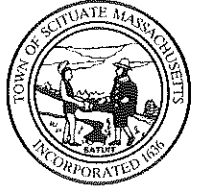


Town of Scituate

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 Christopher S. & Barbara M. Horne of 46 Hollett Street Scituate, MA (the "Applicant") for a Special Permit/ Finding under Section 610.2B of the Scituate Zoning Bylaw to allow the division of the current lot at 46 Hollett Street, Scituate MA Assessor's Parcel 13-1-4 (the "Property") to create two lots as shown on a Plan by Morse Engineering dated July 15, 2021 (the "Plan") Lot 1 on said Plan being a Fifty Foot Frontage Lot.

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, Chair
Susan Harrison
Justin M. Marks

The property sits in the R-2 district. The required and existing lot measurements at the property are listed below:

	REQ.	EXIST.
Frontage:	100 FT	164FT
Area:	20,000 S.F	61,396S.F. of Upland
Lot Width:	125 FT	>150 FT


The Plan shows a division of the Property into two lots. Lot 1 on the Plan being the new 50' frontage lot. Lot 2 on the Plan and the existing home within it will comply with all dimensional and setback requirements provided that a new common driveway as noted on the plan is approved by the Planning Board. Said approval being necessary to have Lot 2 comply with Lot Width requirements.

In connection with the application the Board found the following:


1. In order to receive a special permit under Section 610.2B a proposed lot must contain at least 50' of width at all points, the board found that Lot 1 as shown on the Plan is 50' in width at its narrowest point. Also, under Section 610.2B Item 1, the proposed lot must contain at least twice the required upland area. The Board found that as shown on the plan, Lot 2 contains 41,355 S.F. of upland, in excess of the 40,000 S.F. required.
2. As the application and corresponding plan involve the creation of only one fifty-foot frontage lot Section 610.2 Item 2 does not apply to this application.
3. Under Section 610.2 Item 3, Lot 1 as shown on the plan shall not be further subdivided and that this recorded Special Permit and any recorded plan showing Lot 1 shall note such restriction.
4. Under Section 610.B Item 4 the Board may impose additional restrictions on the created of the fifty-foot lot and in this instance the Board imposed the CONDITION that any building permit for a structure on Lot 1 shall not be granted until the Planning Board has approved the common driveway noted on the Plan thereby making Lot 2 fully conform with the zoning bylaw.

Based on and subject to the foregoing the board voted unanimously to Grant the Special Permit for the creation of Lot 1 as shown on the Plan.


SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chair



Susan Harrison



Justin M. Marks

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

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.