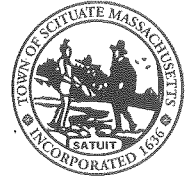


Town of Scituate

ZONING BOARD OF APPEALS

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



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DEC 31 AM 9:27

Decision of the Scituate Zoning Board of Appeals on the application of Richard LaMarre of P.O. Box 941, Hanover, MA, for a Special Permit/ Finding under M.G.L 40, Section 6 and/or Section 470.6F and/or 810.2 of the Scituate Zoning Bylaw to allow an addition to a pre-existing, nonconforming single family dwelling on a pre-existing nonconforming lot 9 Brunswick Street, Scituate MA, Assessor's Parcel 72-16-3.

The application was received, advertised, and a public hearing was duly held on October 18, 2018 with the following members of the Zoning Board of Appeals hearing the application:

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

The property is located at 9 Brunswick Street, Scituate MA and is owned by Geraldine Sheehan of 9 Brunswick Street, P.O. Box 721, Humarock, MA 02047 by Quitclaim Deed recorded with the Plymouth County Registry of District of the Land Court as Certificate No. 106650. The Applicant, Richard LaMarre, who has an Purchase and Sale Agreement with the owner and letter authorizing and submitted with this application, was represented by Greg Morse of Morse Engineering.

The building on the property is a single family home containing 1,176 square feet which according to Town Assessors' records was constructed in 1954, prior to the adoption of the Scituate Zoning Bylaw. The property is located in the R3 residential zoning district and also lies within the Town of Scituate Flood Plain and Watershed Protection District, and FEMA Flood Zone AE (13) per FEMA Community Map dated November 4, 2016. The existing Lot Area, Frontage, Lot Width, and Front Yard Setback are non-conforming but pre-existed current zoning requirements and are therefore legally non-conforming.

The application seeks approval to allow an addition to the dwelling as per plans submitted by the applicant, drawn by Morse Engineering Co., Inc., 19 Union Street, P.O. Box 92, Scituate, MA 02066, entitled "Proposed Addition & Decks, 9 Brunswick Street, (Assessor's Parcel: 72-16-3), Scituate, Massachusetts" and dated 8-31-18 (The "Plan"). The Plan shows a proposed 16x25 foot addition to the single family dwelling resulting in 2,102 square feet representing an increase in square footage of 78.7%. The proposed dwelling will not create any new non-conformities. The Lot Area, Frontage, Front Yard Setback, and Lot Width nonconformities will remain unchanged.

After reviewing the application and hearing testimony from the applicant, building inspector and abutters 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 intensifies any existing nonconformities, such intensifications will not be substantially more detrimental to the surrounding neighborhood.

Also the Board voted to GRANT a Special Permit under Section 470.6F of the Bylaw and found that the proposed dwelling if built in accordance with the plan will meet the requirements 1-3 of said section.

Based on the forgoing the Board unanimously voted to GRANT the application to permit the razing and reconstruction of the proposed dwelling per the Plan.

SCITUATE ZONING BOARD OF APPEALS



John Hallin



Edward C Tibbetts



Thomas J Cavanagh

Filed with the Town Clerk and the Planning Board on: 12/31/18

This Special Permit/Finding will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County 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 40A, Section 17, and shall be filed in a court of competent jurisdiction. Proof of that filing shall be provided to the Town Clerk within twenty (20) days of the date of the filing of the decision with the Town Clerk.