

***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**

September 12, 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 August 10, 2022 on APPLICATION OF: Bridget Kitteridge, Case # 3485.

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  
180 GREEN ST.**

2022 AUG 22 PM 1:39

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

**Owner:** Bridget Kitteridge  
**Address:** 180 Green St.  
Weymouth, MA 02189  
**Date:** August 22, 2022

**Applicant:** Bridget Kitteridge  
Jim Miller  
**Address:** 675 Broad St.  
Weymouth, MA 02189  
**Case #:** 3485

**Representative:**  
**Site Address:** 180 Green St.

**Sheet:** 8  
**Block:** 119  
**Lot:** 8

**Filing Date:** 7/14/2022

**Hearing Date:** 8/10/2022

**Advertised:** 7/27/2022 & 8/3/2022

**Zoning District:** R-1

At a public hearing on 8/10/2022 the Board of Zoning Appeals;

**VOTED UNANIMOUSLY TO GRANT A VARIANCE** from the dimensional requirements of the *Weymouth Zoning Ordinance*. to demo an existing non-conforming dwelling and to rebuild a new one-story single-family home. Approval is per a *Proposed Site Plan* dated 6/29/2022 and *Exterior Elevations* prepared by Jason E. Beal, Inc. Architect and dated 5/16/22.

**GENERAL FINDINGS:**

The Board found noted the following in its Decision.

1. The specific site is an appropriate location for such a use. *This lot is in an R-1 residential district. The original home was constructed in 1918 with the front of the home placed directly on the property line which represents the ROW boundary of Green Street /Miles Keene Road which serves as the driveway to the McCulloch Senior Center. The garage is actually situated within the Town ROW.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The new home is in keeping with the scale and character of the surrounding neighborhood. The building is being pulled off the*

- ROW significantly. The front setback will be increasing from 1.6 feet to 13.6 feet at the closest point. The encroaching garage will be removed entirely.*
3. *There is not a potential for nuisance or serious hazard to vehicles or pedestrians. The availability of off-street parking will not be impacted.*
  4. *There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. All work will be done in conformance with Town of Weymouth Building Code and under the supervision of the Department of Public Works.*
  5. *That the public convenience and welfare will be substantially served with the proposal. The reconstruction of the home will benefit both the Town, that utilizes the street for access to the McCulloch Building, and the current and future owners of the home.*

#### **VARIANCE FINDINGS:**

The Board was able to identify factors directly related to the shape, topography, and soil conditions of the lot that warranted a variance from the dimensional requirements. The original home, built in 1918 was built directly on the front property line of the lot which also represents the edge of the ROW for Green Street/Miles Keene Road. Although the exact timing of events is unclear, the home now sits directly on the driveway used to access the McCulloch Senior Center. The accessory garage actually sits within the ROW. Given the shape of the lot, it is not possible to relocate the home to fully conform with modern dimensional requirements. This proposal substantially improves the nonconforming status and a variance can be granted without derogating from the intent of the bylaw.

#### **CONDITIONS:**

1. Stamped Survey will be submitted as part of the Building Permit application.
2. Additional garage, currently in Town right of way, will be demolished at beginning of project.

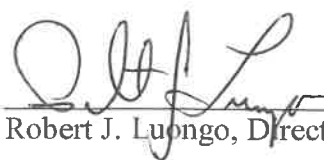
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

**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 **August 22, 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.



Robert J. Luongo, Director of Planning and Community Development

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

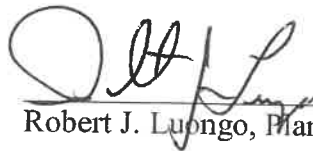
BOARD OF APPEALS

August 22, 2022

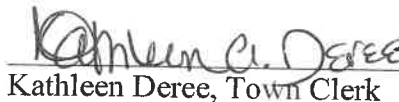
Certificate of Granting of Variance or Special Permit  
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Bridget Kitteridge, Jim Miller, 675 Broad St. Weymouth, MA 02189, affecting the rights of the owner with respect to land or buildings at 180 Green St. also shown on the Weymouth Town Atlas Sheet 8, Block 119, Lots 8, 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 # 3485

Date of Hearing: 8/10/2022