

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 Thomas P. McCarthy 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 121 Jericho Road, Scituate, Massachusetts.

The application was received, advertised and a public hearing was duly held on June 16, 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. The property does not lie in the Town of Scituate Flood Plain and Watershed Protection District and 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 Forge Ahead, LLC by deed dated January 10, 2022, and recorded with the Plymouth County Registry of Deeds in Book 00666 Page 92, and is shown on the Scituate Assessors Map 46 Block 12 Parcel 1-0.

The premises contain 8,189 square feet of land (an undersized lot) and contains 125.54 feet of frontage and 134 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 for all other buildings.

The existing single-family dwelling located upon the lot was constructed in 1880. The existing dwelling and lot are non-confirming as to lot area, and do not meet lot front setbacks and lot rear setback requirements of the Town of Scituate Zoning Bylaw; the dwelling and lot conforming as to frontage, width and side setback and height requirements.

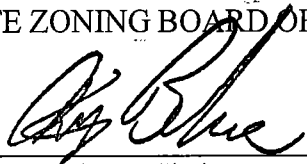
At the June 16, 2022, public hearing, the Board reviewed with the Applicant a plan drawn by Millbrook Survey of Marshfield, Massachusetts dated January 31, 2022. The proposal calls for the raze and reconstruction of the existing 3-4-bedroom, one-bathroom dwelling.

The existing square footage of the dwelling contains 1,036 square feet, and the new dwelling will contain approximately 4,000 square feet, an increase of 286 %. At the public hearing, no one spoke in favor or in opposition to the Application. The new building will be conforming as to side setbacks and will continue to be non-confirming as to front and rear setbacks

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.

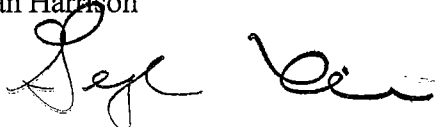
SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



Susan Harrison



George Xixis

Filed with the Town Clerk on October 19, 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.