

# Town of Scituate

ZONING BOARD OF APPEALS

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



RECEIVED  
2021 JUN 29 PM 4:18  
TOWN OF SCITUATE  
TOWN CLERK

Decision of the Scituate Zoning Board of Appeals on the application of Craig and Christine Murphy of 82 Scituate Avenue, Scituate, MA 02066 (“Applicant”) for a Special Permit/Finding under MGL 40A § 6 and the Town of Scituate Zoning Bylaws 810.2, to allow the construction of an addition to a pre-existing, non-conforming single family dwelling on a pre-existing non-conforming lot located at 82 Scituate Avenue, Scituate, MA, Assessor’s Map 40, Block 3, Parcel 3, increasing the square footage by greater than 20%.

The application was received, advertised and a public hearing was duly held on May 26, 2021 with the following members of the Zoning Board of Appeals hearing the application:

Anthony J. Bucchere, Chairman  
Edward C. Tibbetts  
George Xixis

The Applicants were present and represented at the hearing by their architect, Heather Marshal.

The property is owned by Craig Murphy and Christine Murphy, as evidenced by a Quitclaim Deed dated January 10, 2011, and recorded in the Plymouth Country Registry of Deeds, Book 54202/Page 220, Document No. 5652. According to the Town of Scituate Assessors Card, submitted by the applicant, the existing single-family dwelling located upon the lot was constructed in 1928 and contains 1404 square feet.

The Property is located in the R-3 Zoning District. The existing structure is non-conforming as to Front Yard setback (12.44’; 30’ required), Easterly Side Yard setback

(7'; 8' required). The lot is non-conforming as to Lot Area (8,804 sq ft; 10,000 sq ft required).

The application seeks approval to construct an addition to the dwelling as shown on a plan submitted by the applicant, prepared by James E. McGrath, Professional Land Surveyor, 1734 Commercial Street, Weymouth, MA 02189, entitled "Plot Plan, 82 Scituate Ave, Scituate, Mass." dated August 10, 2020, Rev. March 14, 2021 (the "Plan"). The proposed dwelling per the Plans will increase the Gross Floor Area of the home from 1,496 to 2,712 square feet, an increase of 81%. The proposed dwelling will not create any new non-conformities.

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

- a. That the proposed dwelling if constructed per the Plan will not create any new non-conformities;
- b. That to the extent the proposed dwelling, 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 810.2 of the Town of Scituate Zoning Bylaws, to construct the proposed dwelling as shown on the Plans.

SCITUATE ZONING BOARD OF APPEALS



Anthony J. Bucchere, Chairman



Edward C. Tibbetts



George Xixis

Filed with the Town Clerk and Planning Board on June 29, 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.