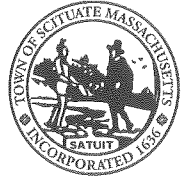


Town of Scituate

ZONING BOARD OF APPEALS

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



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Decision of the Scituate Zoning Board of Appeals on the application of Steven Pelletier of 11 Beacon Road, Scituate MA (the "Applicant") for a Special Permit/Finding under M.G.L 40A, Section 6 and/or Section 810.2 and Section 470.6F of the Scituate Zoning Bylaw to allow the construction of an addition to the pre-existing, nonconforming single-family dwelling at 11 Beacon Road Scituate, Massachusetts increasing the gross floor area by more than 20%.

The application was received, advertised, and a public hearing was duly held on December 20, 2018 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin, Chairman
Edward C. Tibbetts
Anthony J. Bucchere
Thomas J. Cavanagh
Brian B. Sullivan

The property is located at 11 Beacon Road, Scituate MA (the "Property") and is owned by the Applicant who acquired the property via Transfer Certificate of Title 127019 filed with the Plymouth County Registry District of the Land Court..

The building on the Property is a single-family home containing 1,448 square feet which according to Town Assessors' records was constructed in 1961. The property is located in the R-3 residential zoning district and the Flood Plain Watershed Protection District. The Property is nonconforming as to Front Setback as the northeast corner of the house sits 27.8' from Beacon Road where 30' is required. The house was built prior to the adoption of the current zoning bylaw and is therefore considered pre-existing nonconforming. All other characteristics comply with the current zoning bylaw.

The Applicant seeks approval to add an addition to the dwelling as is shown on a plan submitted by the applicant, drawn by C & G Survey Company, dated June, 12, 2018 and entitled Plot Plan for 11 Beacon Road in Scituate, MA (the "Plan"). The proposed addition to the dwelling per the Plan will not place any new area within the nonconforming front setback and will not create any new nonconformities.

After reviewing the application and hearing testimony from the applicant, building inspector 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.

Further the Board reviewed the requirements of Section 470.6F of the Scituate Zoning Bylaw and found that:

1. The proposed addition must comply with the National Flood Insurance Program;
2. The proposed addition must comply with the State Building Code pertaining to flood resistant construction; and
3. That the proposed addition will not affect the natural drainage patterns of the watercourse.

Based on the forgoing the Board unanimously voted to GRANT the application to find that the proposed dwelling complies with the current the Scituate Zoning Bylaw.

SCITUATE ZONING BOARD OF APPEALS



John Hallin



Anthony Bucchere



Ed Tibbetts

Filed with the Town Clerk and the Planning Board on:
/ajb

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.