

**TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION**

TO BE COMPLETED BY STAFF


Case Number: 3469 Town Clerk Stamp
Submittal Accepted: _____ Date _____
Signature of Planning Dept. Staff for minimal requirements
Determined to be complete and may now be filed with Town Clerk: _____
Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 180 Pilgrim Road
4. 30. 5
Assessor's Map Sheet, Block, & Lot: _____
R-1
Zoning District: _____ Overlay District: _____
James R. Andrew
OWNER OF RECORD (S) (print & sign): _____
(The owner of record is the person or entity who owns title to the property as of today's date)
180 Pilgrim Road, Weymouth, MA 02191
Address of owner of record: _____
Book 39908 P 363. #125732
Norfolk County Registry of Deeds Book and Page No. _____
Or registered in Land Registration Office under Certificate No. _____
James R. Andrew
NAME OF APPLICANT (S) (print & sign): _____
180 Pilgrim Road, Weymouth, MA 02191
Applicant's Address: _____
jimsail2005@gmail.com 617.359.8114
Contact Information: Email _____ Phone _____
Check if you are an: owner(s) ☒ lessee(s) ☐ optionee (s) ☐
NAME & AFFILIATION OF REPRESENTATIVE: _____
180 Ferry Road, Bristol, RI 02809. Gina Macdonald, Construction Manager
Address: _____
georginamac@gmail.com 617.592.8378
Contact Information: Email _____ Phone _____
Kyle Xue, Architect
NAME OF ENGINEER AND / OR ARCHITECT: _____

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.

 10/29/21 JAMES R. ANDREW
Applicant / Petitioner - Date (sign & print)

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):

Setback for decks at front on Pilgrim Road, 2 1/2 story dormers, enclosure of first floor area under rear bedroom—

Bedroom is on the second floor and sets on concrete pillars above the ground, plan to fill

in the area under it, adding a roof for the 1st floor area that will extend 36" out on either side, x 9 feet, 7 inches,

adding 57.50 s.f. to the building's footprint. Footprint is now 758 sf + 57.50 = 815.50 sf when complete.

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):

The current building is 1 1/2 stories with a basement building footprint of 594 sf plus the back bedroom footprint of 164.9 sf for a total of 758 sf. The building is a single family residence. The basement is 74% below grade.

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

Same use, but enclose open porch to return it to its former use as a living room, expand front BR over LR, enclose area under 2nd floor elevated BR to add to kitchen, excavate area in front of basement for enclosed parking add a 1/2 story + dormers and add decks in front along Pilgrim Rd. See attached overview.

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).

Use is same as current

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).

Not aware of any

5. Any other additional information as relevant to the Variance or Special Permit:

Current parking is too short and cars stick out into Pilgrim Rd. See attached Memo

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			
Lot Area / Size (Sq. Ft.)		2,680	2,680
Dwelling Units		1	1
Frontage (ft.)		45	45
Lot Width (ft.)		45 front; 25.93 rear	45 front; 25.93 rear
Front Yard Setback (ft.)		12.5	12.5 for building; 3 for deck
Front Yard Setback (ft.) – corner lots			
Side Yard Setback (ft.)		5	5
Side Yard Setback (ft.)		4.5	4.5
Rear Yard Setback (ft.)		20	20
Height (ft.) & # of Stories		1.5	2.5
Lot Coverage		28.2%	30%
Off-Street Parking Spaces		2	2
Off-Street Loading Spaces		0	1
Parking Setback		—	—
Accessory Structure Setback		—	—
Landscaping		—	—
Floor Area Ratio		—	—
Signage		—	—
Other:			

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.

Applicant needs extra space to accomodate 3 sons, better parking easier to navigate stairs

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

Not adverse to character of neighborhood or town; see attached list of properties and photos which have similar improvements/setbacks/dormers and porches or decks.

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

No nuisance; improvement in parking will eliminate hazard of cars extending into Pilgrim Rd.

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

Yes; currently served by natural gas, electric, town water, sewer.

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

No adverse impact to public convenience; will improve vehicular traffic flow on Pilgrim Rd.

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):

Setbacks of existing building are non conforming in front and side

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

Since it was constructed in 1928; back bedroom addition was added in the 1990s at same time part of the LR was turned into a front porch; now want to turn that porch back into an enclosed LR.

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:

Expanding existing front BR over front porch/LR does not extend building's footprint; filling in under back BR will expand sf by 57.5 sf; excavating from front retaining wall into basement will create better parking.

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

2 parking spaces currently, which extend into Pilgrim except for very small cars; excavation will create full parking spaces

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:

Parking will be improved substantially; no other changes will be detrimental to the neighborhood.

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.

A literal enforcement would prevent the parking improvement, as well as not permitting the upper 1/2 story expansion to accommodate 3 sons.

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.

Current lot is very small, as are most of the neighborhood lots; slope in front created the unsafe current parking conditions which excavation and parking extending into the basement will fix.

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.

Footprint of the building will only increase by 57.5 s.f. Decks added to the Pilgrim Road side will permit enjoyment of the views.

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.

Expansion of the current partial second floor north over the LR does not increase the footprint of the building but will significantly expand the standing height in the rooms; the addition of a 1/2 story with dorms still stays under the height limit while allowing use of that top floor. Many other dwellings in the immediate neighborhood have porches, decks, garages, stairs which extend into the setbacks required.

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.

James R. Andrew
180 Pilgrim Road
Weymouth, MA 02191
jim@jimandrew.com 617.359.8114
10/20/21

Construction Manager for project: Georgina Macdonald, gina@BeechLion.com 617.592.8378

Re: Application for Building Permit for 180 Pilgrim Road

The Pilgrim Road house currently is 996 s.f. and consists of a one and a half story house with the second floor having a low roof. The rear bedroom was expanded earlier with a small addition which has an even lower roof raised up on concrete pylons with no first floor under it.

About Jim: I have just retired from a downtown Boston job (company was sold and because of my age (69), I was involuntarily retired. I am handicapped with a movement disorder, Dystonia, which is similar to Parkinson's. It affects my vision and my mobility. Driving is difficult for me as are steps and fine motor skills. I have three sons and the current house is too small for them all to stay with me.

We understand that getting approval for the decks, filling in the first floor under the second floor BR and the 2 ½ story dormers will require approval from the Board of Appeals and have attached our application for that Appeal.

Construction objectives:

1. Excavate the front hillside and area under the porch/living room to be used for parking creating a carport

Parking in the area is constrained and excavating the existing steep slope and creating a carport/garage in the slope and under the front part of the house, separate from the basement, will provide ample parking for the property. The current parking spots in front of the house are shallow, so most cars (except very, very short ones) stick out into the street. This work will also include reinforcing a basement beam and rebuilding the basement steps which currently require stooping to use them—they are not safe, especially for someone with my handicaps.

The current retaining wall is 10 feet from the front edge of the house and all excavation and deck construction would be within that footprint.

2. Living Room

Enclose the existing porch to add to the living room; this was the earlier configuration; returning to it will provide a better sized living room. There would be no expansion of the footprint of the house.

3. Expand the master bedroom out over the living room. This will not increase the footprint of the house as the expansion will be over the existing LR/porch.

4. Enclose the first floor area under the existing 2nd floor rear bedroom bump-out which sits on concrete pillars over the ground level.

Enclosing this area will provide extra space in the kitchen sitting area. The expansion on each side of the existing second floor BR will be 3 feet on each side by the 9 foot depth of the space to

permit a slanted roof. The existing grade would be excavated sufficiently to pour a concrete pad for the floor and the existing rear door would be moved from the kitchen to the east side of the new sunroom enclosure, out about 36 inches from edge of the bump-out ceiling.

5. Add upper and lower front decks across the front of the house facing the street

Many of the neighboring houses have garages and decks which are at the street, or in one situation, intrude on the street. I want to add 9 foot deep front decks to provide easy, visible access to the front of the house and have a deck on the second floor to provide an outdoor hot tub, prescribed by my physician to lessen my Dystonia symptoms. Stairs are difficult for me, so having a deck at the same level as the living room and the master bedroom would give me easy access to the outside and the view of the water.

6. Raise the roof on the second floor to create an attic with dormers

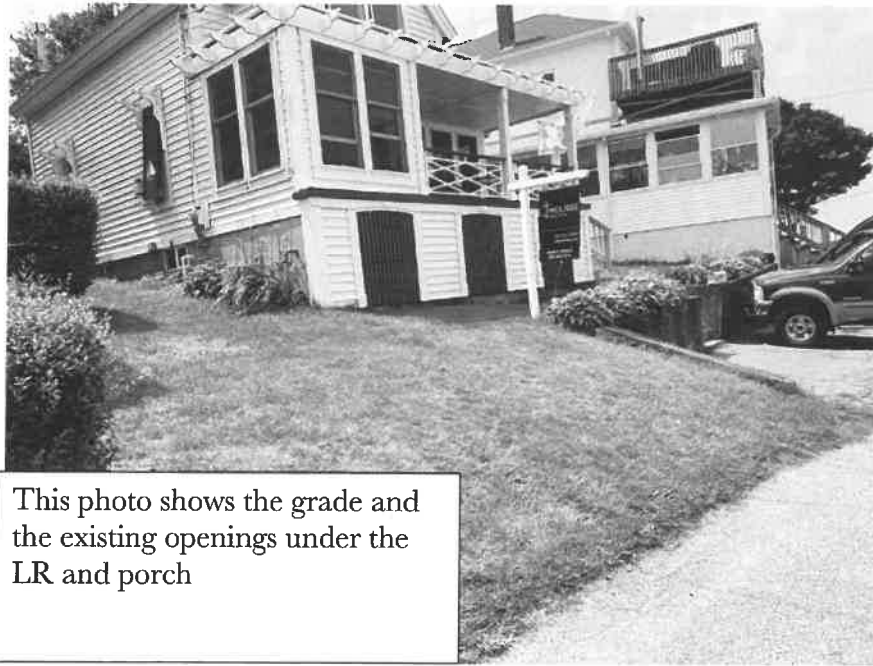
Currently, the low roof on the second floor inhibits use of much of the space on either side. Raising the roof will provide full 8 foot high head room, permit the addition of an attic with dormers and also permit the installation of air conditioning equipment and ducts. This would also include expanding the second floor out toward Pilgrim Road to the edge of the existing porch/living room over the area that is roof in the photo below (keeping within the existing footprint of the building and adding an attic floor with dormers over that keeping within the height limit. The knee walls of the attic would be 3 feet high with doghouse dormers allowing standing height in the bathroom and stair area.

Photos of existing conditions:



Roof area
over
porch/LR
would contain
expanded
primary
bedroom

This shows 180 Pilgrim in the center showing the low roof and the porch, as well as the area under the porch and living room that we want to excavate to create better parking. The parking area would be contained from the edge of the current retaining wall toward the house and under the porch/living room that exists currently.



This photo shows the grade and the existing openings under the LR and porch



This is a closer view of the area under the house to be excavated



This photo shows the back bedroom addition, currently on piers, which we want to enclose the underneath of on the first floor.



Picture at left is
180 Pilgrim earlier



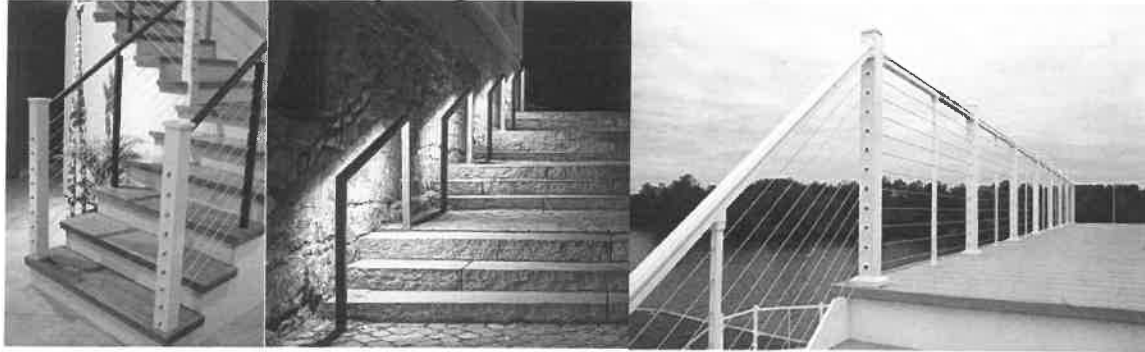
The interior of the rear bedroom showing the low ceiling height



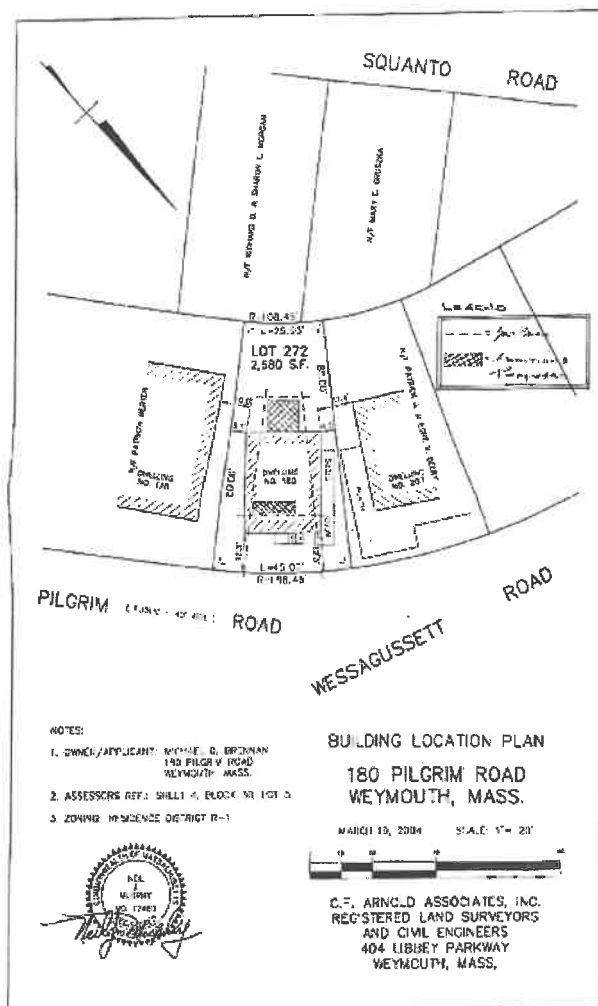
View of primary bedroom showing low ceiling height and asymmetric framing.

Decks

The decks would run the full width of the house and extend out toward the street by 9 feet. They would be constructed with Trex or similar synthetic boards and have poured concrete footing/beams for support. The railings would be cables as in this photo and the new stairs to the deck would match the materials and design of the decks. Indirect lighting would be under the handrails to provide safety at night.



Plot Plan of 180 Pilgrim



Examples of Construction in Pilgrim/Wessagussett area with dormers and close to property line
10 25 21

180 Pilgrim (subject of application) at left, to right is 207 Wessagussett



154 Pilgrim



158 Pilgrim—garage is at road's edge; town records show it over the lot line



162 Pilgrim



125 Squanto



Across from Wituwamat with large dormers under construction





New houses on Wessagussett



203 Wessagussett



127 Wessagussett—4 stories high with multiple decks



145 Wessagussett



207 Wessagussett

