

***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**

September 10, 2020

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 22, 2020 on APPLICATION OF: Diane Pompeo-Maltby, Case # 3413.

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
126 WESSAGUSSETT ROAD**

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

(To be mailed forthwith to the owner and applicant, if not the owner) **2020 AUG 21 AM 10: 59**

Owner: Diane Pompeo-Maltby
Address: 67 Fort Point Rd
Weymouth, MA 02191

Date: August 24, 2020

Applicant: Diane Pompeo-Maltby
Address: 67 Fort Point Rd
Weymouth, MA 02191

Case #: 3413

Representative:

Site Address: 126 WESSAGUSSETT ROAD
Sheet: 4
Block: 49
Lot: 1

Filing Date: 05/26/2020

Hearing Date: 06/03/2020
06/24/2020
07/22/2020

Advertised: 05/27/2020 & 06/03/2020

Zoning District: R-1

At a public hearing on 07/22/2020 the Board of Zoning Appeals;

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance Section 120-40 extension or change by special permit.*

The decision of the Board is based on plans prepared by Rockwood Design, Inc. and dated 7/7/2020.

VOTED UNANIMOUSLY TO GRANT A SPECIAL PERMIT under *Weymouth Zoning Ordinance Section 120-38.3 Floodplain District Special Permit.*

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. *The existing structure is located within the R-1 and currently consists of a dilapidated single family home.*
2. The proposed use or structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *This proposal replaces a condemned and unsafe building.*

3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *There is adequate off-street parking available.*
4. There are adequate and appropriate facilities, utilities and other public services provided for the proper operation of the proposed use. *Demand on public services is unchanged.*
5. That the public convenience and welfare will be substantially served with the proposal. *The project will improve the safety and aesthetics of the neighborhood by demolishing a blighted structure.*

VOTED UNANIMOUSLY TO GRANT A VARIANCE from the Dimensional Requirements of Sections 120-52. The lot is less than 5,000 square feet but is surrounded by existing residential uses. The opportunity does not exist to acquire additional land to make the lot more conforming. The Board found that the variance could be granted given that the new house will improve on all pre-existing nonconforming setbacks and significantly reduce the amount of impervious surface in an environmentally sensitive area.

CONDITIONS:

1. The applicant will work with both the Building Department and the Office of Planning and Community Development to provide adequate screening of the raised foundation.
2. Approval by the Weymouth Conservation is additionally required.

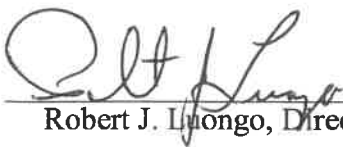
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

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 August 24, 2020

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

August 24¹ 2020

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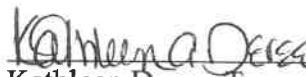
Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Diane Pompeo-Maltby, 67 Fort Point Rd, Weymouth, MA 02191, affecting the rights of the owner with respect to land or buildings at 126 WESSAGUSSETT ROAD also shown on the Weymouth Town Atlas Sheet 4, Block 49, Lots 1, 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 # 3413

Date of Hearing: 07/22/2020