



Proposed Amendment

Re: Village at South River, 33 Central Avenue, Scituate (Humarock) MA

Assessors' Map 71, Block 9, Lots 1 and 5

(a/k/a 8 Dartmouth Street and 3 Webster Street ("Subject Property"))

South River Partners LLC ("Applicant"), by letter dated September 15, 2011 addressed to the Scituate Zoning Board of Appeals ("Board"), requested an amendment of Condition 3 of the Special Permit Decision filed with Town Clerk on May 27, 2008 and recorded with the Plymouth County Registry of Deeds in Book 38602, Page 251 and filed with the Plymouth County Registry District of the Land Court as Document No. 664579, as amended, following Land Court Remand filed with the Town Clerk on September 15, 2009, and recorded with the Plymouth County Registry of Deeds in Book 38602, Page 255 and filed with the Plymouth County Registry District of the Land Court as Document No. 664580 ("Special Permit Decision").

Said Condition 3 as now existing requires that the off-site affordable unit shall be ready for occupancy prior to the issuance of the occupancy permit for the first market rate unit.

The proposed amendment to said Condition 3 would require the readiness for occupancy of the off-site affordable unit, prior to the issuance of an occupancy permit for the eighth market rate unit.

The reasons stated in the letter for said amendment included the delay associated with the abutter's appeal and the economic factors affecting housing construction, pricing, financing and customer interest.

The Board met with the Applicant and Attorney Walter L. Sullivan at the open meeting scheduled for October 20, 2011 and discussed the status of the building nearing completion (Phase 1, Building Two, containing Units 5, 6 and 7) and the timetable for Phases 1, 3, 4 and 5.

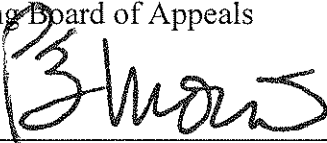
The members designated to consider and act upon the application, were Chairman Morin and Members Brian Sullivan and Edward Tibbetts.

The Chairman inquired if there were any questions or comments from the audience. There were none.

Following discussion among the Board members, upon motion made by Brian Sullivan and seconded by John Hallin. I

It was unanimously voted to amend Condition 3 of the Special Permit Decision so as require the readiness for occupancy of the off-site affordable unit, prior to the issuance of an occupancy permit for the eighth market rate unit.

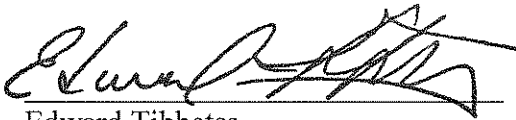
Zoning Board of Appeals



Peter Morin, Chairman



Brian Sullivan



Edward Tibbetss

Filed with the Town Clerk on: November 2, 2011

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.