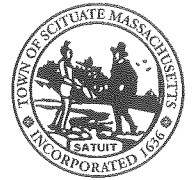


Town of Scituate

ZONING BOARD OF APPEALS

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



RECORDED
DEC 28 PM 10:06
2018

Decision of the Scituate Zoning Board of Appeals on the application of Peter Zaccardi, of 37 Moorland 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 existing single family dwelling on a pre-existing non-confirming lot located at 717 Country Way, Scituate, MA ("Property"), increasing the square footage by 74.0% .

The application was received, advertised and a public hearing was duly held on December 20, 2018 with the following members of the Zoning Board of Appeals hearing the application:

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

The Applicant was represented at the hearing by his engineer, James Garfield, of Morse Engineering Co., Inc.

The property is owned by the applicant, as Trustee for the Gilson Realty Trust, as evidenced by deed dated November 8, 2018, and recorded in the Plymouth Country Registry of Deeds, in Book 50516, Page(s), 265-267. According to the Town of Scituate Assessors Card, submitted by the applicant, the existing single-family dwelling located upon the lot was constructed in 1900 and contains 1,470 square feet.

The Property is located in the R-2 Zoning District. The Property is nonconforming as to Lot Area (17,483 square feet where 20,000 square feet is required) Lot Frontage (81.1' where 100' is required) and Lot Width (96.6' where 125' is required), however the lot was created prior to the 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 additions to the dwelling as is shown on a plan submitted by the applicant, prepared by Gregory J. Morse, Professional Engineer, Morse Engineering Co., Inc., entitled "Proposed Addition Plan 717 Country Way (Assessor's Parcel: 12-3-2) Scituate, Massachusetts" dated November 15, 2018 (the "Plan"). The proposed additions to the dwelling per the Plan will increase the square footage of the home to 2,560 square feet, an increase of 74.0%. The proposed addition is located within the set-backs and will not alter any of the other existing nonconforming characteristics of the site and will not create any new nonconformities.

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 Plan.

SCITUATE ZONING BOARD OF APPEALS

John Haffin Chairman

Edward C. Tibbetts

Thomas J. Cavanagh

Filed with the Town Clerk and Planning Board on 12/28/18

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.