

***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 31, 2022

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 December 8, 2021 on APPLICATION OF: Edward & Jane Meehan, Case # 3463.

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  
28 & 38 RESERVOIR RUN**

RECEIVED  
TOWN OF WEYMOUTH  
ST. OFFICE

2022 JAN 10 AM 6:40

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

<b>Owner/Applicant:</b>	Burns Family Trust Richard & Mary Burns, trustees	<b>Date:</b>	January 10, 2022
<b>Address:</b>	28 Reservoir Run Weymouth, MA 02190		
<b>Representative:</b>	Austin J. McGovern Esq. Thomas F. Williams & Associates, P.C. 21 McGrath Highway, Suite 501 Quincy, MA 02169	<b>Case #:</b>	3463
<b>Owner/Applicant:</b>	Edward & Jane Meehan		
<b>Address:</b>	38 Reservoir Run Weymouth, MA 02190		
<b>Representative:</b>	Kevin Mackin 36 Altrura Rd. Weymouth, MA 02191	<b>Site Address:</b>	28 & 38 Reservoir Run
		<b>Sheet:</b>	48
		<b>Block:</b>	508
		<b>Lot:</b>	103 & 105
<b>Filing Date:</b>	09/16/2021		
<b>Hearing Date:</b>	10/06/2021 12/8/2021		
<b>Advertised:</b>	9/22/2021 & 9/29/2021 11/03/21 & 11/10/21		

**Zoning District:** R-1

At a public hearing on 12/8/2021 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 reconfigure the property lines between the subject properties as shown on the Plan of Land prepared by Hoyt Land Surveying and dated 4/15/2020. The lot line reconfiguration would increase the already nonconforming *Width at the Building Line* dimension. Existing is approximately 118 feet, proposed is approximately 112 feet.

**FINDINGS:**

The Board found that the proposed lot line adjustment could be approved as a Special Permit under Section 120-40 as the reconfiguration would only increase an already nonconforming dimensional requirement and would not create any new conformities.

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. *There is no change in use. The Special Permit allows for a lot line adjustment that more accurately reflects the current lay-out of each property.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The proposed lot line is more reflective of actual site topography and vegetation.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *No change or impact.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *No structural or utility changes are proposed.*
5. That the public convenience and welfare will be substantially served with the proposal. *The lot line adjustment will more accurately reflect actual use of both properties given topographical and vegetative borders. By adjusting the lot lines, future owners of the properties will be able to legally utilize their properties as defined by the existing natural boundaries.*

#### CONDITIONS:

None

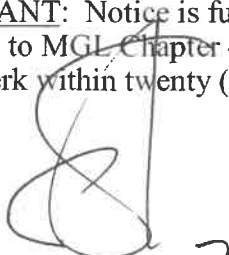
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

**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 January 10, 2022

**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.



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Robert J. Luongo, Director of Planning and Community Development

ERIC SCHNEIDER FOR ROBERT LUONGO

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

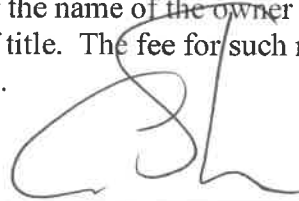
BOARD OF APPEALS

January 10, 202

Certificate of Granting of Variance or Special Permit  
(General Laws Chapter 40A, Section 11)

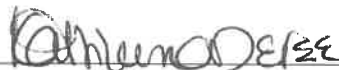
The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Richard Burns, 28 Reservoir Run, Weymouth, MA 02190 & Edward & Jane Meehan, 38 Reservoir Run, Weymouth, MA 02190, affecting the rights of the owner with respect to land or buildings at 28 & 38 Reservoir Run also shown on the Weymouth Town Atlas Sheet 48, Block 508, Lots 103 & 105, 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

ERIL SCHNEIDER FOR ROBERT LUONGO



Kathleen Deree, Town Clerk

Case # 3463

Date of Hearing: 12/8/2021