

Town of Scituate

ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY
SCITUATE, MASSACHUSETTS 02066
(781) 545-8716



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Decision of the Scituate Zoning Board of Appeals on the application of Derek Flodin, of 57 Ridge Hill Road, Scituate, MA ("Applicant") for a Special Permit/Finding under MGL 40A § 6 and the Town of Scituate Zoning Bylaws 810.2, to allow additions to a pre-existing non-conforming single family dwelling on a pre-existing non-confirming lot located at 57 Ridge Hill Road, Scituate, MA ("Property"), increasing the square footage by 69.0%.

The application was received, advertised and a public hearing was duly held on February 28, 2019 with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman
Edward C. Tibbetts
Thomas J. Cavanagh
Brian B. Sullivan

The Applicant was represented at the hearing by his architect, Dick Rockwood, of Rockwood Design, Inc.

The property is owned by the applicant, as evidenced by deed dated April 21, 2016, and recorded in the Plymouth Country Registry of Deeds, in Book 46833, Page 183. According to the Town of Scituate Assessors Card, submitted by the applicant, the existing single-family dwelling located upon the lot was constructed in 1930 and contains 1,224 square feet.

The Property is located in the R-2 Zoning District. The Property is nonconforming as to Lot Area (13,340 square feet where 20,000 square feet is required), Lot Frontage (75.0' where 100' is required), and Lot Width (65.38' where 125' is required). The existing structure is nonconforming as to Front Yard Set Back (6.52' where 30' is required), and Left Side Set Back (9.55' where 15' is required). However, the lot was created, and the structure was constructed, prior to the adoption of the current zoning bylaw and therefore are both to be considered pre-existing nonconforming. All other characteristics comply with the current zoning bylaw.

The application seeks approval to add additions to the dwelling as is shown on the plans submitted by the applicant, prepared by Robert C. Crawford, Professional Engineer, Environmental Engineering Technologies, Inc., entitled "Building Location Plan, Town of

Scituate Massachusetts" dated January 10, 2018 and Dick Rockwood, Rockwood Design, Inc., entitled "Derek and Sheelah Flodin, 57 Ridgehill Road, Scituate, MA 02066" (the "Plans"). The proposed additions to the dwelling per the Plans will increase the square footage of the home to 2,099 square feet, an increase of 69.0%. The proposed additions off the back of the existing structure, conform with the set-backs and will not alter any of the other existing nonconforming characteristics of the site and will not create any new nonconformities. The addition of the porch off the right side of the house conforms with the right-side yard setback and will have a 11.32' setback from the frontage road, where 30' is required. However, the existing single-family dwelling currently sits 5.25' from the frontage road.

After reviewing the application and hearing testimony from the applicant, their engineer, building inspector and abutters the Board found the following:

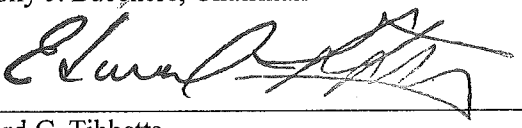
- a. That the proposed addition if constructed per the Plan will not create any new non-conformities;
- b. That to the extent the proposed addition constructed per the plan intensifies any of the existing nonconformities; such intensification will not be substantially more detrimental to the surrounding neighborhood.

Based on the forgoing the Board unanimously voted to GRANT the Applicant's request for a Special Permit/Finding pursuant to M.G.L. c. 40A, §6 and Section 810.2 of the Town of Scituate Zoning Bylaws, to construct the proposed additions to the existing structure as shown on the Plans.

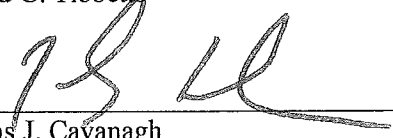
SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



Edward C. Tibbetts



Thomas J. Cavanagh

Filed with the Town Clerk and Planning Board on 3/6/19

This Finding 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. Ch. 40, Section 17, and shall be filed within twenty (20) days of the date of filing the decision with the Town Clerk.