

Town of Scituate

ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY
SCITUATE, MASSACHUSETTS 02066
(781) 545-8716



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Decision of the Scituate Zoning Board of Appeals on the application of Sharon Anderson of 41 Gerald Road, Milton, MA, 02186 for a Special Permit/ Finding under M.G.L Chapter 40A, Section 6 and/or Section 470.6F and/or 810.2 of the Scituate Zoning Bylaw to allow the razing and reconstruction of a pre-existing, nonconforming single family dwelling on a pre-existing, nonconforming lot at 29 Gilson Road, Scituate MA (Assessor's Parcel 55-6-19 & 20).

The application was received, advertised, and a public hearing was duly held on July 21, 2018 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin, Chairman
Edward Tibbetts
Anthony J. Bucchere

The property is located at 29 Gilson Road, Scituate MA and is owned by Mark and Sharon Anderson and filed with the Plymouth County Registry of Deeds as Book 13849, Page 91. The Applicant was present and represented by Greg Morse, Registered Engineer, of Morse Engineering.

The building on the property is a single family home containing 1,384 square feet which according to Town Assessors' records was constructed in 1968. The property is located in the R3 residential zoning district and also lies within the Town of Scituate Flood Plain and FEMA Flood Zone AE (17) per F.I.R.M. maps approved October, 2016. The existing Lot Frontage, Lot Width, and Side 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 dwelling as per plans submitted by the applicant, drawn by Morse Engineering Co., Inc., 19 Union Street, P.O. Box 92, Scituate, MA 02066, entitled "Site Plan 29 Gilson Rd, (Assessor's Parcel 55-6-19 & 20) Scituate MA" and dated 6/7/18 (The "Plan"). The Plan shows a proposed single family dwelling containing 1,842 square feet representing an increase in square footage of 33%. The proposed dwelling will not create any new non-conformities. The frontage and lot width nonconformities will remain unchanged, the side setback will conform to current zoning.

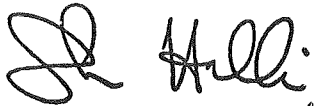
After reviewing the application and hearing testimony from the applicant, building inspector and abutters the Board FOUND the following:

- a. That the proposed dwelling if constructed per the Plan will not create any new non-conformities;
- b. That to the extent the proposed dwelling intensifies any existing nonconformities, such intensifications will not be substantially more detrimental to the surrounding neighborhood.

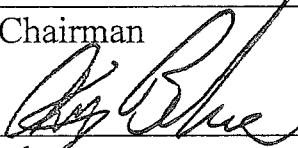
Also the Board voted to GRANT a Special Permit under Section 470.6F of the Bylaw and found that the proposed dwelling if built in accordance with the plan will meet the requirements 1-3 of said section.

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

SCITUATE ZONING BOARD OF APPEALS



John Hallin, Chairman



Anthony Bucchere



Edward Tibbetts

Filed with the Town Clerk and the Planning Board on: September 12, 2018

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.