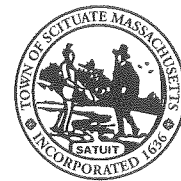


# Town of Scituate

600 CHIEF JUSTICE CUSHING WAY  
SCITUATE, MASSACHUSETTS 02066  
(781) 545-8716



## ZONING BOARD OF APPEALS

TOWN OF SCITUATE  
TOWN CLERK

2018 JUN 15 AM 11:06

RECEIVED

Decision of the Scituate Zoning Board of Appeals on the application of Michele R. Skolnick of 24 Little Harbor Road, Cohasset, MA for a Special Permit/ Finding under M.G.L 40, Section 6 and/or Section 810.2 of the Scituate Zoning Bylaw to allow the razing and reconstruction of a pre-existing, nonconforming single family dwelling on a pre-existing nonconforming lot at 4 Postscript Lane, Scituate MA, Assessor's Parcel 72-16-13, increasing the gross floor area by more than 20%.

The application was received, advertised, and a public hearing was duly held on May 17<sup>th</sup>, 2018 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin, Chairman  
Sara J. Trezise  
Edward C. Tibbetts  
Anthony J. Bucchere, Alternate  
Thomas J. Cavanagh, Alternate

The property is located at 4 Postscript Lane, Scituate MA and is owned by Michele R. Skolnick who acquired the property from Robert A. Di Tullio and Norma A. DiTullio, Trustees for the Norma A. Di Tullio Trust u/d/t dated April 9, 2010 as amended by trustee's certificate pursuant to M.G.L. Chapter 184, Section 35 recorded with the Plymouth County District of the Land Court at Certificate No. 116040, Document No. 677934.

The building on the property is a single family home containing 704 square feet which according to Town Assessors' records was constructed in 1950, prior to the adoption of the Scituate Zoning Bylaw. The property is located in the R3 residential zoning district. The existing Lot Area and Front Yard Setback are non-conforming but pre-existed current zoning requirements and are therefore legally non-conforming.

The application seeks approval to allow the razing and reconstruction of the dwelling as per plans submitted by the applicant, drawn by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA 02061, entitled Proposed Site Plan, 4 Prospect Lane – Scituate dated February 7, 2018 and building plans by HC Designs, 146 Front Street, Suite 2011, Scituate, MA 02066, dated REV March 9, 2018 (The "Plans"). The Plans show a proposed single family dwelling containing 1,717 square feet representing an increase in square footage of 144%. The

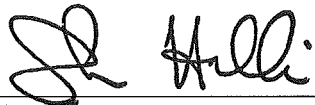
proposed dwelling will not create any new non-conformities and will reduce the front yard setback non-conformity from 24.2'± to 25.3'±. The rear yard setback non-conformity 19.7± and the Lot Area nonconformity will remain unchanged.

After reviewing the application and hearing testimony from the applicant's architect, building inspector and abutters the Board found the following:

- a. That the proposed dwelling if constructed per the Plan will not create any new non-conformities;
- b. That the proposed dwelling will reduce the front yard setback nonconformity as noted above; and
- c. That to the extent the proposed dwelling intensifies any existing nonconformities, such intensifications will not be substantially more detrimental to the surrounding neighborhood.

Based on the forgoing the Board unanimously voted to GRANT the application to permit the razing and reconstruction of the proposed dwelling per the Plan on the condition that a revised plan be submitted to reflect proposed rear setback to be 19.7± and that the height not be greater than allowed by the bylaws.

SCITUATE ZONING BOARD OF APPEALS

  
\_\_\_\_\_  
John Hallin

  
\_\_\_\_\_  
Sara Trezise

  
\_\_\_\_\_  
Edward Tibbetts

Filed with the Town Clerk and the Planning Board on: June 15, 2018

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.