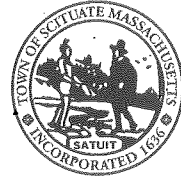


Town of Scituate

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 Karen N. Custenborder of 66 Brockton Avenue, Scituate, MA (the "Applicant") for a Special Permit/ Finding under M.G.L 40A, Section 6 and/or Section 810.2(a) of the Scituate Zoning Bylaw to allow the construction of an addition to the pre-existing, nonconforming single-family dwelling at 66 Brockton Avenue increasing the gross floor area by more than 20%.

The application was received, advertised, and a public hearing was duly held on July 19, 2018 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin, Chairman
Ed Tibbetts
Anthony J. Bucchere

The property is located at 66 Brockton Avenue, Scituate MA (the "Property") and is owned by the Applicant who acquired the property from Bonnie MacDonald by deed dated files with the Plymouth County Registry District of the Land Court on June 26, 2014 as Document No. 721672.

The building on the Property is a single family home containing 2,064 square feet which according to Town Assessors' records was constructed in 1949. The property is located in the R-3 residential zoning district. The Property is nonconforming as to Lot Area (5,000 SF where 10,000 is required) Lot Frontage (50' where 100' is required) and Lot Width (50' where 100'), however the lot was created prior to the current adoption of the current zoning bylaw and is therefore considered pre-existing nonconforming. All other characteristics comply with the current zoning bylaw.

The application seeks approval to add a 6' x 24' mudroom to the left side, a 3rd story addition and balcony to the dwelling as is shown on a plan submitted by the applicant, drawn by C&G Survey Company, dated April 9, 2018 and entitled Plot Plan for 66 Brockton Avenue (the "Plan"). The proposed addition to the dwelling per the plan will increase the existing square footage of the home to 2,809; an increase of 36%. The proposed addition will not alter any of the existing nonconforming characteristics of the site and will not create any new nonconformities.

After reviewing the application and hearing testimony from the applicant, 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 application to find that the proposed dwelling complies with the current the Scituate Zoning Bylaw.

SCITUATE ZONING BOARD OF APPEALS



John Hallin



Ed Tibbetts



Anthony Bucchere

Filed with the Town Clerk and the Planning Board on: _____

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.