

# 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 Aldona M. Hamel, 17 Old Farm Road, Scituate, MA 02066 ("Applicant(s)") for a Special Permit/Finding under MGL 40A § 6 and the Town of Scituate Zoning Bylaws 810.2 and 470.6F to raze a pre-existing and reconstruct an existing dwelling two-story attached garage on a pre-existing non-conforming lot located at 17 Old Farm Road, Scituate, MA, Assessor Map Parcel ID 14-1-45 ("Property"), increasing the square footage by more than 20%.

The application was received, advertised and a public hearing was duly held on November 19, 2020, with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman  
Thomas J. Cavanagh  
George Xixis  
Susan Harrison

The Applicant was represented by Brendan Sullivan, Project Manager, of Cavanaro Consulting, Inc. of Norwell.

The property is owned by the applicant, as evidenced by a deed dated June 17, 2019, and registered with the Plymouth County Registry of Deeds as Document No. 00051822, Recorded July 3, 2019, Book 51329, Page 305 which is referred to in the Assessors Card submitted by the Applicant. Based on the Assessors Card submitted by the Applicants, the single-family dwelling was constructed in 1957, and contains 1,656 square feet of base gross floor area and a 312 square foot enclosed porch.

The Property is located in the R-3 Zoning District. The lot is non-conforming with respect to Lot Width (75' where 100' is required) and Lot Frontage (50' where 100' feet is required), but is conforming with respect to Lot Area. The existing dwelling is conforming as to front set back, rear set back and side setbacks. There is an existing shed which does not conform to side setback requirements.

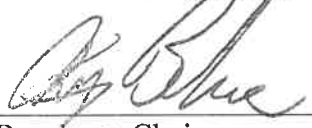
The application seeks approval to raze the existing structure pursuant to a plan submitted by Cavanaro Consulting and, entitled "Site Plan to Accompany ZBA, 17 Old Farm Road, Scituate MA", dated September 16, 2020 (the "Plans"). The proposed reconstructed dwelling, per the Plans will increase the square footage of the dwelling to 3,902 square feet. The front, side and rear setbacks as proposed for the dwelling are all conforming. The non-conforming shed would be removed.

After reviewing the application and hearing testimony from the applicant, the Board found the following:

- a. That the proposed raze and reconstruction of the dwelling, and removal of the shed, will not create any new non-conformities;
- b. That to the extent the proposed raze and reconstruction of the dwelling, if constructed per the plan, intensifies any of the existing nonconformities, such intensification will not be substantially more detrimental to the surrounding neighborhood.

Based on the forgoing the Board unanimously voted to GRANT the Applicant's request for a Special Permit/Finding pursuant to M.G.L. c. 40A, §6 and Section 810.2 and 470.6F of the Town of Scituate Zoning Bylaws, to raze and reconstruct the dwelling, and remove the non-conforming shed all as shown on the Plans.

#### SCITUATE ZONING BOARD OF APPEALS

  
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Anthony J. Bucchere, Chairman

  
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Thomas J. Cavanagh

  
\_\_\_\_\_  
George Xixis

Filed with the Town Clerk and Planning Board on February 4, 2021

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.