

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

**TO BE COMPLETED BY STAFF**

Case Number: # 3261

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

2015 JUL 29 AM 8:47

RECEIVED  
TOWN OF WEYMOUTH  
TOWN CLERK'S OFFICE

**PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT**

**PROJECT / PROPERTY STREET ADDRESS:** 14 Wainwright - 15 Victoria Ave

Assessor's Map Sheet, Block, & Lot: 55-611-58, 59, 61, 62, 63, 47, 76 & 39

Zoning District: Residential R-1 Overlay District: X

**OWNER OF RECORD (S)** (print & sign): M/M Richard Mahan, M/M Michael Dean & Stephen Gosselin

(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: 15 Victoria, 14 Wainwright, Weymouth & 1540 Bedford St. Abington

Norfolk County Registry of Deeds Book and Page No. \_\_\_\_\_

Or registered in Land Registration Office under Certificate No. \_\_\_\_\_

**NAME OF APPLICANT (S)** (print & sign): Stephen S. Gosselin

Applicant's Address: 1540 Bedford Street, Abington, MA 02351

Contact Information: Email sgi5894@aol.com Phone 781-871-4046

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

**NAME & AFFILIATION OF REPRESENTATIVE:**

Address: Gregory F. Galvin, 775 Pleasant St., Weymouth, MA 02189

Contact Information: Email ggalvin@gregorygalvin.com Phone 781-340-5335

**NAME OF ENGINEER AND / OR ARCHITECT:** Ross Engineering Company, Inc.

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.

Gregory F. Galvin Attorney for Stephen S. Gosselin  
Applicant / Petitioner - Date (sign & print) 7/27/15

## 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):

Article XV, Section 120-53, 56 & 59.1

*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):

There are 2 non-conforming lots (area) with houses, and 5 vacant lots.

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

The applicant is seeking to combine the lots so as to create 2 new buildable lots with adequate area, 40' of frontage. The 2 existing non-conforming lots will be reconfigured to be less non-conforming.

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).

Articles IV and XV

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).

N/A

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

## 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	<del>R-1</del>	R-1	R-1
Lot Area / Size (Sq. Ft.)	25000	various	25000+
Dwelling Units		0	2
Frontage (ft.)	72	N/A	40
Lot Width (ft.)	120	N/A	120
Front Yard Setback (ft.)	18	N/A	18+
Front Yard Setback (ft.) – corner lots	N/A		
Side Yard Setback (ft.)	10	N/A	10+
Side Yard Setback (ft.)	N/A	N/A	N/A
Rear Yard Setback (ft.)	35	N/A	35
Height (ft.) & # of Stories	2 1/2	2 1/2	2 1/2
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.

This is an R-1 locus and single family homes are proposed

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

The applicant is proposing 2 new single family homes and to increase the lot area in the 2 existing non-conforming lots

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

No, the applicant is looking to build 2 homes on lots at least 25,000 s.f.

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):

The 2 non-conforming lots will gain several hundred feet in area

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

Since prior to 1997.

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:

N/A

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

N/A

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:

N/A



## 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.

NA

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.

NA

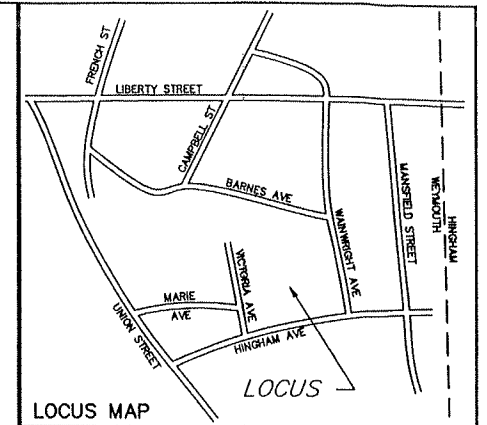
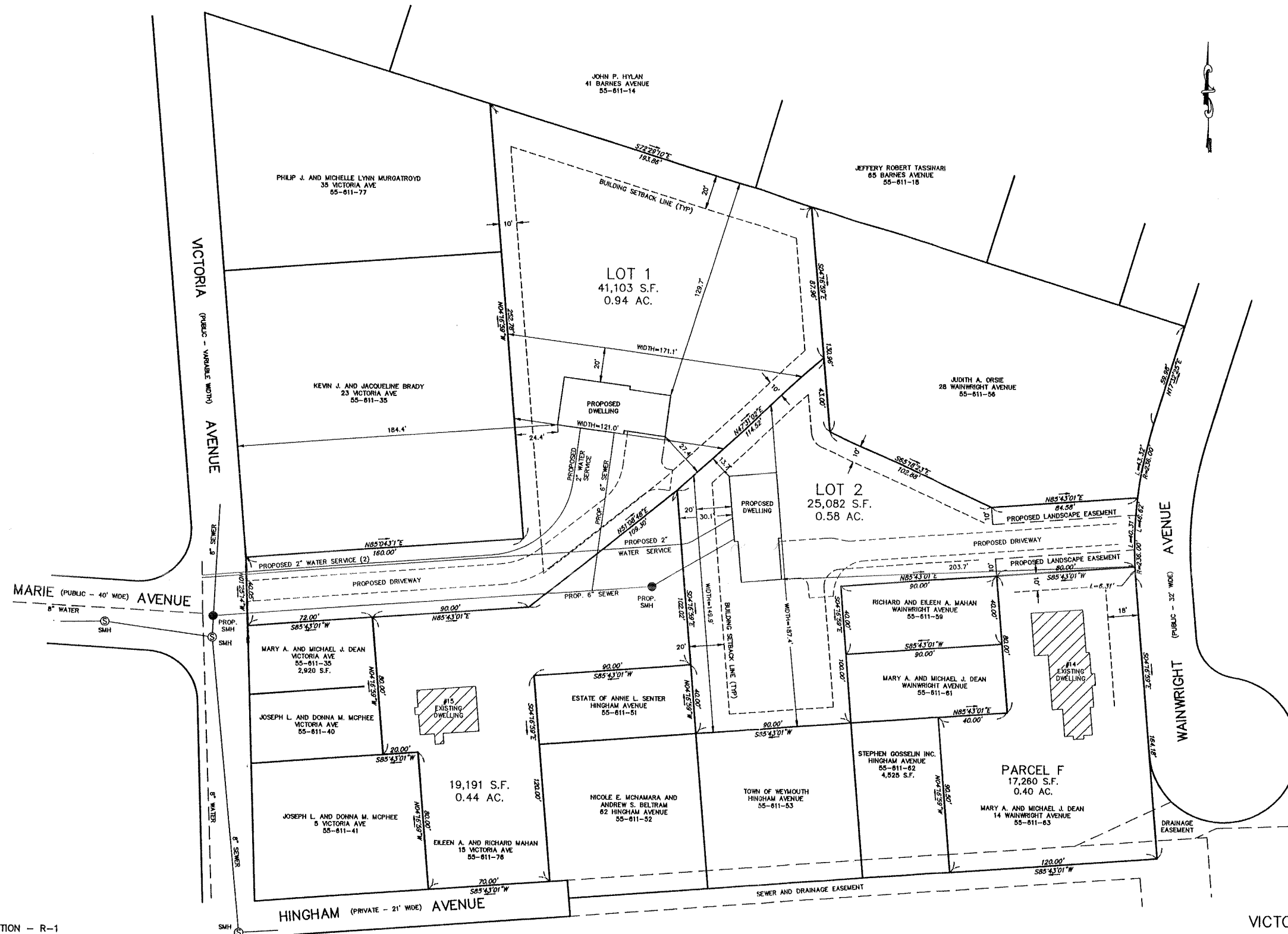
3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance.

NA

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.

NA

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.



- NOTES:
1. ZONING CLASSIFICATION - R-1  
WATERSHED PROTECTION OVERLAY DISTRICT
  2. LOCUS LIES IN ZONE X AS SHOWN ON FIRM MAP  
COMMUNITY PANEL #250257 0241 E, DATED JULY 17, 2012.
  3. PLANNING BOARD ENDORSEMENT OF THIS PLAN IS NOT A  
DETERMINATION AS TO CONFORMANCE WITH THE TOWN OF  
WEYMOUTH ZONING BY LAWS.
  4. PLAN REFERENCES:  
A) PLAN BOOK 24 PAGE 1085  
B) PLAN BOOK 313 PAGE 872  
C) PLAN BOOK 451 PAGE 722  
D) PLAN BOOK 522 PAGE 68  
E) PLAN BOOK 535 PAGE 42  
F) LC PLAN 10139-A  
G) LC PLAN 14699-A

ZONING REGULATIONS FOR RESIDENCE-1			
	REQUIRED	PROVIDED LOT 1	PROVIDED LOT 2
MIN. LOT SIZE	25,000 S.F.	41,103 S.F.	25,082 S.F.
MIN. LOT WIDTH	120 FEET	121.0 FEET	149.9 FEET
MIN. FRONT YARD DEPTH	18 FEET	184.4 FEET	203.7 FEET
MIN. SIDE YARD DEPTH	10 FEET	24.4 FEET	13.7 FEET
MIN. REAR YARD DEPTH	24 FEET	129.7 FEET	30.1 FEET

OWNER  
EILEEN A. AND RICHARD MAHAN  
15 VICTORIA AVENUE  
WEYMOUTH, MA

OWNER  
MARY A. AND MICHAEL J. DEAN  
14 WAINWRIGHT AVENUE  
WEYMOUTH, MA

APPLICANT  
STEPHEN GOSSELIN, INC.  
1540 BEDFORD STREET  
ABINGTON, MA 02351

CONCEPT PLAN  
FOR  
VICTORIA AVENUE AND WAINWRIGHT AVENUE  
IN  
WEYMOUTH, MASS.

SCALE: 1"=30' JULY 15, 2015

ROSS ENGINEERING COMPANY INC.  
PROFESSIONAL ENGINEERS - LAND SURVEYORS

683 MAIN STREET  
NORWELL, MASS. 02061  
(781)659-1325



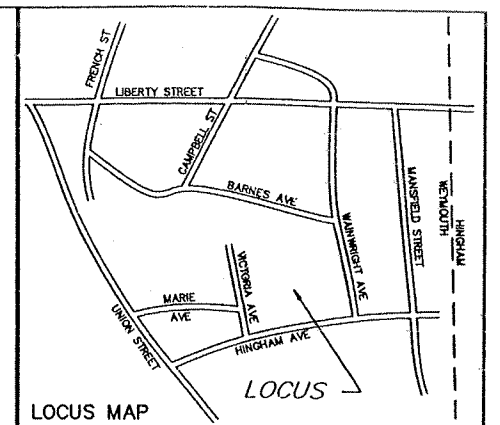
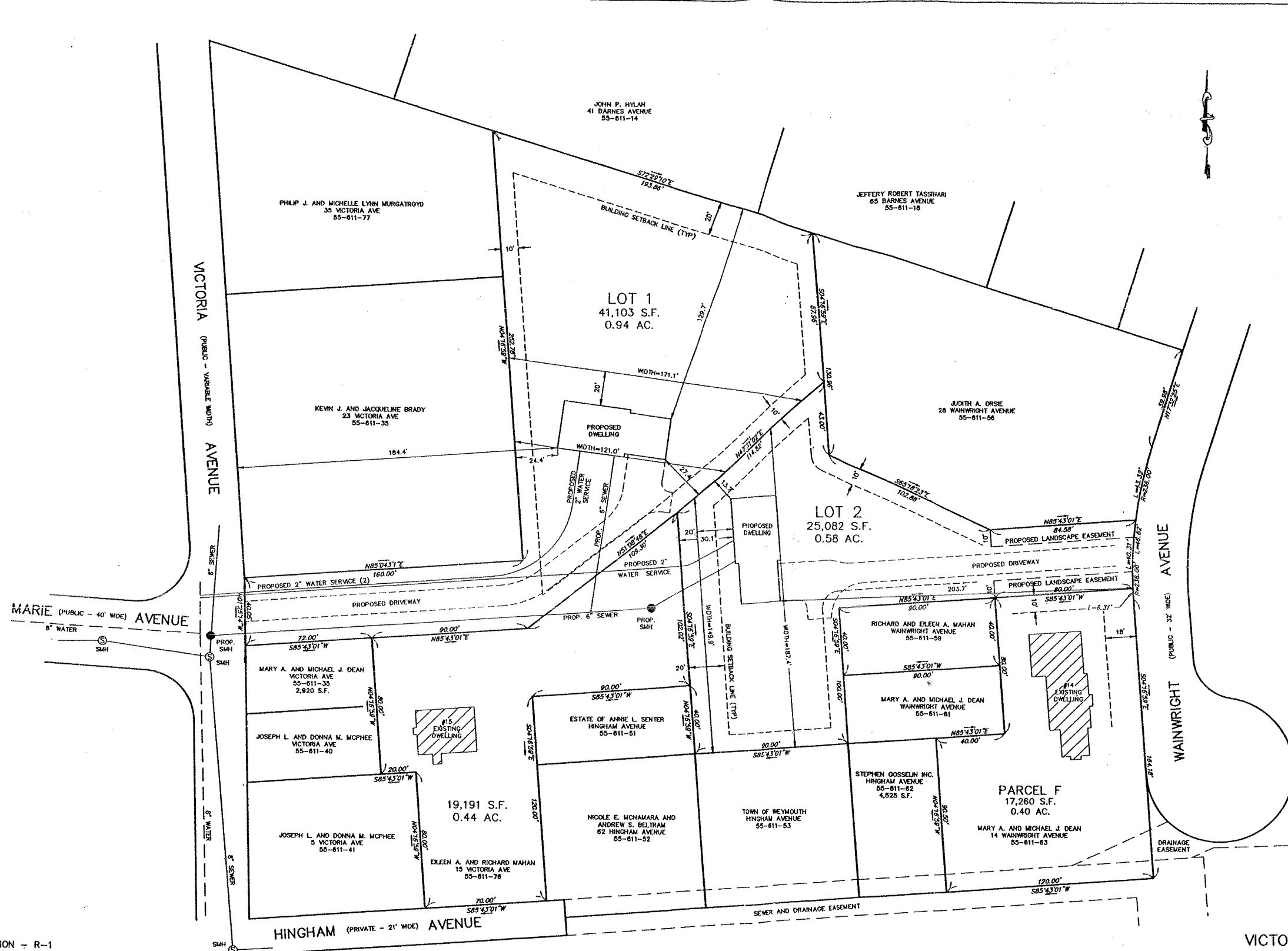
C:\Land Projects\2016\3671\3671-CONCEPT.dwg, 7/26/2015 8:34:49 AM, DWG To PDF.plt

#### NOTES:

1. ZONING CLASSIFICATION - R-1  
WATERSHED PROTECTION OVERLAY DISTRICT
2. LOCUS LIES IN ZONE X AS SHOWN ON FIRM MAP  
COMMUNITY PANEL #250257 0241 E, DATED JULY 17, 2012.
3. PLANNING BOARD ENDORSEMENT OF THIS PLAN IS NOT A  
DETERMINATION AS TO CONFORMANCE WITH THE TOWN OF  
WEYMOUTH ZONING BY LAWS.
4. PLAN REFERENCES:  
A) PLAN BOOK 24 PAGE 1085  
B) PLAN BOOK 313 PAGE 872  
C) PLAN BOOK 451 PAGE 722  
D) PLAN BOOK 522 PAGE 68  
E) PLAN BOOK 535 PAGE 42  
F) LC PLAN 10139-A  
G) LC PLAN 14699-A

#### ZONING REGULATIONS FOR RESIDENCE-1

	REQUIRED	PROVIDED LOT 1	PROVIDED LOT 2
MIN. LOT SIZE	25,000 S.F.	41,103 S.F.	25,082 S.F.
MIN. LOT WIDTH	120 FEET	149.9 FEET	149.9 FEET
MIN. FRONT YARD DEPTH	18 FEET	184.4 FEET	203.7 FEET
MIN. SIDE YARD DEPTH	10 FEET	24.4 FEET	13.7 FEET
MIN. REAR YARD DEPTH	24 FEET	129.7 FEET	30.1 FEET



#### OWNER

EILEEN A. AND RICHARD MAHAN  
15 VICTORIA AVENUE  
WEYMOUTH, MA

#### OWNER

MARY A. AND MICHAEL J. DEAN  
14 WAINWRIGHT AVENUE  
WEYMOUTH, MA

#### APPLICANT

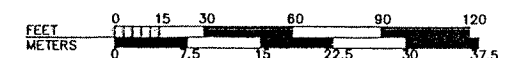
STEPHEN GOSSELIN, INC.  
1540 BEDFORD STREET  
ABINGTON, MA 02351

## CONCEPT PLAN FOR VICTORIA AVENUE AND WAINWRIGHT AVENUE IN WEYMOUTH, MASS.

SCALE: 1"=30' JULY 15, 2015

ROSS ENGINEERING COMPANY INC.  
PROFESSIONAL ENGINEERS - LAND SURVEYORS

683 MAIN STREET  
NORWELL, MASS. 02061  
(781)659-1325



JN 3671-FMA