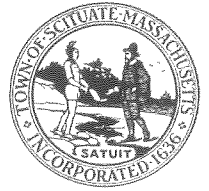


Town of Scituate

ZONING BOARD OF APPEALS

600 Chief Justice Cushing Hwy.
Scituate, Massachusetts 02066
(781)545-8716



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Decision of the Scituate Zoning Board of Appeals on the application of Leo & Mary Ann Zona of 20 EA Joseph Way, Norwell, MA (“Applicant”) for a Special Permit/Finding under MGL 40A § 6 and the Town of Scituate Zoning Bylaws 810.2, to allow the extension of a pre-existing, non-conforming single family dwelling on a pre-existing confirming lot located at 10 Michael Avenue, Scituate, MA, Assessor’s Map 64, Block 5, Parcel 12, increasing the square footage by greater than 20%.

The application was received, advertised and a public hearing was duly held on February 27, 2020 with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman
Edward C. Tibbetts
Thomas J. Cavanagh
Brian B. Sullivan
George Xixis

The Applicants were present at the hearing and joined by Brendan Sullivan, P.E., P.L.S. of Cavanaro Consulting, Inc.

The property is owned by Leo P. & Mary Ann S. Zona, as evidenced by a Quitclaim Deed dated August 227, 2019, and recorded in the Plymouth Country Registry of Deeds, Book 51556/Page322. According to the Town of Scituate Assessors Card, submitted by the applicant, the existing single-family dwelling located upon the lot was constructed in 1915 and contains 2,380 square feet.

The Property is located in the R-3 Zoning District. The existing structure is non-conforming as to Front Yard setback (28.1 feet, 30 feet required), easterly Side Yard setback (1.7 feet, 8 feet required), and Rear Yard setback (17.7 feet, 20 feet required). However, the structure was constructed, prior to the adoption of the current zoning bylaw and therefore is considered pre-existing non-conforming. All other characteristics comply with the current zoning bylaw.

The application seeks approval to construct an addition to the dwelling as shown on a plan submitted by the applicant, prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA 02061, entitled "Site Plan, 10 Michael Avenue - Scituate" dated January 14, 2020 (the "Plan"). The proposed addition to the dwelling per the Plans will increase the Gross Floor Area of the home from 2,403 to 4,135 square feet, an increase of 72%. The proposed will bring the Rear Yard setback into compliance (20 feet) the not alter any of the other existing non-conforming characteristics and will not create any new non-conformities.

After reviewing the application and hearing testimony from the applicant and abutters, the Board found the following:

- a. That the proposed addition if constructed per the Plan will not create any new non-conformities;
- b. That to the extent the proposed addition constructed per the plan intensifies any of the existing nonconformities, such intensification will not be substantially more detrimental to the surrounding neighborhood.

Based on the forgoing the Board unanimously voted to GRANT the Applicant's request for a Special Permit/Finding pursuant to M.G.L. c. 40A, §6 and Section 810.2 of the Town of Scituate Zoning Bylaws, to construct the proposed additions to the existing structure as shown on the Plans.

SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



Edward C. Tibbetts



Thomas J. Cavanagh

Filed with the Town Clerk and Planning Board on 4/7/20

This Finding 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 appeal period of twenty (20) days.

Appeal of any decision of the Zoning Board of Appeals may be made pursuant to M.G.L. Ch. 40, Section 17, and shall be filed within twenty (20) days of the date of filing the decision with the Town Clerk.