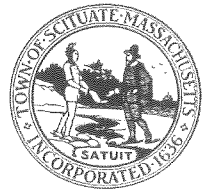


# Town of Scituate

ZONING BOARD OF APPEALS

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



TOWN OF SCITUATE  
TOWN CLERK

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RECEIVED

Decision of the Scituate Zoning Board of Appeals on the application of The Estate of Charles R. Bartlett, 275 Clapp Road, Scituate, MA requests a Special Permit under Section 610-2B of the Scituate Zoning Bylaws to allow the creation of a 50 foot frontage lot at 275 Clapp Road, Scituate, MA (Assessor's Map 23, Block 1, Parcel 4).

The application was received, advertised and a public hearing was duly held on November 21, 2019 with the following members of the Zoning Board of Appeals hearing the application:

Anthony Bucchere, Chairman  
Brian Sullivan  
Edward C. Tibbetts

The property that is the subject matter of this application is located in the R-1 Residential District. The property does lie within the Town of Scituate Flood Plain and Watershed Protection District and the property lies within FEMA Zone X which is not a Special Flood Hazard Area, there are no Wetlands on Site.

At the time of the application the Estate of Charles R. Bartlett, c/o Thomas Bartlett of 277 Thomas Clapp Road, Scituate, MA 02066, Plymouth County Massachusetts is the Owner of the subject property consisting of 125.983 SF as shown on a plan entitled "Plan of Land at Scituate, 275 Thomas Clapp Road, Scituate, Massachusetts, Showing a Division of Parcel 23-1-4.

Plan Entitled - Plan of Land at 275 Thomas Clapp Road, Scituate, MA 02066, Map 23, Assessors block 1, Lot 4, Showing a Division of Parcel 23-1-4, Thomas Clapp Road, which Plan is dated July 12, 2019, Scale 1" = 40', Prepared by Michael Cole, 23 Hawley Road, Scituate, MA, 781-545-3441, "being the premises of the late Charles R. Bartlett and Ruth A. Bartlett conveyed by Deeds dated September 20, 1947 and Recorded at the Plymouth County Registry of Deeds in Book 1991, Page 461 and by Deed dated March 25, 1958 and Recorded at the Plymouth Registry of Deeds in Book 2647, Page 441.

The Applicant, Thomas Bartlett was present at said Public Hearing and was represented by Attorney Michael F. Loring, 50 Cole Parkway, Scituate, MA 02066, 781-545-2600.

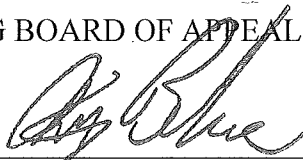
As shown on the plan that accompanied the application, Lot A contains 40,107 SF and conforms to all dimensional zoning requirements of the Scituate Zoning Bylaw. Lot B contains 85,876 square feet more or less, of upland and contains 50.00 feet of frontage along Thomas Clapp Road a public way in the Town of Scituate. Lot B also maintains 50.00 feet lot with at every point between the frontage street or way and the nearest part of the dwelling to be erected on said lot.

Based upon the evidence presented the Board finds that Lot B abuts Thomas Clapp Road, a public way, for a distance of at least fifty (50) feet and which lot has a width of at least fifty (50) feet at every point between Thomas Clapp Road and the nearest part of the dwelling to be erected on said lot. Lot B has two (2) times the required area of upland for the Zoning District, and therefore, contains as area of contiguous upland equal to the minimum lot size in the Zoning District. Pursuant to Section 950.3 of the Bylaw, said lot is appropriate for a single-family dwelling. The use of said lot for a dwelling should not adversely affect the neighborhood, nor create any undue nuisance or hazard to vehicles or pedestrians. The Town's Board of Health and the Building Commissioner will ensure that appropriate facilities are provided to assure the proposed use of said lot. The proposed use of said lot will not have a significant impact on any Public or private water supply.

For the foregoing reasons, the Board unanimously voted to GRANT the Applicant's request for a 50' frontage lot as show on the plan dated July 12, 2019 by Michael Cole, 23 Hawley Road, Scituate, MA 02066, subject, however to the following:

1. A restriction shall be inserted in the recorded deed of said 50' frontage lot stating that said lot is subject to a Zoning Board Special Permit, and that said lot shall not be further divided nor subdivided.

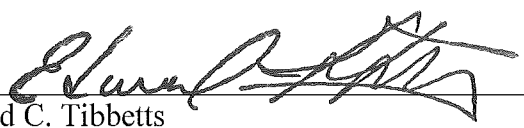
ZONING BOARD OF APPEALS



Anthony Bucchere, Chairman



Brian Sullivan



Edward C. Tibbetts

Filed with the Town Clerk on

1/2/20

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.