



Town of Scituate
Planning Board

Accessory Dwelling Special Permit – 129 Stockbridge Road

2012 MAY 3 4 06 PM
TOWN OF SCITUATE

Decision: APPROVED with Conditions
Owners: Kyle & Eunice Zarycki
Applicants: Kyle & Eunice Zarycki
Date: May 3, 2012
Location: 129 Stockbridge Road
Assessor's Map # 54-01-40 & 41
Plans: Proposed Building Plan by mr Surveying, Inc., dated 2/6/12; Front & Side Elevations, First Floor Plan, Second Floor & Attic Floor/ Rear Elevation and Rear Elevation/ Cross Section A-A & B-B Zarycki Residence 129 Stockbridge Rd. Scituate, MA shown on sheets A-1 through A-4 by Hitchcock Designs, Pembroke, MA dated 1/25/12..

Members Hearing Special Permit Application: William Limbacher, Chairman; Daniel Monger, Dr. Nico Afanasenko, Richard Taylor and Eric Mercer.

Background: The property is located in the Residential R-2 Zoning District and the Water Resources Protection Overlay District. It contains an existing single family house. The floor area of the primary dwelling will be approximately 3,210 sq. ft. including the first and second floor with the new master bedroom. The accessory dwelling unit will be approximately 1220 sq. ft. and will not exceed the maximum allowed as long as the new master bedroom is constructed. The applicants have signed an affidavit stating that they will occupy the primary dwelling before, during and after construction.

Procedural Summary: This request for a Special Permit was filed with the Town Clerk and the Planning Board on February 28, 2012. The applicant requested the application be withdrawn on 3/2/12. The applicant requested the application be reinstated on 3/6/12 and a reinstatement letter was filed with the Town Clerk on 3/9/12. A Public Hearing before the Planning Board was duly advertised and notices sent to all abutters in accordance with MGL Chapter 40A. The hearing was opened April 26, 2012 and also closed on this date, when the Planning Board approved the Special Permit with conditions.

Hearing Summary: The applicant/owner, Kyle Zarycki was present. He told the Planning Board he wanted to construct an in-law addition or accessory dwelling. The accessory dwelling would be used by a relative who was moving to the South Shore from New York state. It will be handicap accessible.

It was noted that the Board of Health wants the applicant to tie into sewer as there is going to be an increase in bedrooms and the property is near the reservoir. An accessory dwelling requires 1 parking space per bedroom. The members indicated that if the accessory unit is rented out, that an additional parking space could be added. Mr. Zarychi indicated that he will tie into town sewer. The inlaw addition will be one story and he is adding a new bedroom above the garage.

Public Comment: No one spoke in favor or against the application.

Findings of fact: A motion was duly made and seconded to make the following Findings of fact concerning the accessory dwelling at 129 Stockbridge Road:

1. On February 28, 2012, the owner s of the property applied for a special permit for an accessory dwelling.
2. The plans submitted with the application are entitled Proposed Building Plan by mr Surveying, Inc., dated 2/6/12; Front & Side Elevations, First Floor Plan, Second Floor & Attic Floor /Rear Elevation and Rear Elevation Cross Section A-A & B-B Zarycki Residence 129 Stockbridge Rd. Scituate, MA shown on sheets A-1 through A-4 by Hitchcock Designs, Pembroke, MA dated 1/25/12..
3. The plans show a proposed accessory dwelling of approximately 1,220 sq. ft. The floor area of the primary dwelling with proposed additions is stated on the application and plans to be 3,210 sq. ft.
4. The floor area of the proposed accessory dwelling is 38% of the floor area of the primary dwelling with the proposed.
5. A site plan shows an existing driveway off Lynda Lane. The applicant is willing to construct an additional driveway and additional parking if the need arises.
6. The applicant has submitted a signed, notarized statement that he and his family will live on the property.
7. The application meets the standards of Scituate Zoning Bylaw Section 530 for an Accessory Dwelling Special Permit as long as the proposed additions to the primary dwelling are constructed.

Decision: A motion was duly made and seconded to approve the Accessory Dwelling Special Permit for 129 Stockbridge Road with the following conditions:

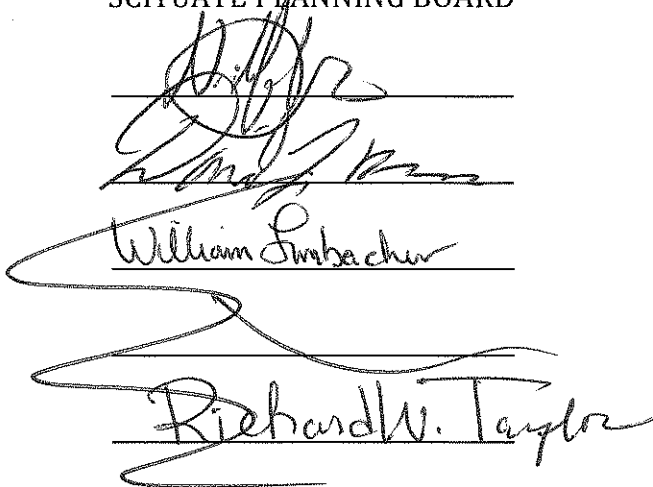
1. The applicant shall meet all requirements of the Building Department, Board of Health, Department of Public Works, Fire Department and other town agencies.
2. The property at 129 Stockbridge Road shall contain a maximum of two dwelling units, the existing dwelling and the accessory dwelling as proposed. The footprint, number of bedrooms and/or square footage shall not be increased without prior approval of the Planning Board.

3. This approval is contingent on completion of the additions for the primary dwellings as shown on the plans submitted with the application.
4. The owners of the property shall reside on the property as long as it contains an accessory dwelling unit.
5. Except for any changes necessary to meet these conditions, any construction shall conform to the plans submitted with this application entitled Proposed Building Plan by mr Surveying, Inc dated 2/6/12: Front & Side Elevations, First Floor Plan, Second Floor & Attic Floor /Rear Elevation and Rear Elevation /Cross Section A-A & B-B Zarycki Residence 129 Stockbridge Rd. Scituate, MA shown as sheets A-1 through A-4 by Hitchcock Designs, Pembroke, MA dated 1/25/12.
6. The primary dwelling and accessory dwelling shall be connected to town sewer as required by the Board of Health.
7. Parking for the accessory dwelling shall be added if needed for future rental to a non-family member.
8. No on street parking shall be permitted.
9. This Special Permit shall be void if it is not recorded at the Registry of Deeds within 90 days of the date of filing with the Town Clerk. The owner shall provide proof of this recording to the Planning Board.
10. This Special Permit shall lapse within two years from the date of its issuance unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9.

Project: 129 Stockbridge Road
Permit: Accessory Dwelling Special Permit

Based on the Findings of Fact, the members of the Planning Board hearing this application voted unanimously to approve the Accessory Dwelling special permit with the conditions noted above.

SCITUATE PLANNING BOARD



Handwritten signatures of board members on horizontal lines. The signatures are: [illegible], [illegible], William Simbacher, and Richard W. Taylor.

This decision was filed with the Town Clerk on May 3, 2012
date

Appeal of this special permit 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.

This special permit will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County Registry of Deeds, after the expiration of the appeal period of twenty (20) days.