

***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**

June 14, 2023

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 26, 2023 on APPLICATION OF: Daniel Boreza, Case # 3499.

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
176 LAKE SHORE DRIVE**

**RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE**

2023 MAY 24 AM 11: 48

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

Owner:	Daniel Boreza	Date:	May 24, 2023
Address:	176 Lake Shore Dr. Weymouth, MA 02189		
Applicant:	Daniel Boreza	Case #:	3499
Address:	176 Lake Shore Dr. Weymouth, MA 02189		
Representative:		Site Address:	176 Lake Shore Drive
		Sheet:	30
		Block:	341
		Lot:	11
Hearing Date:	4/26/2023		
Filing Date:	3/20/2023		
Advertised:	4/12/2023 & 4/19/2023		

Zoning District: R-1

At a public hearing on 4/26/2023 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance Sections 120-40 (Extension or Change by Special Permit)* to add a deck to the existing house. Approval is per a survey prepared by Boston Survey Inc. and dated 4/2/2018 and *Plan of Land Showing Proposed Deck* prepared by Neponset Valley Survey Assoc., Inc. and dated 1/26/2023.

SPECIAL PERMIT 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. *The deck replaces an existing patio on approximately the same footprint. The rear yard of the house overlooks Whitman's Pond.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The deck is appropriately located in the rear yard and will not impact abutters. An approximately 10-foot wide pathway*

separates this property and the abutter on the side in question which, in effect, acts as the de facto setback.

3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *The availability of off-street parking or pedestrian traffic flow 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 deck replaces an existing patio in the same footprint. With the existence of the pathway separating this property from the abutter, the deck can be constructed without causing a nuisance to the neighborhood.*

CONDITIONS:

- None


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 **May 24, 2023**

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

May 24, 2023

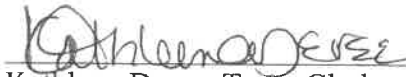
Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Daniel Boreza, 176 Lake Shore Dr., Weymouth, MA 02189, affecting the rights of the owner with respect to land or buildings at 176 Lake Shore Drive also shown on the Weymouth Town Atlas Sheet 30, Block 341, Lot 11, 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 # 3499

Date of Hearing: 4/26/2023