

Town of Scituate

ZONING BOARD OF APPEALS

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Scituate, Massachusetts 02066
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Decision of the Scituate Zoning Board of Appeals on the application of Heather and Steve Marshall of 17 Nelson Rd, Scituate MA for a Special Permit pursuant to M.G.L. Chapter 40A Section 6 and 810.2 of the Scituate Zoning Bylaw to allow the razing and reconstruction of a preexisting, nonconforming single-family home on a preexisting nonconforming lot at 17 Nelson Rd, Scituate MA, Assessor's Map 28, Block 21, Parcel 14. (the "Property").

The application was received, advertised, and a public hearing was duly held on August 19, 2021 with the following members of the Zoning Board of Appeals hearing the application:

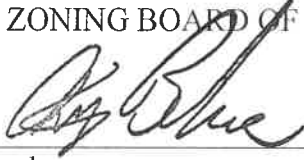
Anthony J Bucchere, Chairman
Susan Harrison
Justin M. Marks

The current Lot is nonconforming as to lot frontage, width, and area and the current home existing on the Property is nonconforming as to the front and side setbacks, however the lot was created, and the existing home was built prior to the adoption of the current zoning bylaw. The applicants propose to construct the new home as shown on a plan prepared by James E. McGrath dated 1/10/21 (the "Plan"). The new home would fall entirely within the footprint of the existing structure and there would be no changes to the existing measurements of the lot or the setbacks of the home. Due to the new interior layout and increased height (which will comply with the bylaw) the square footage of the home will increase from the present 1,350 SF to 3,134 SF (a 232% increase) however none of the existing non-conformities would change.

After hearing testimony from the applicant and abutters and reviewing the Plan the Board voted unanimously to grant the special permit to allow the addition 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 Bucchere



Susan Harrison



Justin M. Marks

Filed with the Town Clerk and the Planning Board on: September 28, 2021

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.