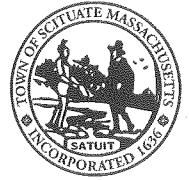


# Town of Scituate

## 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 (the "Board") on the application of George and Lisa Rapalje, 17 Langdon Lane, Scituate, MA 02066 (the "Applicant") for a finding under M.G.L. Chapter 40A, Section 6 and Section 810.2 of the Scituate Zoning Bylaws (the "Bylaws") to allow the razing of a portion of a pre-existing, nonconforming single family dwelling at 17 Langdon Lane, Scituate, MA (Assessor's Map 32, Block 8, Parcel 20) and construction of an addition to said dwelling thereon from that portion razed, adding more than 20% to the gross floor area.

The application was received, advertised, and a public hearing was duly held on June 21, 2018 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin  
Edward Tibbetts  
Thomas Cavanagh

The subject property is owned by George and Lisa Rapalje by deed recorded with the Plymouth County Registry of Deeds in Book 39072, Page 134.

The building on the property located at 17 Langdon Lane is a single family home containing approximately 1,920 square feet, which according to the Town Assessors' records was constructed in 1851, prior to the adoption of the Zoning Bylaw. The property is located in the R2 residential zoning district. The current front setback is less than the 30' minimum required for the R2 zoning district but the property is legally nonconforming as it pre-existed current zoning requirements.

The Board reviewed with the Applicant plans dated 5/23/18 and stamped by Morse Engineering Co., Inc. of Scituate, Massachusetts. The proposal calls for the construction of a two-story addition to the rear of the dwelling on the northerly side

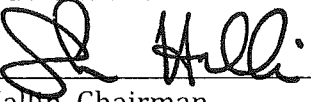
of the property, as well as a covered porch on a section of the front of the dwelling that currently meets minimum front setback requirements. The proposed construction will not create any new nonconformities nor intensify the existing front setback nonconformity. Because the proposed addition will not intensify the existing nonconformities or result in additional ones, the Applicant is entitled to issuance of a Special Permit under M.G.L. Chapter 40A, Section 6. See Bransford v. Zoning Board of Appeals of Edgartown, 444 Mass. 852, 858 (2005).


Based upon the evidence presented, the Board FINDS that the existing dwelling located at 17 Langdon Lane is pre-existing and nonconforming to the Bylaws as to the front setback only.

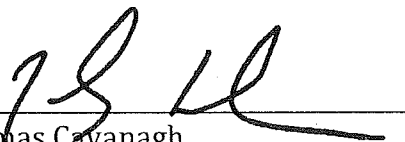
The Board further FINDS that the proposed addition will not create any new nonconformity nor intensify any existing nonconformities.

For the foregoing reasons, the Board unanimously voted to GRANT the Applicant's request for a Finding under M.G.L. Chapter 40A, Section 6 and for a Special Permit to construct an addition to the dwelling as per the plans presented.

ZONING BOARD OF APPEALS

  
\_\_\_\_\_  
John Hallin, Chairman

  
\_\_\_\_\_  
Edward C. Tibbetts

  
\_\_\_\_\_  
Thomas Cavanagh

Filed with the Town Clerk and Planning Board on June 27, 2018

The 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.