

***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**

October 4, 2021

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 July 14, 2021 on APPLICATION OF: Lynne & Martin Barnes, Case # 3455.

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

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE
TOWN OF WEYMOUTH, MASSACHUSETTS

BOARD OF ZONING APPEALS

NOTICE OF DECISION 2021 SEP 14 AM 11:35

94 & 96 PROSPECT HILL DR

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

Owner:	(#94) - Prospect Hill, LLC	Date:	September 14, 2021
Address:	(#96) - Lynne A. Barnes Living Trust 96 Prospect Hill Dr. Weymouth, MA 02191		
Applicant:	Lynne & Martin Barnes	Case #:	3455
Address:	96 Prospect Hill Dr. Weymouth, MA 02191		
Representative:	Paul Seaberg Grady Consulting 71 Evergreen Street, Suite 1 Kingston, MA 02364	Site Address:	94 & 96 PROSPECT HILL DR
		Sheet:	3
		Block:	4
		Lot:	30 & 31
Filing Date:	6/24//2021		
Hearing Date:	7/14/2021		
Advertised:	6/30/2021 & 7/7/2021		

Zoning District: R-1

At a public hearing on 7/14/2021 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance 120.40 - Extension or Change by Special Permit to redraw lot lines between 94 and 96 Prospect Hill Drive.*

The decision of the Board is based on an ANR plan dated May 24, 2021 prepared by Grady Consulting, LLC.

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. *Single-family homes currently exist on both lots. The lots were created prior to zoning regulations and are currently nonconforming as to size, width at building line, and a side setback.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *No change to structures is*

proposed. The Special Permit allows the shared property lines to be reconfigured to make each lot more functional. No existing nonconformity is being increased and the smaller lot is increasing in size.

3. *There is not a potential for nuisance or serious hazard to vehicles or pedestrians. No impact to access or parking is proposed.*
4. *There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. No additional utilities are required.*
5. *That the public convenience and welfare will be substantially served with the proposal. The project meets all requirements for a Special Permit under Section 120-40. The new lot layout will be more functional for current and future owners.*

CONDITIONS:

NONE

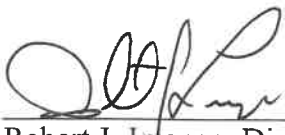
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

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 September 14, 2021

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. Longo, Director of Planning and Community Development

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

BOARD OF APPEALS

September 14, 2021

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 Lynne & Martin Barnes, 96 Prospect Hill Dr., Weymouth, MA 02191, affecting the rights of the owner with respect to land or buildings at 94 & 96 PROSPECT HILL DR also shown on the Weymouth Town Atlas Sheet 3, Block 4, Lots 30 & 31, 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 # 3455

Date of Hearing: 7/14/2021