

Town of Scituate

ZONING BOARD OF APPEALS

600 Chief Justice Cushing Hwy.
Scituate, Massachusetts 02066
(781) 545-8716



Decision of the Scituate Zoning Board of Appeals on the application of Kathleen McCoomb and Kevin Barry for a finding under MGL 40A § 6 in accordance with Section 810 of the Scituate Zoning Bylaw and to construct a second story addition to a pre-existing, non-conforming single-family dwelling located at 26 Newport Street, Scituate, Massachusetts.

The application was received, advertised and a public hearing was duly held on January 18, 2024, 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 Kathleen McCoomb by deed dated November 24, 2015, and recorded with the Plymouth County Registry of Deeds in Book 46310 Page 69 and is shown on the Scituate Assessors Map Parcel ID No: 71-3-2-0.

The premises contain 3,120 square feet of land and 52.1 feet of frontage and 52.1 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 20 feet rear yard setback.

The existing single-family dwelling located upon the lot was constructed in 1920. The existing 900 sq. foot dwelling does not meet front yard setbacks (3.9'), and the left side yard setback (1.6').

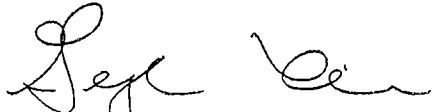
At the January 18, 2024, public hearing, the Board reviewed with the Applicant a plan drawn by PGB Engineering, LLC of Marshfield, MA dated April 8, 2023. The proposal calls for addition of a second floor to the existing dwelling.


The proposed new dwelling will contain approximately 1,476 square feet of living space, an increase of 64%. All setbacks will remain the same. All work for the proposed building will comply with FEMA/NFIP flood requirements.

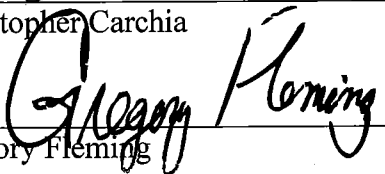
After hearing testimony and reviewing the Plan the Board voted unanimously to grant the special permit to allow the raze and reconstruction in accordance with the Plan. In doing so the Board found:

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 3.11.2024

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.