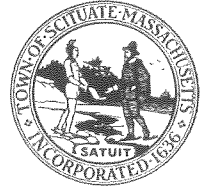


Town of Scituate

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



TOWN OF SCITUATE
ZONING BOARD OF APPEALS
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ZONING BOARD OF APPEALS

Decision of the Scituate Zoning Board of Appeals on the application of Elizabeth Magee, of 28 Standish Avenue, Scituate, MA ("Applicant") for a Special Permit/Finding under MGL 40A § 6 and the Town of Scituate Zoning Bylaws 810.2, to raze and reconstruct an existing single family dwelling on a pre-existing non-confirming lot located at 28 Standish Avenue, Scituate, MA, Assessor's Map 34, Block 11, Parcel 12, increasing the square footage by greater than 20% .

The application was received, advertised and a public hearing was duly held on September 19, 2019 with the following members of the Zoning Board of Appeals hearing the application:

Brian B. Sullivan, Chairman
Edward C. Tibbetts
Thomas J. Cavanagh

The Applicant represented at the hearing by Paul J. Marabito of Ross Engineering Comapany, Inc..

The property is owned by Elizabeth Ann Magee, as evidenced by a Deed dated June 1, 1973, and recorded in the Plymouth Country Registry of Deeds Book 3896, Page 628. The Property is shown as Lot 10, on a plan of "Shore Acres, Egypt, MA", copied by Whie & Wetherbee, C.E., Dated August 1896. According to the Town of Scituate Assessors Card, submitted by the applicant, the existing single-family dwelling located upon the lot was constructed in 1900 and contains 737 square feet.

The Property is located in the R-3 Zoning District. The Property is nonconforming as to Lot Area (5,000± S.F. where 10,000 S.F. is required), Lot Frontage (50.0 feet where 100 feet is required), Lot Width (50 feet, where 100 feet is required). The existing structure is non-conforming as to Southwesterly Side Yard setback (1.4 feet, 8 feet required) and Rear Yard setback (0.9 feet, 20 feet required). However, the lot was created, and the structure was constructed, prior to the adoption of the current zoning bylaw and therefore are considered pre-existing nonconforming. All other characteristics comply with the current zoning bylaw.

The application seeks approval to raze and reconstruct a dwelling as shown on a plan submitted by the applicant, prepared by Ross Engineering Company Inc., 683 Main Street, Norwell, MA 02061, entitled "Site Plan for 28 Standish Avenue in Scituate, MA" dated July 31, 2019 (the "Plan"). The proposed addition to the dwelling per the Plans will increase the square footage of the home to 1,428 square feet, an increase of 194%. The proposed dwelling will reduce the Side Yard and Rear Yard setback nonconformity, will not alter any of the other existing nonconforming characteristics of the site and will not create any new nonconformities.

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, on the condition that the applicant submit a plan stamped by a Professional Engineer which supports the evidence presented at the hearing.

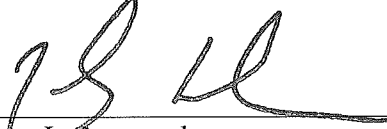
SCITUATE ZONING BOARD OF APPEALS



Brian B. Sullivan, Chairman



Edward C. Tibbetts



Thomas J. Cavanagh

Filed with the Town Clerk and Planning Board on 10/10/19

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.