

TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

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Associate Members

Jared F. Nokes, J.D.

DECISION

Applicant/Owner	Sean P. Woods
Property Address	24 Madison Street, Dedham, MA
Zoning District	Single Residence B
Map and Lot	142/35
Representative	Owners representing self
Legal Notice	The applicant seeks to be allowed a variance for a front yard setback of 22 feet instead of the required 25 feet to construct a 4' x 6' portico over the front door. The property is located at 24 Madison Street, Dedham, MA and is in the Single Residence B zoning district.
Section of Zoning Bylaw	<i>Town of Dedham Zoning Bylaw Sections 4.1, Table of Dimensional Requirements Town of Dedham Zoning Bylaw</i>
Date of Application	June 20, 2018
Date of Public Hearing	July 18, 2018
Date of Decision	August 14, 2018
Vote	5-0 unanimously approved
Voting Members	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®, Jason L. Mammone, P.E.
Date Filed With Town Clerk	August 7, 2018

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts, held public hearings on Wednesday, July 18, 2018, in the Town Office Building, 26 Bryant Street, Dedham, Massachusetts. Present were members of the ZBA, James F. McGrail, Esq., Chair, J. Gregory Jacobsen, Vice Chair, Scott M. Steeves, E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®, and Jason L. Mammone, P.E.

The hearings for this meeting of the ZBA were duly advertised in *The Dedham Times* on June 29, 2018, and July 6, 2018, in accordance with the requirements of Massachusetts General Law, Chapter 40A, Section 11, and the Town of Dedham Zoning Bylaw. In addition, notices of the hearings were sent to abutters within 300 feet of the property in question on June 21, 2018. Notification of each hearing was sent to the abutting towns of Boston, Needham, Canton, and Westwood. Copies of all plans referred to in this decision and a detailed record of the Zoning Board of Appeals proceedings are filed in the Town of Dedham Planning Department.

The Applicant and Owner, Sean P. Woods was present for the hearing and represented himself. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

On June 20, 2018, the Applicant submitted an application, which included:

1. Zoning Board of Appeals application
2. Certified Plan of Land Prepared by Michael Paul Antoni, Antonio Land Surveyors, 31 Ledgebrook Ave., Stoughton, MA 02072, Registered # 29411
3. Picture of existing conditions, and self-drawn plans of proposed portico
4. Town of Dedham Assessors Database information

The subject property is known and numbered as 24 Madison Street, Dedham, Massachusetts, and is shown on Dedham Assessor's Map 142, Lot 35. The certified plot plan indicates that the Subject Property contains 7,200 square feet of land and has 26 feet of existing frontage from the sidewalk to the house. According to the Town of Dedham Zoning Map, the Subject Property is located in the Single Residence B zoning district. Currently, the property is occupied by a single family dwelling. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1949.

The applicant seeks to be allowed a variance for a front yard setback for an existing single family dwelling to be reduced to 22 feet instead of the required 25 feet in order to construct a portico on the front of the home. The proposed portico would replace existing pre-cast concrete steps. The proposed dimensions of said portico are six (6) feet wide by four (4) feet deep, and the structure will also support a roof. There will be no changes other than the requested front yard setback. The house is located in the Single Residence B zoning district. *Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements Town of Dedham Zoning Bylaw.*

No one appeared in favor or in opposition to this Application.

Upon motion duly made by Greg Jacobsen and seconded by Scott Steeves, the ZBA voted unanimously, 5-0, to allow a variance for a front yard setback for an existing single family dwelling to be 22 feet instead of the required 25 feet in the Single Residence B zoning district. In granting said Variance, the Zoning Board of Appeals finds that the proposed modification will not be substantially more detrimental to the neighborhood. Furthermore, the Zoning Board of Appeals finds that, after consideration of the criteria in Section 9.3.2 of the Town of Dedham Zoning Bylaw, the adverse effects of the Applicant's proposal will not outweigh its beneficial impacts on the Town and the neighborhood.

The Applicant is advised that, in accordance with Massachusetts General Law Chapter 40A, Section 11, no variance shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty (20) days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed and that no Special Permit shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty (20) days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that an appeal has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County.

Dated: August 7, 2018

James F. McGrail, Esq., Chair

J. Gregory Jacobsen, Vice Chair

Scott M. Steeves

E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®

Jason L. Mammone, P.E.

Attested by Administrative Assistant

Jennifer Doherty