

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 Liam P. Vickers and Virginia L. Vickers of 7 Jericho Road, Scituate, Massachusetts for a finding under M.G.L. Chapter 40A, Section 6 and Scituate Zoning Bylaw section 810.2, clause last that the proposed extension of the pre-existing, non-conforming single family residential dwelling located at 7 Jericho Road in Scituate will not be substantially more detrimental to the neighborhood that the pre-existing, non-conforming structure.

The application was received, advertised, and a public hearing was duly held on February 16, 2017 with the following members of the Zoning Board of Appeals hearing the application:

John Hallin, Chairman
Sara J. Trezise
Edward Tibbetts
Francis M. Lynch, first alternate
Anthony J. Bucchere, second alternate

The property, located at 7 Jericho Road is in the A3 residential district and is owned by the applicant pursuant to a deed recorded with the Plymouth County Registry of Deeds in Book 45646 at Page 150. The applicant was present and represented by Attorney Steven M. Guard of Norwell, MA.

The existing structure was built circa 1850 and enjoys "grandfathered" protected status as to the front yard setback to Jericho Road. The lot and structure thereon otherwise conform to current zoning requirements. The applicant proposes to construct a two story additions to the rear of the existing structure for additional living space and a garage which when constructed shall not create or intensify any new non-conformities and shall in all respects comply with current zoning and building regulations.

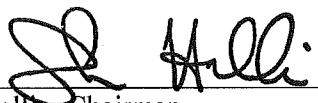
In view of the foregoing, the Board FINDS that based upon the materials filed with the Board and the applicant's representations:

- a. The existing structure does not comply with the current zoning bylaw requirements as to the southwesterly lot sideline setback and the structures thereon are pre-existing non-conforming;

- b. The existing structure does not comply with the current zoning bylaw requirements as to the front yard setback along Jericho Road and the structures thereon are pre-existing non-conforming;
- c. The proposed addition to the existing dwelling is not and will not render the completed structure substantially more detrimental to the neighborhood than the existing non-conforming structure; and
- d. The proposed addition when constructed shall otherwise comply with applicable zoning bylaw requirements.

For the foregoing reasons, based upon the application, plans and testimony submitted by the applicant, the Board voted unanimously to GRANT the applicants' request for a FINDING and FINDS that that the proposed use and plans are not substantially more detrimental to the neighborhood than the buildings and uses now existing and that the Applicant has met the standard for a M.G.L. 40A §6 finding in accordance with the plans prepared by Edward T. Eisenhaure, PE, PLS, 5 Codman Road, Hingham, MA, dated December 26, 2016, entitled "Proposed Site Plan, 7 Jericho Road, Scituate, MA" filed with the Board.

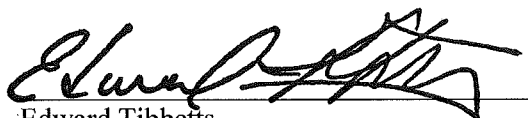
SCITUATE ZONING BOARD OF APPEALS



John Hallin, Chairman



Sara J. Trezise



Edward Tibbetts

Filed with the Town Clerk and Planning Board: March 9, 2017

Any judicial appeal from this decision shall be made pursuant to G.L. Ch. 40A, Section 17, and must be filed with the office of the Town Clerk within 20 days from the filing of the decision.

For this decision to become effective, a copy of it, bearing the certification of the Town Clerk that 20 days have elapsed after the decision was filed in that office, that no appeal has been filed, or, if an appeal has been filed, that it was dismissed or denied, shall be recorded in the Plymouth County Registry of Deeds.