

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 Mark Daileader for a finding in accordance with MGL 40A § 6 and Section 810.2c of the Scituate Zoning Bylaws allow the Applicant to raze, reconstruct and extend a pre-existing, non-conforming accessory structure located at 12 Graves Avenue, Scituate, Massachusetts 02066.

The application was received, advertised and a public hearing was duly held on September 21, 2023, with the following members of the Zoning Board of Appeals hearing the application:

George Xixis, Chair
Christopher Carchia
Justin M. Marks

The property that is the subject matter of this application is located in the R-3 Residential District.

At the time of the application, title to the premises was in the name of Mark and Susan Daileader, by deed dated May 12, 2018, and recorded with the Plymouth County Registry of Deeds in Book 49812 Page 328 and is shown on the Scituate Assessors Map Parcel ID No: 22-7-4-0.

The lot is 4,954 square feet (10,000 square feet is required) and has 70 feet of frontage (where 100 feet is required) and 70 feet lot width (where 100 feet is required). In addition, the R-3 Residential District requires a 30 feet front setback, 8 feet side yard setbacks, and 20 feet rear yard setback. Currently the residence has a 57.8 feet front setback, 49.3 feet (L)- and 1.4 feet (R)- side yard setbacks, and 1.1 feet rear yard setback. The existing single-family dwelling located upon the lot was constructed in 1922.

At the September 21, 2023 public hearing, the Board reviewed a plan drawn by Ross Engineering of Norwell, MA and Grady Consulting of Kingston, MA dated July 19, 2023. The proposal calls for the existing accessory structure to be razed, reconstructed and extended.

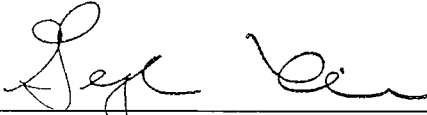
The proposed accessory structure will contain approximately 317 square feet of space, an increase from 238 square feet. Right side and rear yard setbacks will become slightly less non-conforming. The other setbacks will remain conforming.

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

Board found:

1. That the proposed construction of this accessory structure will not create any new nonconformities.
2. To the extent the proposed accessory structure intensifies any existing nonconformities, such intensification will not be substantially more detrimental to the surrounding neighborhood.

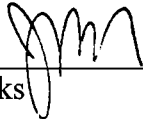
SCITUATE ZONING BOARD OF APPEALS



George Xixis, Chairman



Christopher Carchia



Justin M. Marks

Filed with the Town Clerk on 12.19.2017

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.