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**TOWN OF SCITUATE  
ZONING BOARD OF APPEALS  
Meeting Minutes**

**November 16, 2023**

**Present:** George Xixis, Chair, Justin M. Marks, Christopher Carchia, Greg Fleming and Heath Fahle.

**Also present:** Robert Vogel, Scituate Building Commissioner

**The Scituate Zoning Board of Appeals** held a hybrid public hearing in the Selectmen's Hearing Room in the Scituate Town Hall located at 600 Chief Justice Cushing Highway and was also accessible via zoom on **Thursday, November 16, 2023 at 7:00 P.M.** to consider the following requests:

**Mr. Xixis** opened the Thursday, November 16, 2023 ZBA meeting by announcing that the Fifth Application (208 C J Cushing Way, which had been continued from the October 19, 2023 ZBA hearing) had been withdrawn from the Board's consideration.

**First Application:** Sean and Jessica Howlett, 118 River Street, Scituate, MA 02066 request a Special Permit/Finding in accordance with M.G.L. Chapter 40A, Section 6 and Sections 810.2 and 470.6 of the Scituate Zoning Bylaws and/or any other relief that the Board of Appeals may grant, to allow the construction of an addition to a single-family home located at **118 River Street, Scituate, MA 02066 (Assessor's Map 73, Block 12, Parcel 6).**

**Mr. James Kenneway** (8 Vinal Avenue, Scituate, MA 02066 – contractor for Sean and Jessica Howlett) – introduced the project, acknowledging that the existing dwelling is located on a nonconforming lot. Mr. Kenneway stated that there will be no change in the footprint of the dwelling and that the project involves raising the roof (within height restrictions of the Scituate Zoning Bylaws) and finishing the attic for additional livable square footage.

**The Board** – additional discussion of the square footage to be added, noting that there are some discrepancies between what was included in the Application and what was provided on the plan prepared by J Webby Consulting LLC, 6 Pine Hill Road, Kingston, MA 02364.

**Mr. Vogel** – provided his thoughts on the project, stating that the concerns that he has will be addressed during the building permitting process.

**Meeting was opened for public comment** – no public comments.

**Mr. Xixis** – made a motion on the application of Sean and Jessica Howlett, 118 River Street, Scituate, MA 02066 requesting a Special Permit/Finding in accordance with M.G.L. Chapter 40A, Section 6 and Sections 810.2 and 470.6 of the Scituate Zoning Bylaws to allow the construction of an addition to a single-family home, pursuant to the plan prepared by J Webby Consulting LLC dated October 2, 2023 and move that the addition introduces no new nonconformities and to the extent that it intensifies any existing nonconformities such intensification is not substantially more detrimental to the neighborhood and that the Board grant the Special Permit. Motion seconded by Mr. Fleming, all in favor, unanimous.

**Second Application: J. Stephen Bjorklund, 861 Main Street, Norwell, MA 02061** requests a Special Permit/Finding in accordance with M.G.L. Chapter 40A, Section 6 and Section 810.1 of the Scituate Zoning Bylaw and/or any other relief that the Board of Appeals may grant, to allow the construction of a single-family home located at **141 Turner Road, Scituate, MA 02066 (Assessor's Map 40, Block 1, Parcel 39).**

**Mr. Bjorklund** – requested a continuance of this Application until the January 2024 ZBA meeting. **Mr. Xixis** made a motion to approve the request. **Mr. Fleming** seconded the motion, all in favor, unanimous.

**Third Application:** On behalf of the Town of Scituate, **Woodward & Curran, 250 Royall Street, Suite 200E, Canton, MA 02021** requests a Special Permit/Finding in accordance with M.G.L. Chapter 40A, Section 6, Section 620.1 and Section 950.2B2 of the Scituate Zoning Bylaw and any other relief that the Board of Appeals may grant to allow the construction of the proposed **Stearns Meadow Drinking Water Plant** to be located at **453 Chief Justice Cushing Highway, Scituate, MA 02066.**

**Mr. Kevin Cafferty** was present to represent the Town of Scituate. **Mr. Rob Little** represented Woodward and Curran. A representative for the architectural firm of **Harriman** was also in attendance.

**Mr. Xixis** – requested a statement of what relief was being sought.

**Mr. Little** – responded that the relief being sought was with regard to the facility's height, explaining (with the use of plans) that the roof over the main processing area of the plant requires an additional 5 feet 1 inch of height (45 feet 1 inch in total) than that set forth in the Scituate Zoning Bylaws for an R-1 zone (40 feet).

**Mr. Fahle** – inquired as to what the Abutters will see from their back porches, with reference to the roof height.

**Mr. Little** – responded that the facility's design took into consideration the neighbors' views of the facility and, to that end, enclosed mechanicals and specified a vegetative buffer.

**Meeting was opened for public comment** – no public comments.

**Mr. Xixis** – thanked the representatives of Woodward and Curran and Harriman for the clear package and presentation.

**Mr. Xixis** – made a motion on the application of Woodward and Curran on behalf of the Town of Scituate, requesting a Special Permit to allow the construction of the proposed Stearns Meadow Drinking Water Plant at 453 Chief Justice Cushing Highway, Scituate, MA 02066 pursuant to the plan by Woodward and Curran, in cooperation with the architects of Harriman dated October 2023 and move to find the proposed site is an appropriate location for the proposed use and that the construction of a water

treatment plant as proposed is not substantially more detrimental to the neighborhood. Motion seconded by Mr. Fleming, all in favor, unanimous.

**Fourth Application: (Continued from October 19, 2023) Joanne B.C. DiNatale, 349 Hatherly Road, Scituate, MA 02066** requests a Special Permit/Finding in accordance with M.G.L. Chapter 40A, Section 6 and Section 430.2 of the Scituate Zoning Bylaw and/or any other relief that the Board of Appeals may grant, to allow the expansion of the operation of a current bed and breakfast establishment to more than two guest bedrooms located at **349 Hatherly Road, Scituate, MA 02066 (Assessor's Map 28, Block 23, Parcel 2).**

**Mr. Xixis** – welcomed Ms. DiNatale back to continue the deliberation regarding the expansion of operations at Mr. DiNatale's bed and breakfast. Mr. Xixis reminded the members of the Board that the Application had been continued from the meeting of October 19, 2023, given a discrepancy between the Town of Scituate Assessor's field card showing Ms. DiNatale's house as having 4 bedrooms and Ms. DiNatale's assertion that her property has 5 bedrooms. The Town of Scituate's Assessor visited the property and agreed that the dwelling has 5 bedrooms. A revised field card was shared with the Board and the updated information will be available on the Town's website when property information is routinely updated.

**Mr. Vogel** – added that he had been by the property and that he believes the on-site parking to be sufficient to handle the B&B's operation.

**Meeting was opened for public comment** – no public comments.

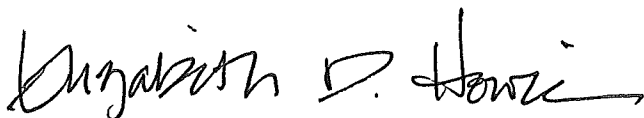
**Mr. Xixis** – made a motion on the application of Joanne B.C. DiNatale, 349 Hatherly Road, Scituate, MA 02066 requesting a Special Permit/Finding in accordance with M.G.L. Chapter 40A, Section 6 and Section 430.2 of the Scituate Zoning Bylaws and/or any other relief that the Board of Appeals may grant, to allow the expansion of the operation of a current bed and breakfast establishment from two (2) to four (4) rentable rooms, with Ms. DiNatale maintaining residence in the establishment. Motion seconded by Mr. Fleming, all in favor, unanimous.

## **ADJOURNMENT**

Motion to adjourn by Mr. Fleming and seconded by Mr. Xixis, all in favor, unanimous.

Meeting adjourned at approximately 7:35 p.m.

Respectfully submitted by

A handwritten signature in black ink, appearing to read "Elizabeth D. Howie". The signature is fluid and cursive, with a long horizontal stroke at the end.

Elizabeth D. Howie