

# 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 Joan McCafferty and Timothy Carty of 61 New Driftway of Scituate, MA 02050, MA for a Special Permit/Finding under Scituate Zoning By-Laws section 420(3)BB and section 950.3 to operate a commercial kennel located at 61 New Driftway. The property located at 61 New Driftway is located in the Commercial District.

The application was received, advertised, and a public hearing was duly held on January 19, 2012 with the following members of the Zoning Board of Appeals hearing the application:

Peter Morin, Chairman  
Brian Sullivan  
Sara Trezise

The property located at 61 New Driftway had been used as the Scituate Animal shelter and boarding facility for more than the past 10 years. The property was sold by the Town of Scituate to John K. Tedeschi and James F. McInnis by Vote of the Special Town Meeting on October 17, 2005 and leased to applicants Joan McCafferty and Timothy Carty, DBA "Celtic Paws" who continue to operate the property as a commercial kennel. With permission of the property owners, Tedeschi and McInnis, the applicants, McCafferty and Carty, have applied for this Special Permit.

Pursuant to Scituate Zoning By-Laws section 420(3)BB, a Special permit is required to operate a commercial kennel in the Commercial zone. Pursuant to section 950.3 the board considered the application found the following:

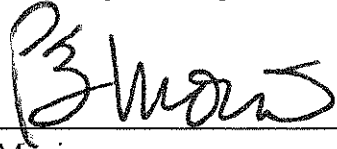
- A. The locus is in a commercially zoned district. The property has been used as a commercial kennel for in excess of 10 years. As such the specific site is an appropriate location for the continued use.
- B. The proposed use will not adversely affect the neighborhood.
- C. There will be no undue nuisance or serious hazard to vehicles or pedestrians as a result of the proposed use.

D. Adequate and appropriate facilities will be provided to assure the proper operation of the proposed use.

E. There will not be any significant impact on any public or private water supply.

For the foregoing reasons, the Board unanimously voted to GRANT the Special Permit to allow the use of the property at 61 New Driftway to operate as a commercial kennel.

ZONING BOARD OF APPEALS



Peter Morin



Brian Sullivan



Sara Trezise

Filed with the Town Clerk on: February 21, 2012.

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.