

Town of Scituate

ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY
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Decision of the Scituate Zoning Board of Appeals on the application of Maura Tighe Gattuso of 17 Utility Road, Scituate, MA requests a Special Permit/Finding pursuant to M.G.L. Chapter 40A, Section 6 and/or Section 810.2A of the Scituate Zoning Bylaw for the razing of a portion of a pre-existing, nonconforming single family dwelling on a pre-existing, nonconforming lot at 17 Utility Road, Scituate, MA (Assessor's Map 37, Block 4, Parcel 27F) and construction of an addition to said dwelling thereon which will be an extension of that portion of the dwelling to be razed adding more than 20% to the gross floor area.

The application was received, advertised, and a public hearing was duly held on January 18, 2018 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin, Chairman
Sara Trezise
Edward Tibbets

The subject property is located at 17 Utility Road, Scituate, MA, owned by Paul B. Gattuso and Maura Tighe Gattuso, deed recorded with the Plymouth County Registry of Deeds in Book 9965, Page 55.


The building on the property located at 17 Utility Road is a single family home containing 1,406 square feet, which according to Town Assessors' records was constructed in 1927, prior to the adoption of the Scituate Zoning Bylaw. The property is located in the R2 residential zoning district. The existing lot frontage and left side setback are non-conforming but pre-existed current zoning requirements and are therefore legally non-conforming.

The application seeks approval to allow for the razing of an attached addition of the dwelling and construction of an addition thereon which will be an extension of that portion to be razed. The proposed addition will not create any new non-conformities. After reviewing the application and hearing testimony from the applicant and building inspector the Board found:


- a. The proposed addition if constructed as proposed will not create any new non-conformities;
- b. That to the extent that the proposed addition intensifies any existing nonconformities, such intensifications will not be substantially more detrimental to the surrounding neighborhood.

Based upon the foregoing the Board unanimously voted to GRANT the application to permit the razing of the attached addition and the construction of an addition thereon to 17 Utility Road as proposed.

SCITUATE ZONING BOARD OF APPEALS



John Halling, Chairman



Sara Trezise



Edward Tibbetts

Filed with the Town Clerk and the Planning Board on: January 31, 2018

This Special Permit /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. 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.