

Town of Scituate

ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY
SCITUATE, MASSACHUSETTS 02066
(781) 545-8716



2016 AUG 31 AM 11:05

Decision of the Scituate Zoning Board of Appeals on the application of Whitecrest Realty, LLC of P.O. Box 43, Greenbush, MA (hereinafter, the "Applicant") for a Special Permit/Finding pursuant to under Section 420(3) and Section 200 (Definitions) of the Scituate Zoning Bylaws and Massachusetts General Laws Chapter 40A, Section 9 to construct a building to be utilized as a microbrewery at 6 Old Country Way, Scituate, Massachusetts.

The application was received, advertised and a public hearing was duly held on July 21, 2016, with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere
Francis M. Lynch
Edward C. Tibbetts, Acting Chair

The subject property (the "Subject Property") at 6 Old Country Way is owned by Whitecrest Realty, LLC (See Deed filed with the Plymouth County Registry of Deeds, Book 37961, Page 133). It is located in General Business Zoning District and the Village Business Overlay District, and is also located within the Water Resources Protection District.

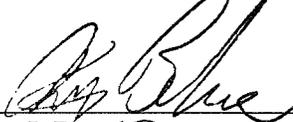
The Applicant proposes to change the use of the Subject Property, currently a residential dwelling to a microbrewery. The use as a microbrewery is allowed by Special Permit in the General Business Zoning District.

Based on the information presented, including but not limited to the plans dated June 13, 2016 submitted by Morse Engineering Company, the Board finds that the proposed use of the Subject Property as a microbrewery is consistent with the Town of Scituate's Zoning Bylaw.

The Board is also satisfied that the criteria set forth in the Section 950.3 of the Zoning Bylaw have been met, and specifically that (A) the Subject Property is an appropriate location for the proposed structure or use, (B) the proposed use as developed will not adversely affect the neighborhood, (C) there will not be an undue nuisance or serious hazard to vehicles or pedestrians as a result of the proposed use or structure, (D) adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use or structure, (E) based on the applicant's submissions to the Town and its associated boards, there will not be any significant impact on the public or private water supply and (F) based on the applicant's submissions to the Town and its associated boards, there will not be any significant or cumulative impact upon municipal water supplies, with the Board giving appropriate consideration of nitrate-nitrogen loading in making this determination.

For the foregoing reasons, the Board unanimously voted to grant the Applicant a Special Permit to change the use of the Subject Property from a residential dwelling to a microbrewery as set forth in the plans submitted by the Applicant, including but not limited to the plans dated June 13, 2016 by Morse Engineering Company. The Special Permit and findings are issued pursuant to Zoning Bylaw Sections 420(3), 200, 950.3, and G.L. Ch. 40A, Section 6.

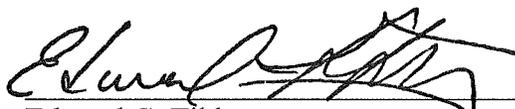
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Anthony J. Bucchere



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Edward C. Tibbetts

Filed with Town Clerk and Planning Board on August 31, 2016.

This finding will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County Registry of Deeds after the appeal period of twenty (20) days.

Appeal of any decision of the Zoning Board of Appeals may be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed in a court of competent jurisdiction. Proof of that filing shall be provided to the Town Clerk within twenty (20) days of the date of the filing of the decision with the Town Clerk.