



Town of Scituate
Planning Board

Flood Plain & Watershed Protection District Special Permit – 89 Lighthouse Rd.

Decision: **APPROVED with Conditions**
Date: January 29, 2010
Applicant/Owner: Alice and Glenn Brown
Location: 89 Lighthouse Rd.
Plans: Building Location Plan, 89 Lighthouse Rd., Scituate, Mass., Assess. Plot 46-6-43 by Environmental Engineering Technologies, Inc., Robert C. Crawford, Registered Professional Engineer, June 30, 2009;
Schematic Site Plan & Renderings, First Floor Plan, Second Floor Plan, Attic and Roof Plan, Exterior Elevations and Building Sections, Progress Drawings, 12/8/09

Members Hearing Special Permit: Donna Chisholm, William Limbacher, Donald Walter, Robert Vogel and Dr. Nico Afanasenko

Background: According to the plans submitted by the applicant, the property at 89 Lighthouse Rd. is a 4,993 sq. ft. lot which contains a single family house and garage slab. The property is within the Residential A-3 and Flood Plain and Watershed Protection Zoning Districts. It is within the AE (Base Flood Elevation 11') FEMA Flood Zone. According to Assessor's records, the house was built in 1907, and is presently two stories. The applicant has proposed to raze the existing house and rebuild it as a three story structure.

Under Zoning Bylaw Section 470.6 F, an existing structure in the Flood Plain and Watershed Protection District which was built prior to 1992 may be substantially improved as long as the new construction meets requirements of the State building code for building in the flood plain, is consistent with the National Flood Insurance Program, and does not alter natural drainage patterns.

Procedural Summary: The application for a Special Permit was filed with the Town Clerk and the Planning Board on December 30, 2009. A Public Hearing before the Planning Board was duly advertised and notices sent to all abutters in accordance with MGL Chapter 40A. The hearing was opened on January 28, 2010 and also closed on that day, when the Board approved the Special Permit with conditions.

Hearing Summary: Mrs. Brown presented her plans and explained the proposal. The plans have been approved by the Zoning Board of Appeals and are presently before the Conservation Commission. The Planning Board complimented her on the architectural style. All FEMA floodproofing requirements would be met.

Public Comment: No one spoke in favor or in opposition to this proposal.

Decision: Based upon the information presented to the Board, a motion was duly made and seconded to approve the Special Permit with the following terms and conditions:

1. All improvements must be consistent with the requirements of the National Flood Insurance Program and the provisions of the Flood Insurance District.
2. All improvements must be consistent with those provisions of the State Building Code (780 Code of Massachusetts Regulations) pertaining to flood resistant construction, as interpreted through consultation with the Building Commissioner.
3. Any improvements shall not affect the natural drainage patterns of the watercourse.
4. The proposed construction shall comply with all requirements of the Board of Health, Conservation Commission, Department of Public Works, Fire Department, Water Department and Building Department.
5. With the resizing of the single family home, adequate parking shall be provided.
6. The hours of construction shall be limited to 7 AM to 7 PM weekdays and 8AM to 4 PM Saturdays, with no work to occur on Sundays or holidays.
7. Noise mitigation and proper dust controls shall be used, with clean-up of all areas of the site as needed.
8. There shall be no truck idling on the site or adjacent streets. During construction, trucks must not idle on Lighthouse Road. If idling is necessary, trucks may idle in the Town lot at the Scituate Lighthouse.
9. With the resizing of the structure, there must be adequate parking on the sides and in front of the structure.

Vote: Planning Board members Donna Chisholm, William Limbacher, Donald Walter, Robert Vogel and Dr. Nico Afanasenko voted in favor of granting the Special Permit with conditions.

cc: Mr. and Mrs. Glenn Brown
Neil Duggan, Building Commissioner
Conservation Commission