



Decision of the Scituate Zoning Board of Appeals on the application for a Special Permit/Finding of Wayne and Judith Bucher, 27 Tichnor Court, Scituate, MA, for an increase in gross floor area of more than 20% pursuant to Section 810.2.B.

The application was received, advertised, and a public hearing was duly held on January 17, 2013 with the following members of the Zoning Board of Appeals hearing the application:

Peter Morin, Chairman
Sara Trezise
John Hallin

The property is located at 27 Tichnor Court, Scituate, MA and is owned by Wayne and Judith Bucher, who acquired the property by deed recorded August 6, 2004. (See Deed recorded in Book 28826, Page 133 in the Plymouth County Registry of Deeds.) The existing structure on the property is a single family home built in 1880 according to Town Assessor's records. The application is for a proposed addition on the northeast side of the existing structure. The proposed addition measures 10' x 13'.

The property is located in the R-3 residential zoning district. The existing front set back, 26' from the street, is non-conforming. The proposed addition at the front will be set back 29' from the street. The proposed addition will conform to current height requirements.

The Board voted to approve the application allowing the addition to the single family home subject to the submission of a stamped engineering drawing detailing the property, existing structure and proposed addition.

In approving this application, the Board found the criteria required under Section 950.3 will be satisfied by the present plans as follows:

- A. The locus is in a residentially zoned district. As such the specific site is an appropriate location for both the use and structure which are proposed.

- B. The proposed use is an expansion of an existing single family dwelling in an R-3 Residential District and will not adversely affect the neighborhood.
- C. The proposed use will not create any material increase in traffic. There will be no undue nuisance or serious hazard to vehicles or pedestrians as a result of the proposed use or structure.
- D. Adequate and appropriate facilities will be provided to assure the proper operation of the proposed use and structure. Current environmental, health and building codes require that the Building Commissioner issue a building permit only upon his satisfaction as to complete and total compliance with the aforesaid codes. In doing so the aforementioned assurances will be met.
- E. The structure will be serviced by the existing Town water and sewer hook-ups. There are no known potable wells within 100' of the locus and there will be no impact on any public or private water supply.

For the foregoing reasons, the Board unanimously voted to GRANT the application to permit the construction of an addition to the single family home as proposed on the sketched addition to the plot plan submitted by the applicant dated August 12, 1991 by Anthony P. D'Onofrio, subject to the submission of a stamped engineering drawing detailing the property, existing structure and proposed addition, FINDING that the same will not be substantially more detrimental to the neighborhood than the pre-existing nonconforming dwelling.

SCITUATE ZONING BOARD OF APPEALS



Peter Morin



Sara Trezise



John Hallin

Filed with the Town Clerk on: March 19, 2013.

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 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.