

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 Walter B. Sullivan, Trustee of the 50 Collier Road Realty Trust u/d/t Dated August 24, 2016 of 80 Washington Street, Building B, Suite 7 Norwell, MA 02061 (hereinafter, the “**Applicant**”) for a finding in accordance with M.G.L. Chapter 40A, Section 6 to allow the construction of an addition to the single-family dwelling located at 50 Collier Road, Scituate, MA 02066 (Assessor’s Map 64, Block 9, Parcel 16). The premises are pre-existing, nonconforming in lot size and front setback due to the nature of the premises being a corner lot (hereinafter, the “**Requested Relief**”).

The application was received, advertised, and a public hearing was held on June 17, 2021. The following members were present and voted at the public hearing:

Anthony J. Bucchere, Chairman
George Xixis
Susan Harrison

The property is owned by the applicant, as evidenced by a deed dated August 26, 2016 and recorded at the Plymouth County Registry of Deeds in Book 47373, Page 39. The property is known as 50 Collier Road as depicted on the “Zoning Board Petition Plan” prepared by Morse Engineering Co., Inc. dated May 6, 2021. According to the Town of Scituate Assessor’s Card, submitted by the applicant, the existing single family dwelling located upon the property was constructed in 1900 and contains 1,820 square feet. The property contains 6,000 square feet.

The property is located in the R-3 Zoning District and is non-conforming as to lot frontage setbacks and lot area (containing 6,000 square feet where 10,000 square feet is required). The existing structure is conforming as to all dimensional setbacks. All other characteristics of the property comply with the current zoning by-law.

The applicants seek to construct an addition to the single family dwelling by adding a basement and a garage to the same as is indicated on the Site Plan and the Architectural Drawings submitted with the application. The proposed addition to the dwelling according to the Site Plan and Architectural Drawings will increase the square footage of the home to 3,308 square feet, an increase of 81.8%. The proposed addition conforms with all dimensional setbacks and will not alter any of the other existing non-conforming characteristics of the lot nor will it create any new non-conformities.

The applicants were represented at the hearing by Walter B. Sullivan of Sullivan & Comerford, P.C., 80 Washington Street, Unit B7, Norwell, MA 02061, and Gregory Morse, P.E. of Morse Engineering, 10 New Driftway, Suite 303, Scituate, MA 02066.

Upon review of the application and hearing testimony from the applicants and the applicants' representatives, and there being no comment from the public regarding the application, the Board made the following finding:

- A. That the proposed addition and razing pursuant to the plan did not create any new non-conformities.
- B. That to the extent the proposed addition and razing of the dwelling, if constructed per the plan intensifies any of the existing non-conformities, such intensification will not be substantially more detrimental to the surrounding neighborhood.

Based on the foregoing, the Board unanimously voted to GRANT the applicants' request for a Special Permit/Finding pursuant to MGL c. 40A § 6 and § 810.2 of the Town of Scituate Zoning By-Laws, to construct the proposed addition to the existing structure all as shown on the plans.

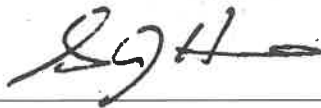
SCITUATE ZONING BOARD OF APPEALS



Anthony Bucchere, Chairman



George Xixis



Susan Harrison

This decision was filed with the Town Clerk on June 24, 2021

Appeal of this special permit may be made pursuant to MGL 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 filing of the decision with the Town Clerk.

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 expiration of the appeal period of twenty (20) days.

The Zoning Board of Appeals certifies that it has complied with all statutory requirements of MGL c. 40A, Section 9 and 11, and will file copies of this decision with the Town Clerk. The Zoning Board of Appeals further certifies that it has taken into consideration all testimony rendered at the Public Hearing, the comments and suggestions of other boards which have reviewed and made comments on the plans.