

***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**

January 24, 2024

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 November 15, 2023 on APPLICATION OF: Antonio Teixeira, Case # 3517.

No appeal was filed within the twenty (20) day appeal period.

Signed:

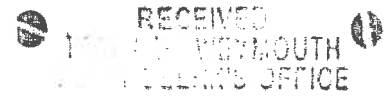
Kathleen A. Deree

A True Copy. ATTEST:

Kathleen A. Deree

Kathleen A. Deree
Town Clerk

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
31 PARK AVENUE**



2024 JAN -3 AM 11: 56

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

Owner: Antonio Teixeira **Date:** January 3, 2024
Address: 5 Abington St.
Hingham, MA 02043

Applicant: Antonio Teixeira **Case #:** 3517
Address: 5 Abington St.
Hingham, MA 02043

Representative: **Site Address:** 31 Park Avenue

Sheet: 45
Block: 521
Lot: 8

Hearing Date: 11/15/2023

Filing Date: 10/30/2023

Advertised: 11/1/2023 & 11/8/2023

Zoning District: R-1

At a public hearing on 11/15/2023 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 renovate existing two-family dwelling, remove existing non-conforming garage and replace with new 3-car garage. The property is a legally nonconforming two-family home in the R-1 zoning district. Approval is per a *Plot Plan of Land* prepared by Hoyt Land Surveying, Inc. and dated 10/4/2023 and *Teixeira Construction Additions and Renovations to Existing 2 Family Residence at 31 Park Ave.* prepared by Aprea Design, Inc. and dated 10/2/2023.

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. *This is an addition to an existing two-family home in an R-1 zoning district. The addition does not represent an increase to the allowable units (2) but only an increase in the size of the existing unit(s).*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The addition creates no new nonconformities.*

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 project removes an existing garage that had encroached further into the side setback than the replacement.*

CONDITIONS:

- There will be no living space in the garage.
- There will be no sewer or water service in the garage.
- This decision grants no variance or exception to the height requirements for garages articulated in Section 120-12. The garage is limited to 1.5 stories as determined by the Inspector of Buildings.

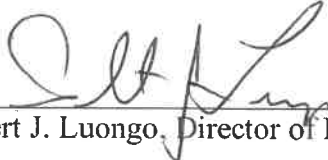
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

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 **January 3, 2024**

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

January 3, 2024

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 Antonio Teixeira, 5 Abington St., Hingham, MA 02043, affecting the rights of the owner with respect to land or buildings at 31 Park Avenue also shown on the Weymouth Town Atlas Sheet 45, Block 521, Lot 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 # 3517

Date of Hearing: 11/15/2023