

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

2022 JUN -9 PM 2:43

TO BE COMPLETED BY STAFF

Case Number: # 3479

Town Clerk Stamp

Submittal Accepted: _____

Signature of Planning Dept. Staff for minimal requirements

Date

6/9/22

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: _____

1196 Pleasant / 41 Villagerd

Assessor's Map Sheet, Block, & Lot: _____

27-355-2 + 27-355-16

Zoning District: _____

R-1

Overlay District: _____

NA

OWNER OF RECORD (S) (print & sign): _____

Chris Monaghan

(The owner of record is the person or entity who owns title to the property as of today's date)

Address of owner of record: _____

1196 Pleasant St.

Norfolk County Registry of Deeds Book and Page No. _____

Or registered in Land Registration Office under Certificate No. _____

NAME OF APPLICANT (S) (print & sign): _____

Chris Monaghan

Applicant's Address: _____

1196 Pleasant St.

Contact Information: Email _____

Christop02@yahoo.com

Phone _____

781-241-7556

Check if you are an: owner(s) ☒ lessee(s) ☐ optionee (s) ☐

NAME & AFFILIATION OF REPRESENTATIVE: _____

Buyer: Heidi Ragone / 41 Village Rd LLC

Address: _____

131 South St Hingham, Ma 02043

Contact Information: Email _____

heidiragone@gmail.com

Phone _____

781-710-5525

NAME OF ENGINEER AND / OR ARCHITECT: _____

NEPONSET VALLEY

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.

Chris Monaghan

6/9/22

Applicant / Petitioner - Date (sign & print)

NATURE OF REQUEST

Application is for: X Special Permit _____ Variance _____ Other: _____

Applicable Section of Zoning Ordinance (specify Section (s) of the Zoning Ordinance from which relief is sought):

120-40

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):

SEE ATTACHED NARRATIVE

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

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).

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).

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

X

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.)	SEE SURVEY		
Dwelling Units			
Frontage (ft.)			
Lot Width (ft.)			
Front Yard Setback (ft.)			
Front Yard Setback (ft.) – corner lots			
Side Yard Setback (ft.)			
Side Yard Setback (ft.)			
Rear Yard Setback (ft.)			
Height (ft.) & # of Stories			
Lot Coverage			
Off-Street Parking Spaces			
Off-Street Loading Spaces			
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.

SEE ATTACHED

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

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

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

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



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):

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

SEE ATTACHED

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.

4. Explain how the extension, alteration, or change itself complies with the current Zoning Ordinance requirements:

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

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:

1196 Pleasant Street – Subdivision Narrative

In the fall of 2021, my neighbor Heidi Ragone purchased the property at 41 Village Road in Weymouth (Lot 5 L.C.C. 10788-E) and approached me while I was in my backyard with regards to my wooded land. She asked if I was interested in selling part of my backyard which would decrease my non-conforming property size and increase her non-conforming property. I spoke with my wife, and we agreed to split our land with Heidi. I went to the town hall to ensure this could be done and what the steps were to complete the transaction. After speaking with Eric and Monica, I returned home and contact Heidi to let her know the process.

At her request, she contracted with Neponset Valley to survey both properties to put together an ANR plan to legally split and sell the property. In the proposed plan (attached) my property would be split into Lot A-1 and A-2 with the intent to sell Lot A-2 to Heidi at 41 Village Road. Both deeds would be updated so that my property would decrease by approximately 7,044 sqft and her property would consist of Lot 5 (original plot) and my Lot A-2.

Overall, this plan would help in two (2) ways. The smaller non-conforming lot would get bigger and allow for more space in the rear of the property while my land (the larger non-conforming lot) would get smaller and the properties shape and consistency would remain the same.

I appreciate your time and consideration.

Chris Monaghan

1196 Pleasant Street

Weymouth, MA 02189

OPTIONAL SIGNATURE

781-241-7656