

# Town of Scituate

## ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY  
SCITUATE, MASSACHUSETTS 02066  
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Decision of the Scituate Zoning Board of Appeals on the application of Signifex LLC, Paul Kukstis (Manager), 9 Seventh Avenue, Scituate, Massachusetts (hereinafter, the "**Applicant**") to amend a Special Permit issued to him on April 10, 2014, to allow the Applicant to raze and reconstruct the single story structure at 165 Front Street, Scituate, MA (hereinafter, the "**Requested Relief**").

The application was received, advertised and a public hearing was held on July 16, 2015. The following members were present and voted at the public hearing:

Sara Trezise, Chair  
John Hallin  
Francis M. Lynch

The Applicant was present at the public hearing by and through its Manager, Paul Kukstis, who presented the application.

The subject property 165 Front Street, Scituate, is a condominium unit owned by the Applicant, see Unit Deed recorded with the Plymouth County Registry of Deeds at Book 42004, Page 250, and Master Deed, Book 41855, Page 1 (hereinafter, the "**Property**"). It is located in the HB Zoning District and is not located with the Water Resources Protection District. The Property is approximately 14,315 square feet. It is non-conforming where 8 feet is required and the existing setback is 5.8 feet. Along with the said application and deed, the Applicant filed with Board of Appeals a copy of the Board of Appeals' Decision received by the Town Clerk April 10, 2014 and recorded with the Plymouth County Registry of Deeds at 44281, Page 56. The Applicant also submitted a Site Plan Showing Proposed Addition #165 Front Street, by Morse Engineering Co., Inc., dated March 10, 2014, revised June 8, 2015.

The Applicant informed the Board that analysis of the original proposal revealed that it was not economically feasible to convert the existing structure and that it was determined the better approach was to raze the existing foundation and first floor and construct a new structure. The Applicant answered questions making in clear that the proposed amendment did not change the size and scope of the structure from the original proposal.

The Board of Appeals entertained questions and comments from those present who wish to be heard and considered the zoning relief requested. Based upon the application materials, the information provided at the public hearing, and the foregoing, the Board of Appeals found that the Applicant had demonstrated that it was entitled to the Requested Relief.

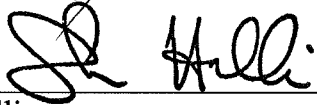
For the foregoing reasons, the Board unanimously voted to GRANT the Applicant's request to Amend the April 10, 2014 Special Permit to allow the Applicant to raze the foundation and first floor of the structure at 165 Front Street and to construct a new structure in accordance with the April 10, 2014 Special Permit and the Site Plan Showing Proposed Addition #165 Front Street, by Morse Engineering Co., Inc., dated March 10, 2014, revised June 8, 2015. This Amendment is subject to the conditions set forth in the April 10, 2014 Special Permit.



Sara Trezise



Francis M. Lynch



John Hallin

Filed with the Town Clerk and Planning Board: August 5, 2015

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