

***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**

November 17, 2019

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 October 16, 2019 on APPLICATION OF: Michael MacDonald, Case # 3398.

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
11 GIBBENS ST**

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

2019 OCT 28 AM 10:29

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

Owner:	Michael MacDonald & Jeremiah Clifford	Date:	October 28, 2019
Address:	11 Gibbens St Weymouth, MA 02189		
Applicant:	Michael MacDonald	Case #:	3398
Address:	11 Gibbens St Weymouth, MA 02189		
Representative:		Site Address:	11 GIBBENS ST
		Sheet:	16
		Block:	208
		Lot:	1
Filing Date:	10/01/2019		
Hearing Date:	10/16/2019		
Advertised:	10/02/2019 & 10/09/2019		

Zoning District: R-1

At a public hearing on 10/16/2019 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under Section 120-40 of the Weymouth Zoning Ordinance to build an addition onto an existing single family home in the R-1 District. The project will enclose an existing three season room and add a full second floor above per a Plot Plan created by Evanson Browne, dated August 19, 2019 and per architectural plans prepared by McKinnon and Associates, dated July 30, 2019.

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 residential neighborhood where numerous homes have previously performed the same conversion.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *None of the existing nonconformities will be extended.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *There will be no change to off street parking availability.*

4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *The project will require full review and approval from Weymouth Engineering and DPW Divisions.*
5. That the public convenience and welfare will be substantially served with the proposal. *The project will create additional living space for the family, increasing the value of the home and tax revenue for the Town.*

CONDITIONS:

No additional conditions were placed on the approval.

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 October 28, 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

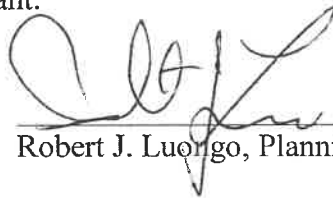
BOARD OF APPEALS

October 28, 2019

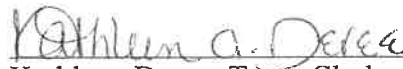
Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Michael MacDonald, 11 Gibbens St, Weymouth, MA 02189, affecting the rights of the owner with respect to land or buildings at 11 GIBBENS ST also shown on the Weymouth Town Atlas Sheet 16, Block 208, Lots 1, 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 # 3398

Date of Hearing: 10/16/2019