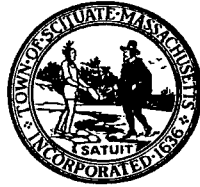


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Scituate, Massachusetts 02066
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Decision of the Scituate Zoning Board of Appeals on the application of Dustin and Jeanne Durkee of 38 Curtis Street, Scituate, Massachusetts for a finding/special permit pursuant to M.G.L. Chapter 40A, Section 6 and Zoning Bylaw section 810.2 to construct a two story addition to a pre-existing non-conforming structure, namely a single family residential dwelling located at 38 Curtis Street, Scituate, MA.

The application was received, advertised, and a public hearing was duly held on February 19, 2015 with the following members of the Zoning Board of Appeals hearing the application:

Sara J. Trezise, Chairman
John Hallin
Francis M. Lynch
Anthony J. Bucchere

The property, located at 38 Curtis Street is in the R-2 residential district is shown on assessors map 26, block 1, parcel 8 and is owned by the applicant pursuant to a deed recorded with the Plymouth County Registry of Deeds in Book 41948 at Page 221. The applicant was present and with them were Greg Morse of Morse Engineering, Inc. of Scituate, MA and Herb Kundig of Scituate, MA the applicant's architect.

The existing structure and lot enjoy "grandfathered" protected status as the structure predates the adoption of the zoning by law in 1953. The building is nonconforming as it is closer to the southwesterly lot sideline than presently allowed under the Scituate zoning bylaw. The applicant proposes to construct a two story addition to the rear of the pre-existing non-conforming structure on the lot which when constructed shall meet all current zoning requirements.

After a public hearing, which was duly noticed and advertised, the Board made the following findings, based upon the applicant's representations:

- a. The existing structure does not comply with the current zoning bylaw requirements as to the southwesterly lot sideline setback and the structures thereon are pre-existing non-conforming;

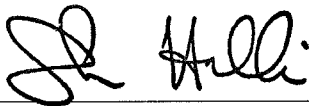
b. The proposed addition will not intensify the existing non-conformities nor will it create any new non-conformities.

For the foregoing reasons, based upon the application, plans and testimony submitted by the applicant, the Board voted unanimously to GRANT the applicants' request for a special permit and FINDS that that the Applicant has met the standard for a M.G.L. 40A §6 finding and the issuance of a Special Permit in accordance with the plans prepared by Morse Engineering Co. , Inc., 19 Union Street, Scituate, MA entitled "Plan Showing Proposed Addition 38 Curtis Street (Assessor's parcel: 26-1-8) Scituate, Massachusetts" drawn for Dustin R. Durkee & Jeanne H. O'Donoghue, dated January 21, 2015.

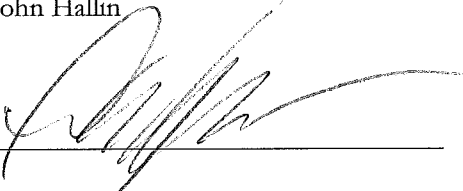
ZONING BOARD OF APPEALS



Sara J. Trezise, Chairperson



John Hallin



Francis M. Lynch

Filed with Town Clerk and Planning Board on _____.

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 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.