



Decision of the Zoning Board of Appeals on application of Mary Kate Hartford-Kennedy to receive a special permit under section 420.2 (D), and section 1030 of the Zoning Bylaw to conduct a livery business from 119 Kent Street.

The application was received, advertised, and a public hearing was duly held on November 19, 2009, with the following members of the Zoning Board of Appeals hearing the Application:

Peter Morin, Chairman  
Brian Sullivan  
Sara Trezise

The applicant is the owner of the property known and numbered as 119 Kent Street, consisting of 25,488 square feet of land; the single-family dwelling on the premises is currently run as a bed and breakfast and there is a detached garage at the property. The property abuts Kent Street and Blanchard Road, a cul-de-sac. The Applicant proposed that the ingress and egress for the proposed use would be from and to Kent Street. The applicant testified, as did her father William Hartford, of the need in town of the service they proposed to provide. Currently there are no livery services in Scituate. They have agreed that pending approval from the Board of Selectmen of their license, they will not have on their property permanently more than two vehicles associated with the business. They stated they plan to use passenger type mini-vans for their business.

The Board heard testimony from abutters who were concerned with the running of two businesses out of a property that is in the residential zone. While the Board is sensitive to those concerns, the proposed uses are permissible uses in the residential zone by Special Permit. The Inn was permitted previously by this Board and has been in operation for several years without any violations or complaints to the Board.

Based on the above testimony the Board voted unanimously to GRANT the Special Permit to the Applicant subject to the following terms and conditions:

- A) A) Ingress and egress for the livery service is to be from Kent Street.
- B) B) No more than two vehicles associated with the livery business are permitted to be parked or 'housed' on the premises.

The Board advised the applicant that the Board is only the authority to permit the use and that the Board of Selectmen is the authority to apply to, to seek the license for the livery business.

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ZONING BOARD OF APPEALS

  
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Peter Morin, Chairman

  
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Brian Sullivan

  
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Sara Trezise

Filed with the Town Clerk on: January 20, 2010

This Special Permit/Finding will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County 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.