

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
249 RALPH TALBOT STREET - REMAND**

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

Owner: Kevin & Laura Fall
Address: 249 Ralph Talbot Street
Weymouth, MA 02190
Date: January 31, 2018

Applicant: Kevin & Laura Fall
Address: 249 Ralph Talbot Street
Weymouth, MA 02190
Case #: 3346

Representative: David Kelly, Esq.
45 Braintree Hill Office Park #200
Braintree, MA 02184
Site Address: 249 Ralph Talbot Street
Sheet: 46
Block: 534
Lot: 9

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE
2018 JAN 31 PM 12:06

Zoning District: R-1

REMAND in accordance with Land Court Order 17 MISC 000151 - Board of Zoning Appeals application filed on October 26, 2017,

After a public hearing on November 29, 2017, continued to December 13, 2017, and January 3, 2018, advertised in the Weymouth News on November 15, and November 22, 2017, the Board of Zoning Appeals at its meeting of January 3, 2018

VOTED TO GRANT THE SPECIAL PERMIT

Under Weymouth Zoning Ordinance Section 120-53 Minimum lot area and minimum lot width, to grant relief for the petitioner to subdivide an existing ~41,650 SF lot with an existing single-family dwelling, to create one lot with ~21,605 SF for construction of a new single-family dwelling, and a ~20,045 SF lot with the existing dwelling.

FINDINGS:

1. The specific site is an appropriate location for such a use.
This is in an existing R-1 (single-family) neighborhood.
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. There is not a potential for nuisance or serious hazard to vehicles or pedestrians.
The new home will be adequately served by a separate driveway so that on-street parking will not be necessary.
3. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use.
This is a single family home and will be constructed in conformance with all applicable building codes.
4. That the public convenience and welfare will be substantially served with the proposal.
A new home in the neighborhood will increase property values and add to the town's tax base.

CONDITIONS:

1. A side yard setback of at least 20 feet will be maintained along the property line with 241 Ralph Talbot Street.
2. The applicant will screen the abutting property line with 241 Ralph Talbot Street with not less than 25 Hemlock, Arborvitae, or other evergreen type screening as approved with consultation with the abutter and with the Office of Planning and Community Development.

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 31, 2018

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

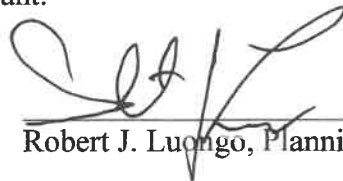
BOARD OF APPEALS

January 31, 2018

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 Kevin & Laura Fall, 249 Ralph Talbot Street, Weymouth, MA 02190, affecting the rights of the owner with respect to land or buildings at 249 Ralph Talbot Street, Weymouth, MA, also shown on the Weymouth Town Atlas Sheet 46, Block 534, Lot 9, 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 # 3346

Date of Hearing: 11/29/17, 12/13/17, 1/3/18