Yard Setback (ft.)	10; 20 of dwellings	10.72	10.72
Side Yard Setback (ft.)	10; 20 of dwellings	20.44	20.44
Rear Yard Setback (ft.)	24 or 1/5 depth of lot	130.88	130.88
Height (ft.) & # of Stories	35', 2 1/2 stories	34'	34'
Lot Coverage	30%	9.2%	9.2%
Off-Street Parking Spaces		6	6
Off-Street Loading Spaces		0	0
Parking Setback	N/A	N/A	N/A
Accessory Structure Setback	N/A	N/A	N/A
Landscaping	N/A	N/A	N/A
Floor Area Ratio			
Signage	N/A	N/A	N/A
Other:	N/A	N/A	N/A

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.

Yes, property is an existing two family, project is only to allow more headroom in master bedroom of owner's unit.

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

No, the neighborhood already contains several non-conforming two family homes in an R-1 zoning district.

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

No, floor plan and existing building footprint is not changing, therefore no impact on vehicles or pedestrians.

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

Yes, all facilities, utilities, and public services are ~~already~~ already in place.

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

Although not technically applicable to this proposal, A benefit of this will allow for more solar panels (to be installed 2023). This will make this property almost self sufficient electricity-wise and remove load from the existing electricity grid.

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):

Only that it is a two-family home in an R-1 zoning district.

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

Since zoning districts were implemented Jan 1, 1969.

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.

Yes

4. Explain how the extension, alteration, or change itself complies with the current Zoning Ordinance requirements:

It does not, which is why we are seeking relief.

5. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed:

5 resident spaces + 1 visitor space, not changing

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:

Because project will maintain existing ridge and roofline around house, except for new dormer, the feel of the structure will not change. Percentage of roof change is not different than adding 6-8 doghouse dormers which would be allowed but would not alleviate headroom issue for owner.

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.

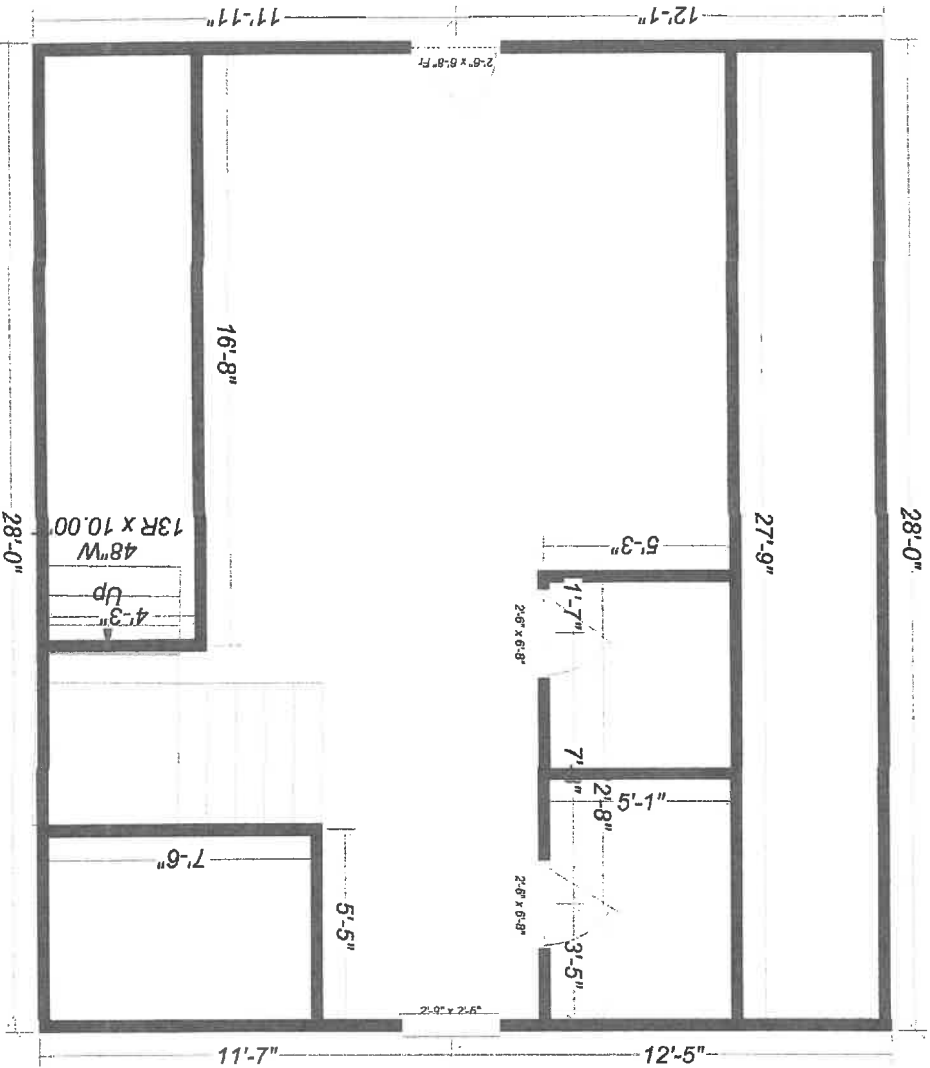
2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

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.

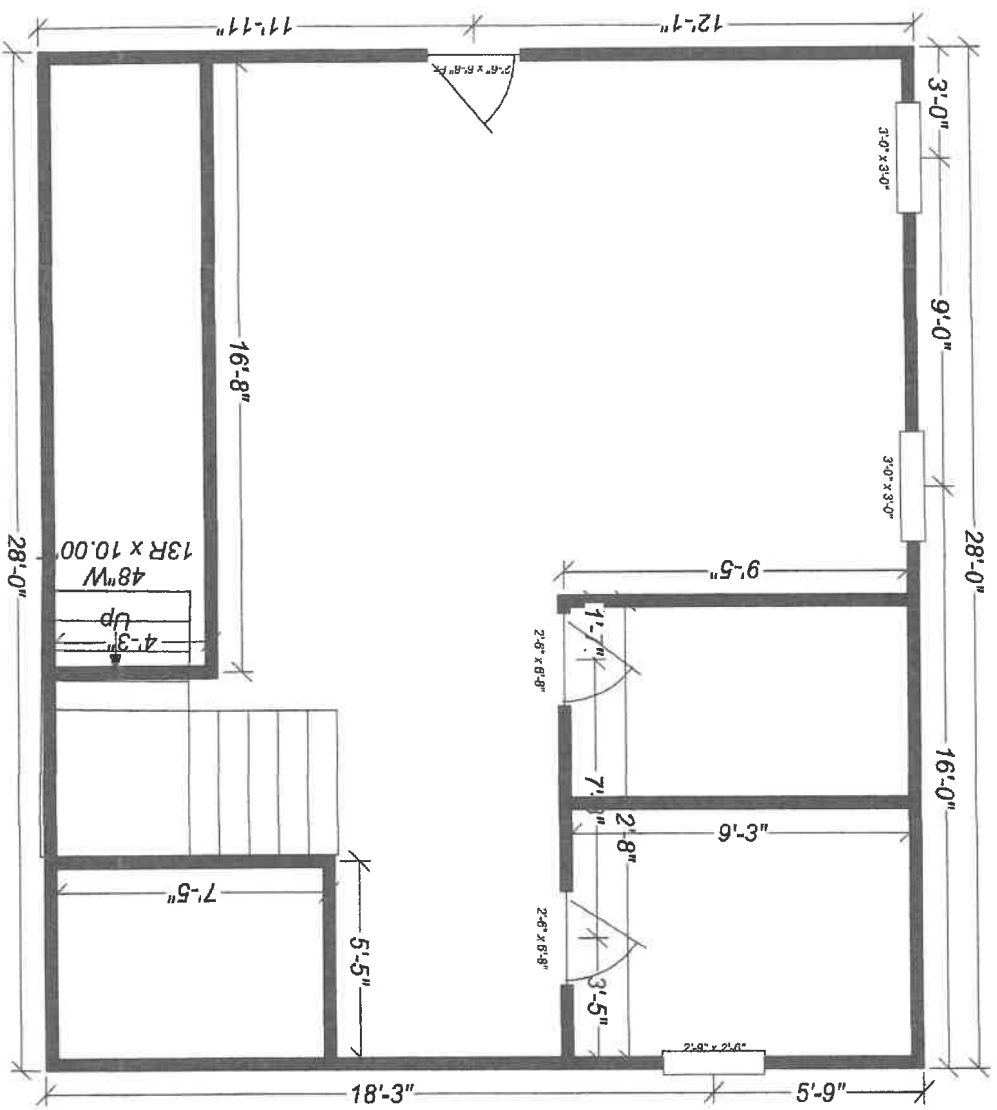
4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship.

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.

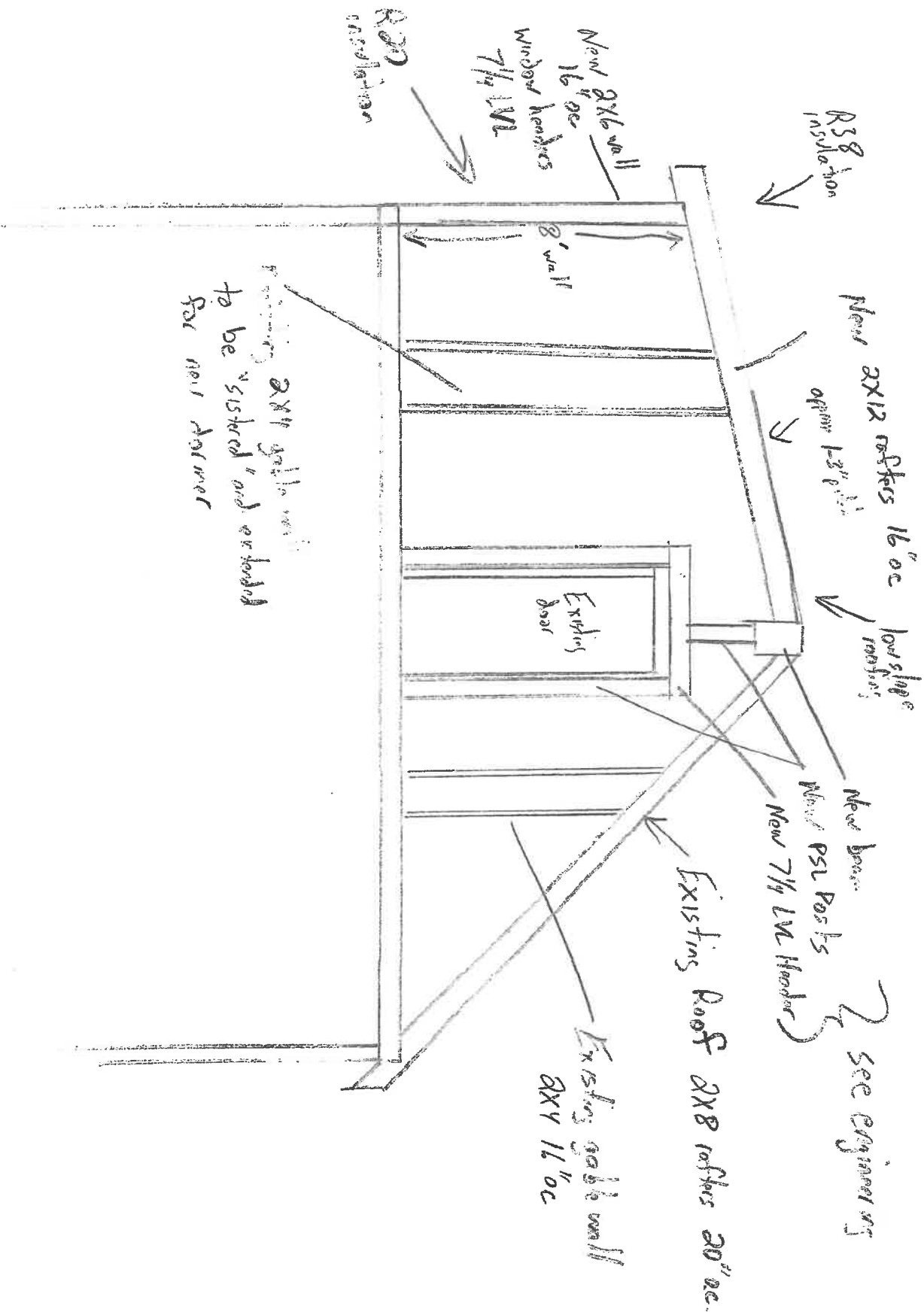
1675 Commercial Street Existing Third Floor



1675 Commercial Street Proposed Third Floor

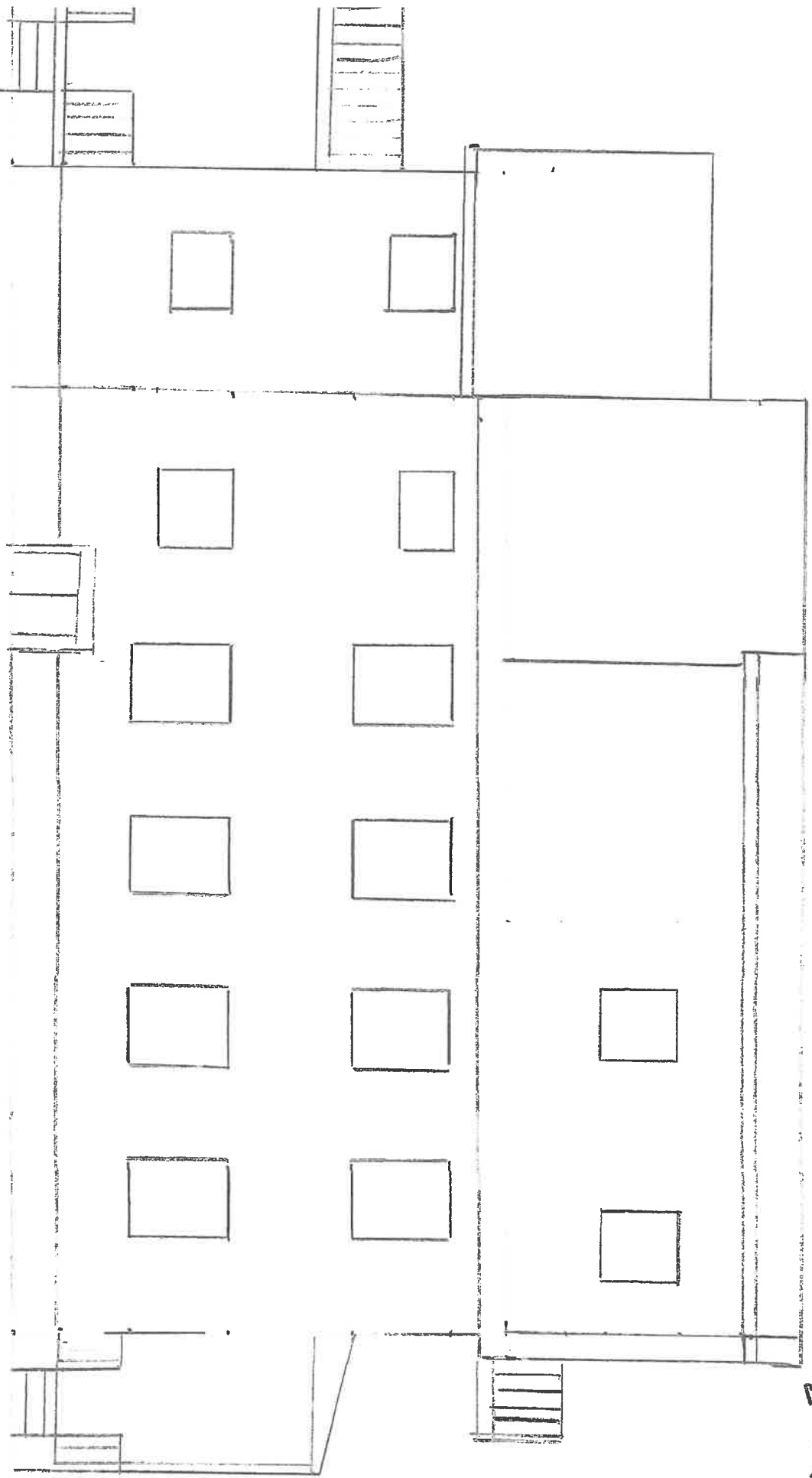


1675 Commercial Street Framing Detail



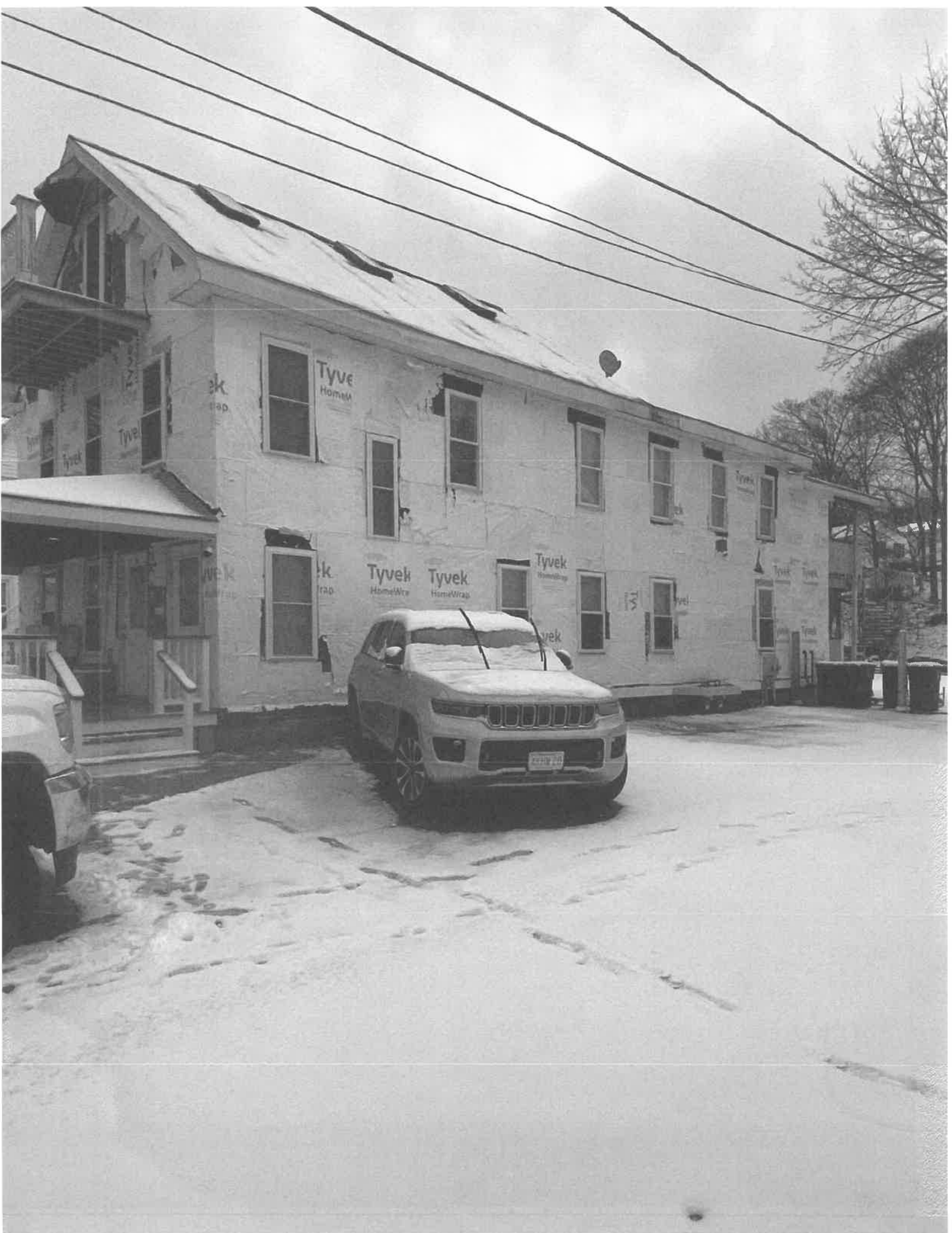
1675, 1677 Commercial Street
Proposed Elevation

Total height
unchanged



1/60 Scale















March 10, 2023

Town of Weymouth

To Whom It May Concern:

Additionally and Therapeutically, an adjustable bed would aid me immensely, and is recommended by my surgeon and primary care physician due to my injury (broken neck and nerve damage) and lingering conditions. This wasn't at all possible up until this time. With the dormer being permitted, a medical bed could simply be lifted into place prior to the roof being closed in. My wife also has sadistic nerve damage that could be aided with the use of this device.

In closing, I would like to mention that all adjacent properties are multiple family homes (2 and 3 family) except 1673 Commercial street, set in back of 1669-1671 property, which I own.

James Cugini

A handwritten signature in cursive script, reading "James Cugini". The signature is written in dark ink and is positioned to the right of the printed name "James Cugini".

March 06, 2023

To Whom It May Concern,

I'm asking to be allowed to ½ dormer my bedroom space on the 3rd floor of 1675 Commercial St. This area consists of one bedroom, 2 closets and a small storage closet. All of these spaces have sloping ceilings that make occupying it harder than needs to be.

By permitting this constructions I am going to be able to put up to 39 solar panels utilizing all 3 roofs and incorporating both units (1675-1677 commercial st). The amount of solar panels will be based on kilowatt hours will enable both units to come 100% off the grid and in the future power electric vehicle chargers.

I will be installing new solar skylights and added improved lighting. Even with the existing skylights, the room can be dark and shadowy. With the construction of 2x6 walls and 2x10 rafters, the proper r value insulation will be added. With this renovation I will rotate my bed 90 degrees to accommodate taking the TV off the table at bed level and mounting it to the wall.

I have a weak arm and shoulder with nerve damage due to falling off a roof (April 1 2020) this makes getting out of bed with the sloppy ceiling cumbersome. Traffic flow and air quality will improve with the addition of small windows on each side of the bed. Its gets very hot and oppressive in the summer.

I appreciate your consideration

James F. Cugini

Owner



Josh Gambino <jgambino@visionsolar.com>

9/1/2022 2:56 PM

Vision Solar

To kcugini@comcast.net

Hi James,

Please see the aurora design attached below for the solar project. Also please see my direct line as well our concierge down below for future communications.

Concierge: (888)-809-6999

My direct line: (856)-319-5187



VISIONSOLAR

Josh Gambino

jgambino@visionsolar.com

501 East Black Horse Pike, Blackwood, NJ 08012



Quality Assurance Manager
(856) 554-0046 (w)

- JC aurora .png (279 KB)

This is proposed Solar panel layout



Price Summary

14.04 kW
System

System Cost	\$82,800.00
Additional Items <input checked="" type="checkbox"/>	\$19,520.00
Asphalt Shingle	\$11,880.00
Concierge Fee	\$140.00
Tree Removal	\$7,500.00
Gross System Cost	\$107,826.00
Net Cost Rebates or Credits ¹ <input checked="" type="checkbox"/>	-\$32,347.69
Federal Tax Credit	-\$32,347.69
Net System Cost	\$75,478.31

YOUR FINANCIAL IMPACT

Payment

Savings

-\$325

Current Monthly Utility Bill

\$325

Monthly Solar Payment

\$0

Remaining Utility Bill After Solar

