



Decision of the Scituate Zoning Board of Appeals on the application of John Tedeschi of 17 Northey Farm Road Scituate, MA (hereinafter referred to as the "Applicant") for a special permit under Scituate Zoning By-laws 610.2B to create a fifty foot frontage lot off Country Way, Scituate Massachusetts between Whittier Drive and Curtis Street, (Map 26, Block-1, Parcel-60 and 9R).

The application was received, advertised and a public hearing was duly held on October 17th, 2013 with the following members of the Zoning Board of Appeals hearing the application:

Sara Trezise, Chair  
John Hallin  
Francis Lynch

The property that is the subject matter of the application is located in the R-2 Residential District. The subject property is owned by Eleanor M. Blanchard, James D. Blanchard and Martha B. Twigg, as Trustees of the Eleanor M. Blanchard Revocable Trust dated January 30th, 2002 and recorded herewith, P.O. Box 217, Scituate, Massachusetts 02066. (Deed dated July 1st, 2002 and recorded in the Plymouth County Registry of Deeds Book 22369, Page 126-133). The subject property has 40,100 sq. of lot area. Required lot area in R-1 district is 20,000. A letter has been received from the owners granting John Tedeschi (Applicant) permission to apply for a special permit.

The Applicant is requesting a Fifty Foot Frontage Lot as per plans submitted with the application from Morse Engineering Co. Inc., 19 Union Street, Scituate, MA 02066, dated October 15th, 2013.

Scituate Zoning By-laws 610.2, Lot Frontage Requirements for Fifty Foot Frontage Lots provides that:

"1. Any such lot to be created, after the effective date of this by-law, shall be at least two times the required area of upland for the zoning district in which it is located. Upland shall be defined as all land not subject to protection under Massachusetts General Laws, Chapter 131, Section 40. Each lot must contain an area of contiguous upland equal to the minimum lot size in the zoning district.

3. Any lot that receives a special permit under this Section may not be further subdivided, and the special permit shall include a condition to this

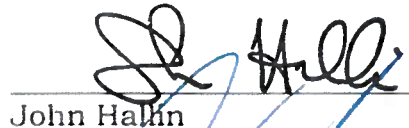
effect. A deed restriction shall be shown on the plan and thereafter recorded that shall provide that and such lot is (or lots are) subject to special permit recorded therewith and that said lot or lots shall not be further subdivided."

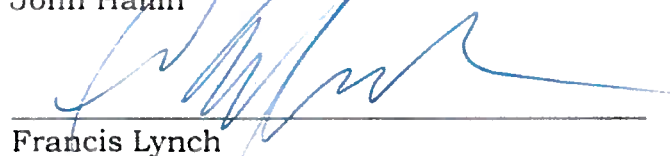
The Applicant presented evidence of the lot being two times the required lot area of R-2 district and that it abutted one street for the distance of 50.08'.


Based upon the evidence presented, the Board GRANTED the Applicant's request for special permit in accordance with Sec 610.2.B. The Applicant shall record a deed restriction stating the lot shall not be further subdivided.

SCITUATE ZONING BOARD OF APPEALS

  
Sara Trezise

  
John Hallin

  
Francis Lynch

Filed with the Town Clerk and Planning Board on: November <sup>12</sup>~~8~~, 2013. 

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.