

**Scituate Zoning Board of Appeals  
Meeting Minutes  
August 20, 2015**

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**PRESENT:** Sara Trezise, Chairman, John Hallin and Frank Lynch.

**Also Present:** Neil Duggan, Building Commissioner and Zoning Enforcement Officer.

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The Scituate Zoning Board of Appeals held a public hearing on August 20, 2015 at the Scituate Town Hall located at 600 Chief Justice Cushing Highway, Scituate. The meeting was called to order at 7:00 P.M.

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**First Application: Damian and Jennifer Liddiard, 6 Turner Road, Scituate** request a finding/Special Permit in accordance with M.G.L. Ch.40a, Section 6 to construct a 12'x12.62' addition 14.4' from the lot line at their home at **6 Turner Road, Scituate, MA (Assessors Map 39, Block 26, Parcel 22).**

As the applicant was delayed, Mr. Duggan presented the application. A brief description of the property and nature of the application was given by Mr. Duggan. The property is preexisting nonconforming and is within the R2 and R3 residential zones. As stated in the Scituate Zoning Bylaws, under section 330, when a lot falls within two zones, if there are 25 feet or more within the more restricted zone, the requirements of the more restricted zone applies. More than 25 ft. of the lot is in the R2 zone, so R2 requirements apply. The applicant is seeking a Special Permit/Finding to construct a small addition 14.4' from the lot line where a 30' side setback is required.

The applicant arrived as Mr. Duggan was discussing the property setbacks with the Board.

The Board asked Mr. Duggan for clarification on the nonconforming lot line increase as proposed in the application before Ms. Trezise opened the meeting to public comment. There were no questions or comments from the public.

**Mr. Lynch made a motion on the application for a Special Permit/Finding at 6 Turner Road, Scituate. Mr. Lynch moved to find the property conforms to the existing Scituate Zoning Bylaws except for side setback which requires 30 feet, and that the proposed addition will intensify the existing non-conformities but would not be substantially more detrimental to the neighborhood than the present structure. Mr. Lynch moved to find the proposed addition is not more detrimental to the neighborhood than the existing structure and that the Board grant a Special Permit. The Motion was seconded by Mr. Hallin. The Board voted unanimously to grant the Special Permit.**

Mrs. Sheila Kukstis representing Signifex, LLC of 156 Front Street, Scituate requested to speak to the members of the Board. Ms. Trezise assented to the request.

Mrs. Kukstis explained that they had been experiencing some issues with the rest of the condominium association regarding the modified permit and, to avoid litigation, were requesting the Board revoke the modification of the Special Permit granted on July 16, 2015 without prejudice and presented a letter stating such to the Board. The letter was submitted to the file.

Discussion among the Board concluded with the decision to postpone acting on the request until due notice for a Public Hearing was posted, as required under Mass. General Law.

**Mr. Lynch moved to put request of Signifex, LLC to revoke the Modification of the Special Permit granted on July 16, 2015 on for a hearing Tuesday, August 25, 2015 at 6pm at a location within Town Hall, seconded by Mr. Hallin, all in favor, unanimous.**

Minutes from the ZBA meeting on July 16, 2015 were presented for approval.

**Mr. Lynch moved to approve the minutes from the July 16, 2015 ZBA meeting with correction of typographical error, seconded by Mr. Hallin, all in favor, unanimous.**

**Meeting adjourned at 7:35pm.**

Respectfully Submitted,

A handwritten signature in cursive script that reads "Anne M. Kelly". The signature is written in dark ink and is positioned above the printed name.

Anne M. Kelly