

Town of Scituate

ZONING BOARD OF APPEALS

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



Decision of the Scituate Zoning Board of Appeals on the application of Ronan Residential, Inc. of 57 Garrison Drive, Scituate, Massachusetts, the authorized representative of Paul A. Marchione and Mary Marchione owners of the premises known as and numbered 6 Town Way in the Town of Scituate, Massachusetts, for a finding under M.G.L. Chapter 40A, Section 6, clause 1 that the proposed razing and reconstruction of the single family residential dwelling located thereon, will not be substantially more detrimental to the neighborhood than the pre-existing non-conforming structure.

The application was received, advertised, and a public hearing was duly held on July 24, 2008, with the following members of the Zoning Board of Appeals hearing the application:

Peter Morin, Chairman
Brian Sullivan
Sara Trezise

The property located at 6 Town Way, is in the A-3 residential district and is owned by Paul A. and Mary Marchione pursuant to a deed recorded at the Plymouth County Registry of Deeds at Book 3463, Page 517. The existing lot does not comply with the current zoning bylaw requirement as to frontage and lot width.

The applicant proposes to raze the existing structure entirely and reconstruct a new dwelling on the lot which when constructed shall meet all current zoning requirements, including lot area, except as to the lot frontage and lot width requirements. The lot frontage (87 +/- feet) and the lot width (81 +/- feet) now existing was established when the subject lot was created by virtue of the recording of a plan with the Plymouth County Registry of Deeds in the year 1900. The said new dwelling structure shall comply with all other zoning requirements. The existing structure and lot enjoy "grandfathered" protected status as both the lot and structure predate the adoption of the zoning by law in 1953.

In view of the foregoing, the Board FINDS that, based upon the applicant's representations:

- The said proposed razing and reconstruction of the existing dwelling, so as to be in compliance with the current front, rear and side yard set back requirements of the zoning by law, consistent with the plan submitted by the applicant to be not substantially more detrimental to the neighborhood than the existing dwelling; and
- The applicant is authorized to raze and reconstruct the existing dwelling in compliance herewith.


ZONING BOARD OF APPEALS



Peter Morin, Chairman



Brian B. Sullivan



Sara J. Trezise

Filed with the Town Clerk on: August 25, 2008.

This Special Permit/Finding will not become effective until such time as an attested copy of the 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.