

Town of Scituate

ZONING BOARD OF APPEALS

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



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Decision of the Scituate Zoning Board of Appeals on the application of K&E Construction of 209 Broadway, Hanover, MA for a Special Permit pursuant to M.G.L. Chapter 40A Sec 6 and 810.2 of the Scituate Zoning Bylaw to allow the razing and reconstruction of a preexisting, nonconforming single-family home on a preexisting nonconforming lot at 4 Bassin Lane, Scituate MA, Assessor's Map 60, Block 1, Parcel 38. (the "Property").

The application was received, advertised, and a public hearing was duly held on August 19, 2021 with the following members of the Zoning Board of Appeals hearing the application:

Anthony J Bucchere, Chairman
Susan Harrison
Justin M. Marks

The current Lot is nonconforming as to lot frontage and width and the current home existing on the Property is nonconforming as to the front yard setback due to an existing shed, however the lot was created, and the existing home was built prior to the adoption of the current zoning bylaw. The applicants propose to construct the new home as shown on a plan prepared by Morse Engineering dated 7/15/21 (the "Plan"). The new home would eliminate the existing shed and front yard setback nonconformity and would fully comply with all setback requirements while the non-conforming characteristics of the lot would remain unchanged. The square footage of the home will increase from the present 1,032 SF to 3,134 SF (a 203% increase).

After hearing testimony from the applicant and abutters and reviewing the Plan the Board voted unanimously to grant the special permit to allow the addition in accordance with the Plan. In doing so the Board found:

1. That the proposed addition will not create any new nonconformities

2. That to the extent the proposed home intensifies any existing nonconformities such intensification will not be substantially more detrimental to the surrounding neighborhood.

The Board also heard significant concern from abutters about fill, drainage and the implications of the construction process of the new home, but after discussion with the applicant and abutters the board found that such concerns could be addressed between the neighbors and through compliance with local law and building codes.

SCITUATE ZONING BOARD OF APPEALS



Anthony Bucchere



Susan Harrison



Justin M. Marks

Filed with the Town Clerk and the Planning Board on: September 28, 2021

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.