



Town of Scituate  
Planning Board  
Special Permit – Accessory Dwelling  
3 Appletree Lane

Decision: APPROVED with Conditions  
Owner: Erik and Alison Richman  
Applicant: Erik Richman  
Date: August 24, 2007  
Location: 3 Appletree Lane  
Plans: 1) Site Plan based on Assessor's Map submitted to Planning Board with application  
2) Existing Floor Plan, Proposed First Floor Plan, Second Floor Plan submitted with application

Members Hearing Special Permit Application: Donald Walter, Chairman; William Limbacher, Donna Chisholm, Mark Fenton and Mary Patricia (Pat) Brennan.

**Background:** The property is a  $\pm$  12,574 sq. ft. lot in the Residential A-3 Zoning District which contains a single family home. The applicant proposed to add a second story and construct an accessory dwelling. This accessory dwelling will be approximately 648 sq. ft. The owners (the applicant and his wife) have signed an affidavit stating that they will occupy the primary dwelling.

**Procedural Summary:** This request for a Special Permit was filed with the Town Clerk and the Planning Board on July 25, 2007. 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 August 23, 2007 and also closed on this date, when the Planning Board approved the Special Permit with conditions.

**Hearing Summary:** The applicant, Erik Richman, is the owner of the property. Mr. Richman explained the plan to the Planning Board. He intends to build the accessory dwelling for his father-in-law to reside in.

**Public Comment:** There was no comment in favor or in opposition to the proposal.

**Decision:** A motion was duly made and seconded to approve the Special Permit with the following terms and conditions:

1. The applicant shall obtain the necessary building permits from the Building Commissioner, Board of Health and all necessary permits from other town agencies.

2. The property at 3 Appletree Lane shall contain a maximum of two dwelling units, the existing dwelling and the accessory dwelling as proposed.
3. The accessory dwelling Special Permit shall be in effect as long as the structure is occupied by the owner.
4. Except for any changes necessary to meet these conditions, all construction shall conform to the plans submitted with this application.
5. The accessory dwelling shall not be expanded in square footage without prior approval by the Planning Board.
6. The applicant must obtain a determination from the DPW as to adequacy of the existing water service for the proposed use. Any upgrade of water service shall be at the applicant's expense and must be approved by the Department of Public Works. The applicant shall install hard-wired smoke and heat detectors if required by the Fire Chief.
7. There shall be no overnight on-street parking by residents of the accessory dwelling.
8. This Special Permit shall be void if it is not recorded at the Registry of Deeds within 90 days of the date of filing with the Town Clerk. The owner shall provide proof of this recording to the Planning Board.
9. This Special Permit shall lapse within two years from the date of its issuance unless substantial use or construction has commenced prior to that time in accordance with MGL Chapter 40A, Section 9.

**Vote:** The vote was unanimous with all members hearing the application voting in favor of granting the Special Permit.

The Planning Board certifies that it has complied with all statutory requirements of MGL Chapter 40A, Sections 9 and 11, and will file this decision with the Town Clerk. The Planning Board further certifies that it has taken into consideration all testimony rendered at the Public Hearing, the comments and suggestions of other boards which have reviewed and made comments on the plans, and all plans and documents submitted by the applicant.