

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 Alan and Marion Brown of 49 Collier 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, non-conforming single family dwelling on a pre-existing conforming lot at 49 Collier Road, Scituate MA, Assessor's Parcel 64-6-14.

The application was received, advertised, and a public hearing was duly held on January 21, 2021 with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman
George Xixis
Edward C. Tibbetts
Susan Harrison, Alternate

The property is located at 49 Collier Road, Scituate MA and is owned by Alan Brown and Marion Brown, whose title is recorded with the Plymouth County Registry of Deeds, Book 53323, Page 328, recorded August 27, 2020.

The building on the property is a single family home containing 2,097 square feet which according to Town Assessors' records was constructed in 1948. The property is located in the R3 residential zoning district. The existing lot is conforming. The existing dwelling is non-conforming as to Front Yard Setback (14.3 feet, 30 feet required) but pre-existed current zoning requirements and 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 Ross Engineering Company Inc., 683 Main Street, Norwell, MA 02061, and entitled ZBA Plan for 49 Collier Road in Scituate, Mass (The "Plans").

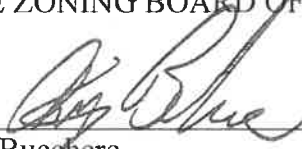
The Plans show a proposed single family dwelling with a Front Yard Setback of 16.7 feet, reducing the existing non-conformity by 2.4 feet. The proposed dwelling will not create any new non-conformities.

After reviewing the application and hearing testimony from the applicant's engineer, building inspector and abutters the Board FINDS 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.

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.

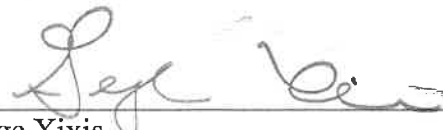
SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere



Edward C. Tibbetts



George Xixis

Filed with the Town Clerk and the Planning Board on: February 25, 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.