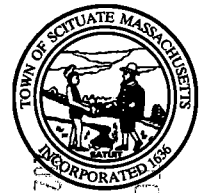


# Town of Scituate

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 Beach Bay Realty Trust for a finding under MGL 40A § 6 in accordance with Section 810.2 & 470.6F of the Scituate Zoning Bylaw and to raze and reconstruct a pre-existing, non-conforming single-family dwelling located at 1 Tilden Avenue, Scituate, Massachusetts.

The application was received, advertised and a public hearing was duly held on September 21, 2023, with the following members of the Zoning Board of Appeals hearing the application:

George Xixis, Chair  
Christopher Carchia  
Gregory Fleming

The property that is the subject matter of this application is located in the R-3 Residential District. The property lies in the Town of Scituate Flood Plain and Water Resource Protection Zoning District.

At the time of the application, title to the premises was in the name of Donald M. Bloch, Trustee of the Beach Boy Realty Trust by deed dated February 10, 2022 and recorded with the Plymouth County Registry of Deeds in Book 56429 Page 65 and is shown on the Scituate Assessors Map Parcel ID No: 5-3-70.

The premises contains 653 square feet of land (an undersized lot) and contains 17.96 feet of frontage and 17.96 feet lot width. The R-3 Residential District requires 10,000 square feet lot area and 100 feet of frontage and 100 feet of lot width. In addition, the R-3 Residential District requires a 30 feet front setback, 8 feet side yard setbacks, and 30 feet rear yard setback.

The existing single-family dwelling located upon the lot was constructed in 1900. The existing 868 sq. foot dwelling does not meet front yard setbacks (4.3'), the right side yard setback (0.1'), the left side yard setback (2.5'), and the rear yard setback (encroachment of 2.4') requirements.

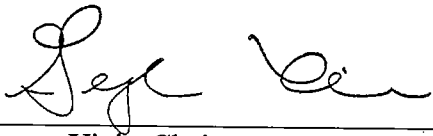
At the September 21, 2023, public hearing, the Board reviewed with the Applicant a plan drawn by Morse Engineering of Scituate, MA dated August 10, 2023. The proposal calls for the raze and reconstruction of the existing dwelling.

The proposed new dwelling will contain approximately 949 square feet of living space, an increase of 9.3%. Front yard setback will remain the same. The right side yard setback and left side yard setback will now be 3.4'. The rear yard setback will increase to 3.2'. All work for the proposed building will comply with FEMA/NFIP flood requirements.

After hearing testimony and reviewing the Plan the Board voted unanimously to grant the special permit to allow the raze and reconstruction 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.

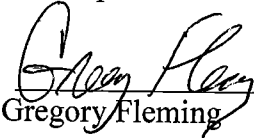
SCITUATE ZONING BOARD OF APPEALS



George Xixis, Chairman



Christopher Carchia



Gregory Fleming

Filed with the Town Clerk on 10.25.23

This 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.