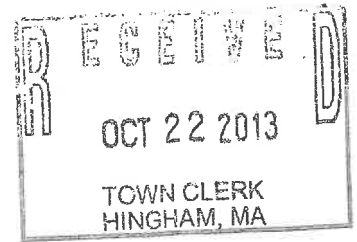


**TOWN OF HINGHAM
BOARD OF APPEALS**



VARIANCE DECISION

IN THE MATTER OF:

**Applicant and
Property Owner:** John and Carrie Crawford
4 Palmers Lane
Hingham, MA 02043

Premises: 4 Palmers Lane
Hingham, MA 02043

Title Reference: Plymouth County Registry of Deeds, Book 40556, Page 250

SUMMARY OF PROCEEDINGS:

This matter came before the Zoning Board of Appeals on the application of John and Carrie Crawford (the "Applicants") for a front yard setback Variance from §IV-A and §IV-C of the Zoning By-Law and such other relief as necessary to construct a single-story addition to the existing residential structure located at 4 Palmers Lane in Residence District B.

A public hearing was duly noticed and held on September 25, 2013 at Hingham Town Hall before a panel consisting of regular members Joseph W. Freeman, Chairman, Joseph M. Fisher and W. Tod McGrath. The Applicants and the project architect, Paulette O'Connell, appeared to present the application.

BACKGROUND:

The Property consists of approximately 9,952 SF improved with a single family, cape style dwelling. The Applicants propose construction of a single story addition, including a new mudroom and great room. The addition will create nonconforming front yard setbacks of 17.8' from Polk Street and 24.6' from Palmers Lane where 35' is required.

With the application the Applicants submitted a Plan of Land, prepared by Global Mapping Associates, 474 Beech Street, Rockland, MA, stamped by Peter G. Hoyt, PLS, and dated 6/18/2013, along with an unstamped First Floor Plan and Elevation Plan prepared by OCO Architecture, PO Box 709, Hingham, MA, dated 8/14/13.

DISCUSSION:

The architect described the project as a modest, one-story addition to accommodate a mudroom and great room. She indicated that the only by-right options available to expand the home would result in a very limited addition of 9' because of the home's position and the location of the septic system on the



lot. She also pointed out that the property is a corner lot and the closest abutter to the proposed addition is opposite Polk Road.

The architect designed the addition to be in keeping both with the existing home and others in the neighborhood and the Applicants provided the Board with photographs to demonstrate that other homes in the area had been similarly expanded. The Applicant stated that most other homes on corner lots in the neighborhood were originally built at an angle, but his was constructed straight-on or parallel to the frontage.

Neal O'Driscoll, 9 Palmers Lane, appeared at the public hearing to support the proposed project. No one appeared or wrote to the Board in opposition to the application.

FINDINGS AND DECISION:

The Board voted unanimously to GRANT the requested front yard setback Variance to construct an addition that would result in nonconforming setbacks of 17.8' from Polk Street and 24.6' from Palmers Lane where 35' is required. In granting the requested relief, the Board found that:


1. The location of the septic system and the position of the house on the corner lot on this property especially affects the property but does not generally affect the zoning district;
2. There are no practical alternatives to the proposed addition, so literal enforcement of the provisions of the By-Law would constitute a substantial hardship requiring relocation of the septic system or construction of a 9' wide room.
3. The requested Variance might be granted without detriment to the public good and without substantially derogating from the intent or purpose of the Zoning By-Law. The design and scale of the new addition is consistent with structures in the neighborhood and immediate abutters to the addition are separated from it by a street.

The Variance is granted subject the following condition:

1. The addition shall be constructed in accordance with the plans submitted with the application and the representations made during the public hearing.

The zoning relief granted herein shall not become effective until (i) the Town Clerk has certified on a copy of this Decision that twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that if such an appeal has been filed, that it has been dismissed or denied, and that (ii) a copy thereof has been duly recorded in the Plymouth County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

For the Zoning Board of Appeals,


Joseph M. Fisher
October 22, 2013