

Town of Scituate

ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY
SCITUATE, MASSACHUSETTS 02066
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Decision of the Scituate Zoning Board of Appeals on the application of Charles M. Fagan of 66 First Parish Road, Scituate, MA (the "Applicant") for a Special Permit/ Finding under M.G.L 40, Section 6 and/or Section 810.2 of the Scituate Zoning Bylaw to add an addition to a single family dwelling while adding more than 20% gross floor area on a pre-existing, nonconforming lot at 66 First Parish Road, Scituate, MA (Assessor's Parcel 5-12-20).

The application was received, advertised, and a public hearing was duly held on September 21, 2017 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin, Chairman
Sarah Trezise
Anthony J. Bucchere

The property is located at 66 First Parish Road, Scituate, MA and is owned by the Applicant who acquired the property from the Damon Family Trust - 2005 by deed dated November 21, 2012 and filed with the Plymouth County Registry of Deeds in Book 42274, Page 339.

The building on the property is a single family home containing 1,907 square feet which according to Town Assessors' records was constructed in 1925, prior to the adoption of the Scituate Zoning Bylaw. The property is located in the R3 residential zoning district. The property is nonconforming in lot frontage (73' where 100' are required) and lot width (75' where 100' are required), but such nonconformities preexisted current zoning requirements and are therefore legally nonconforming.

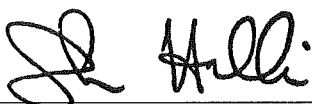
The application seeks approval to allow an addition to the home that will increase the square footage to 4,928 square feet representing a 158% from the present square footage. The proposed improvements are to be built in accordance with a plan drawn by Morse Engineering Co., Inc., entitled Plan showing Proposed Addition 66 First Parish Road Assessor's parcel 50-12-20 Scituate, Massachusetts, dated June 5, 2017 and revised July 31, 2017 (The "Plan"). The proposed addition as shown on the Plan will be built entirely within the required setbacks and therefore will not create any new nonconformities, the existing lot frontage and lot width nonconformities will remain unchanged.

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 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 construction of an addition to the dwelling per the Plan.

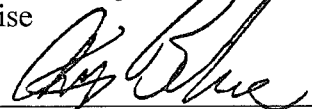
SCITUATE ZONING BOARD OF APPEALS



John Hallin



Sarah Trezise



Anthony Bucchere

Filed with the Town Clerk and the Planning Board on: Sept. 27, 2017

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.