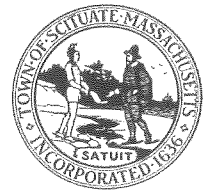


Town of Scituate

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



ZONING BOARD OF APPEALS

Decision of the Scituate Zoning Board of Appeals on the application of Matthew Shanley, 28 Inner Harbor Road, Scituate, MA for a Special Permit/ Finding under M.G.L 40, Section 6 and/or Section 810.2 of the Scituate Zoning Bylaw to allow the razing and reconstruction of a pre-existing, nonconforming building on a pre-existing nonconforming lot at 28 Inner Harbor Road, Scituate MA, Assessor's Parcel 55-7-5, increasing the gross floor area by more than 20%.

The application was received, advertised, and a public hearing was duly held on September 19, 2019 with the following members of the Zoning Board of Appeals hearing the application:

Brian Sullivan
Edward C. Tibbetts
Thomas Cavanagh

The property is located at 28 Inner Harbor Road, Scituate MA and is owned by Manor Way, LLC u/d/t dated 5/21/2019 by way of a quitclaim deed recorded with the Plymouth County Registry of Deeds Book 51131, Page 124.

The building on the property is a single family home containing 1,824 square feet which according to Town Assessors' records was constructed in 1968. The property is located in the R3 residential zoning district. The existing Lot Frontage, Easterly Side Setback and Front Yard Setback are non-conforming but pre-existed current zoning requirements and are therefore legally non-conforming.

The application seeks approval to allow the razing and reconstruction of the building as per plans submitted by the applicant, drawn by Ross Engineering, 683 Main Street, Norwell, MA 02061, entitled ZBA Plan for 28 Inner Harbor Road – Scituate dated September 11, 2019 (The "Plan"). The Plan shows a proposed building containing 3,115± square feet representing an increase in square footage of 70%. The proposed building will not create any new non-conformities and will eliminate the front yard setback and easterly side setback non-conformities. The Lot Frontage nonconformity will remain unchanged.

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

- a. That the proposed building if constructed per the Plan will not create any new non-conformities;
- b. That the proposed dwelling will eliminate the front yard setback nonconformity as noted above; and
- c. That to the extent the proposed building intensifies any existing nonconformities, such intensifications will not be substantially more detrimental to the surrounding neighborhood.

Based on the forgoing the Board unanimously voted to GRANT the application to permit the razing and reconstruction of the proposed building per the Plan.

SCITUATE ZONING BOARD OF APPEALS



Brian Sullivan



Edward C. Tibbetts



Thomas Cavanagh

Filed with the Town Clerk and the Planning Board on: 11/12/19

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.