

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 Robert Hogan of 202 Central Avenue, Scituate, MA 02047 ("Applicant") for a Special Permit/Finding under MGL 40A § 6 and the Town of Scituate Zoning Bylaws 810.2, to allow the raze and reconstruction of a pre-existing, non-conforming single family dwelling on a pre-existing non-conforming lot located at 202 Central Avenue, Scituate, MA, Assessor's Map 70, Block 1, Parcel 10, increasing the square footage by greater than 20%.

The application was received, advertised and a public hearing was duly held on April 15, 2021 with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman
Edward C. Tibbetts
George Xixis

The Applicants were represented at the hearing by Michael J. Biviano, Builder, 1952 Ocean Street, Marshfield, MA 02050.

The property is owned by Robert V. Hogan, as evidenced by a Quitclaim Deed dated December 1, 2011, and recorded in the Plymouth County Registry of Deeds, Book 00584/Page 5, Certificate No. 116805. According to the Town of Scituate Assessors Card, submitted by the applicant, the existing single-family dwelling located upon the lot was constructed in 1930 and contains 720 square feet.

The Property is located in the R-3 Zoning District. The existing structure is non-conforming as to Right Side Yard setback (3.39'; 8' required). The lot is non-conforming as to Lot Frontage and Lot Width (50'; 100' required).

The application seeks approval to raze and reconstruct the dwelling as shown on a plan submitted by the applicant, prepared by Environmental Engineering Technologies Inc.,

465 Furnace Street, Marshfield, MA 02050, entitled "Proposed Site Plan, 202 Central Avenue, Plot 70-1-10, Scituate, Mass." dated February 22, 2021 (the "Plan"). The proposed dwelling per the Plans will increase the Gross Floor Area of the home from 1,170 to 2,310 square feet, an increase of 97.4%. The proposed dwelling will remove the existing Right Side Yard non-conformity (from 3.39' to 12'; 8' required) and will not create any new non-conformities.

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

- a. That the proposed dwelling if constructed per the Plan will not create any new non-conformities;
- b. That to the extent the proposed dwelling, constructed per the plan, intensifies any of the existing nonconformities, such intensification will not be substantially more detrimental to the surrounding neighborhood.
- c. That the proposed dwelling is appropriate and complies with Section 470 of the Town of Scituate Zoning Bylaws.

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 470 and 810.2 of the Town of Scituate Zoning Bylaws, to construct the proposed dwelling as shown on the Plans.

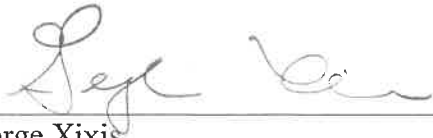
SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



Edward C. Tibbetts



George Xixis

Filed with the Town Clerk and Planning Board on April 27, 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.