

Town of Scituate

ZONING BOARD OF APPEALS

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Scituate, Massachusetts 02066
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Decision of the Scituate Zoning Board of Appeals on the application of Allison Rock-Studer for a finding under M.G.L. 40A Section 6 in accordance with Section 810.2 of the Scituate Zoning Bylaw and to raze and reconstruct a pre-existing, non-conforming single-family dwelling located at 10 Alden Street, Scituate, Massachusetts.

The application was received, advertised and a public hearing was duly held on July 21, 2022, with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chair
Susan Harrison
George Xixis

The property that is the subject matter of this application is located in the R-3 Residential District. A portion of the property lies in the Town of Scituate Flood Plain and Watershed Protection District. The property does not lie in the Town of Scituate Water Resource Protection Zoning District.

At the time of the application, title to the premises was in the name of Allison Rock-Studer, as Trustee of the Stephen and Mary Rock Trust by deed dated October 5, 2022 and recorded with the Plymouth County Registry of Deeds in Book 00654 Page 84 and is shown on the Scituate Assessors Map Parcel ID No: 73-7-6-0.

The premises contain 3,200 square feet of land (an undersized lot) and contains 40 feet of frontage and 40 feet lot width. The R-3 Residential District requires 10,000 square feet lot area and 100 feet of frontage and 100 feet of lot width. In addition, the R-3 Residential District requires a 30 feet front setback, 8 feet side yard setbacks, and 20 feet rear yard setback.

The existing single-family dwelling located upon the lot was constructed in 1950. The existing 856 sq. foot dwelling does not meet front yard setbacks (15.8' vs. 19.7 average front yard setback), and the right-side yard setback (5.6') but does meet the left side yard setback (10') and the rear yard setback (24.1') requirements.

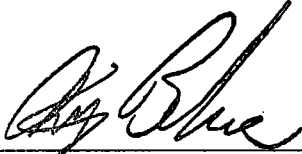
At the July 21, 2022, public hearing, the Board reviewed with the Applicant a plan drawn by Morse Engineering of Scituate, MA dated April 25, 2022, as revised on July 6, 2022. The proposal calls for the raze and reconstruction of the existing dwelling.

The proposed new dwelling will contain approximately 1,700 square feet of living space, an increase of 98.5 %. Front and right-side yard setback will become slightly more conforming. The other setbacks will remain unchanged. All work for the proposed building will comply with FEMA/NFIP flood requirements.

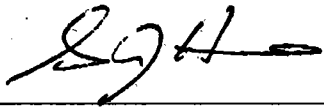
After hearing testimony and reviewing the Plan the Board voted unanimously to grant the special permit to allow the raze and reconstruction in accordance with the Plan. In doing so the Board found:

1. That the proposed addition will not create any new nonconformities.
2. That to the extent the proposed home intensifies any existing nonconformities, such intensification will not be substantially more detrimental to the surrounding neighborhood.

SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



Susan Harrison



George Xixis

Filed with the Town Clerk on: October 27, 2022

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 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 40, Section 17, and shall be filed within twenty (20) days of the date of the filing of the decision with the Town Clerk.