

Town of Scituate

ZONING BOARD OF APPEALS

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Scituate, Massachusetts 02066
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TOWN OF SCITUATE
ZONING BOARD

Decision of the Scituate Zoning Board of Appeals on the application of Maryanna V. Ryan, 23 Vinal Avenue, Scituate, MA 02066 (“Applicant(s)”) for a Special Permit/Finding under M.G.L. 40A § 6 and the Town of Scituate Zoning Bylaws 810.2 to add an accessory dwelling to a pre-existing conforming single-family dwelling on a pre-existing non-conforming lot at 23 Vinal Avenue Scituate, MA, Assessor Map Parcel ID 50-9-5-0 (“Property”), increasing the square footage by more than 20%.

The application was received, advertised and a public hearing was duly held on June 17 2021, with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman
George Xixis
Susan Harrison

The Applicant was represented by Gregory J. Morse of Morse Engineering, Scituate MA.

The property is owned by the applicant, as evidenced by a deed dated September 24, 2012 and registered with the Plymouth Country Registry of Deeds on October 24, 2012 as Document No. 0000101721, Book 42140, Page 349 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 1955, and contains 1,653 square feet of base gross floor area.

The Property is located in the R-2 Zoning District. The lot is non-conforming with respect to Lot Area (19,605 sq. ft where 20,000 sq ft. is required) Lot Width (110’ where 125’ is required) and is conforming with respect to Lot Width. The existing dwelling is conforming as to front and side and rear yard setbacks

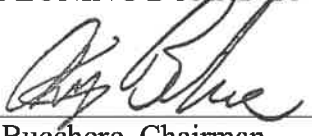
The application seeks approval to add an accessory dwelling completely within the footprint of the existing dwelling as well as a second story addition to the primary dwelling structure pursuant to a plan submitted by Morse Engineering and, entitled "Proposed Addition Plan", dated April 19, 2021 and revised June 7, 2021 (the "Plan"). The proposed primary dwelling and accessory dwelling, per the Plan will increase the square footage of the dwelling to 2,923 square feet (an increase of 76.8%). The front, side and rear setbacks as proposed for the dwelling(s) are all conforming and completely with the existing building envelope.

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


- a. That the proposed accessory dwelling addition, will not create any new non-conformities;
- b. That to the extent the proposed accessory dwelling addition, 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/or Section 810.2 of the Town of Scituate Zoning Bylaws, for an accessory dwelling addition and second floor as shown on the Plans.


SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



George Xixis



Susan Harrison

Filed with the Town Clerk and Planning Board on July 22, 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.