

Town of Scituate

ZONING BOARD OF APPEALS

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Scituate, Massachusetts 02066
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Decision of the Scituate Zoning Board of Appeals on the application of Peter Zaccardi, Trustee of Gilson Realty Trust, 37 Moorland Road, Scituate, MA 02066 ("Applicant(s)") for a Special Permit/Finding under MGL 40A § 6 and the Town of Scituate Zoning Bylaws 810.2A for the construction of an addition to a pre-existing, nonconforming single-family dwelling at 8 Studley Royal Road, Scituate, MA 02066 (Assessor's Map 30, Block 03, Parcel 17) increasing the gross floor area by more than 20%. The application was received, advertised and a public hearing was duly held on July 15, 2021, with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman
George Xixis
Susan Harrison

The Applicant was represented by Paul J. Mirabito, PLS of Morse Engineering, Scituate MA.

The property is owned by the applicant, as evidenced by a deed dated May 21, 2021 and registered with the Plymouth Country Registry of Deeds on May 26, 2021, as Document No. 000061149, Book 55047, Page 172 which is referred to in the Assessors Card submitted by the Applicant. Based on the Assessors Card submitted by the Applicants, the single-family dwelling was constructed in 1920, and contains 1,075 square feet of base gross floor area.

The Property is located in the R-2 Zoning District. The lot is non-conforming with respect to Lot Area (6,841 sq. ft where 20,000 sq ft. is required) Lot Width (67.92' where 125' is required) and Lot frontage (67.92' where 100' is required). The existing dwelling is non-conforming as to front setback (15.1' where 30' is required), and right-side setback (10.5' where 15' is required). The property is conforming as to rear yard and left side setbacks

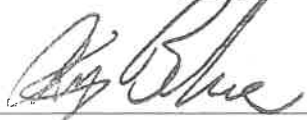
The application seeks approval to add an addition to the primary dwelling structure pursuant to a plan submitted by Morse Engineering and, entitled "ZBA Plan for 8 Studley Road", dated June 14, 2021 (the "Plan"). The proposed primary dwelling and accessory dwelling, per the Plan will increase the square footage of the dwelling to 1,760 square feet (an increase of 64.8%). The front, right side and rear setbacks as proposed for the dwelling are completely within the existing building envelope. The left side building setback, as proposed, is conforming.

After reviewing the application and hearing testimony from the applicant, the Board found the following:

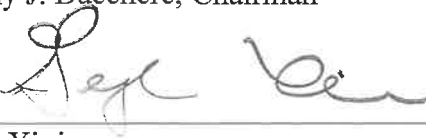
- a. That the proposed addition, will not create any new non-conformities;
- b. That to the extent the proposed accessory dwelling addition, if constructed per the plan, intensifies any of the existing nonconformities, such intensification will not be substantially more detrimental to the surrounding 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/or Section 810.2A of the Town of Scituate Zoning Bylaws, for an addition as shown on the Plans.

SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



George Xixis



Susan Harrison

Filed with the Town Clerk and Planning Board on November 9, 2021

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.