

Town of Scituate

ZONING BOARD OF APPEALS

600 Chief Justice Cushing Hwy.
Scituate, Massachusetts 02066
(781) 545-8716



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Decision of the Scituate Zoning Board of Appeals on the application of Nir Drory of 117 Lyman Road, Chestnut Hill, MA 02467 for a Special Permit/Finding pursuant to M.G.L. 40A § 6 and Sections 810.1, 810.2 and 470.6F of the Scituate Zoning Bylaws and any other relief to allow the reconstruction of a single-family dwelling located at 74B Glades Road, Scituate, MA 02066 (Assessor's Map 5, Block 4, Parcel 24) which was destroyed by fire and to allow the continued nonconforming use of the property.

The application was received, advertised and a public hearing was duly held on December 21, 2023, with the following members of the Zoning Board of Appeals hearing the application:

George Xixis, Chair
Christopher Carchia
Justin M. Marks

The property is located in the R-3 zoning district. Prior to the fire, the dwelling was nonconforming as to front and side yard setbacks. The lot is nonconforming with respect to lot area (10,000 square feet required, with 2,787 square feet existing) and with respect to lot width and lot frontage (91 feet required, with 41.57 existing). A reconstruction has been twice addressed by the ZBA, with plans prepared by Morse Engineering Co., Inc., 10 New Driftway, Suite 303, Scituate, MA 02066.

An original plan (dated April 18, 2023 with revisions dated May 1, 2023) was reviewed by the ZBA on May 18, 2023. A Decision finding for the Applicant was written and recorded with the Town Clerk on June 22, 2023.

The Applicant re-applied with a new plan on November 17, 2023, to be given consideration by the Board during the ZBA meeting on December 21, 2023. The new plan is dated November 15, 2023.

This decision supersedes the Decision recorded on June 22, 2023.

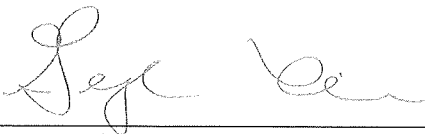
The proposed reconstruction will not change the lot area, lot width or lot frontage. According to the Plan, the front setback will be increased from .5 feet to 3.7 feet, the right side setback will increase to 4.5 feet from 1.5 feet, the left side setback will decrease from 45.1 feet to 31.3 feet and the rear setback will increase to 3.2 feet from 2.0 feet. The square footage of the dwelling will increase from

the original dwelling's 1,296 square feet to 3,099 square feet (an increase of 139%)

After hearing testimony from Morse Engineering Co., Inc. and reviewing the Plan, the Board voted unanimously to grant the Special Permit to allow the reconstruction in accordance with the Plan. In doing so the Board found:

1. That the proposed reconstruction will not create any new nonconformities.
2. That to the extent the proposed reconstruction intensifies any existing nonconformities, such intensification will not be substantially more detrimental to the surrounding neighborhood.

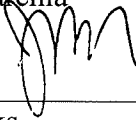
SCITUATE ZONING BOARD OF APPEALS



George Xixis, Chairman



Christopher Carchia



Justin M. Marks

Filed with the Town Clerk on 2.16.2024

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