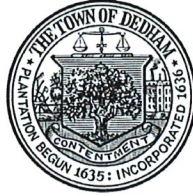


TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS

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ZONING BOARD OF APPEALS

2019 JUL 25 AM 10:16



Dedham Town Hall
26 Bryant Street
Dedham, MA 02026-4458
Phone: 781-751-9242

Jennifer Doherty
Administrative Assistant
jdoherly@dedham-ma.gov

Members

James F. McGrail, Esq., Chair
J. Gregory Jacobsen, Vice Chair
Scott M. Steeves
Jason L. Mammone, P.E.
George Panagopoulos, Associate
Andrew Pepoli, Associate

DECISION

Applicant/Owner	Amy K. Loder
Property Address	27 Hooper Road, Dedham, MA
Zoning District	Single Residence B
Map and Lot	170/24
Representative(s)	None

Legal Notice	The Applicant, Amy K. Loder, requests a Special Permit to construct a 13'3" x 26'5" second-story dormer within the existing building footprint; dwelling is pre-existing nonconforming with regard to the front yard setback (14.9 ft. provided, 20 ft. required). The property is located at 27 Hooper Road, Dedham, MA, and is in a General Residence (GR) Zoning District.
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Section of Zoning Bylaw	<i>Town of Dedham Zoning Bylaw Section 3.3, 4.1-Table 2, 9.2 and 9.3</i>
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Date of Application	6/21/2019
Date of Public Hearing(s)	7/17/19
Date of Decision	7/25/2019
Vote	Approved (5-0 Unanimous)
Voting Members	James F. McGrail, Chair Gregory Jacobsen, Vice Chair Scott M. Steeves George Panagopoulos Andrew Pepoli

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts, held a public hearing on Wednesday, July 17, 2019 at Dedham Town Hall, 26 Bryant Street, Dedham, Massachusetts. Sitting on the application were members of the ZBA, James F. McGrail, Chair, J. Gregory Jacobsen, Vice Chair, Scott M. Steeves, George Panagopoulos (Associate Member) and Andrew Pepoli (Associate Member).

The hearings for this meeting of the ZBA were duly advertised in *The Dedham Times* on June 28, 2019 and July 3, 2019 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. 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, Amy K. Loder, represented herself at the hearing. The minutes from the hearings are the primary source of evidence and are incorporated herein by reference.

On June 21, 2019, the Applicant submitted an application, which included:

1. Zoning Board of Appeals application
2. Plan of land entitled "Plot Plan at 27 Hooper Road in Dedham, Mass.", dated June 14, 2019, and prepared by Neponset Valley Survey Assoc., Inc. of Quincy, MA
3. Elevation and Floor Plans, entitled "Proposed New Dormer, 27 Hooper Road, Dedham, Massachusetts", sheets A-0, A-2.1, D-1.1, A-1.0, A-1.1 and D-1.2, dated April 23, 2019, and prepared by Choo & Company, Inc. of Quincy, MA
4. Existing images of 27 Hooper Road, Dedham, MA
5. Town of Dedham Assessors Database information

The subject property is known and numbered as 27 Hooper Road, Dedham, Massachusetts, and is shown on Dedham Assessor's Map 170, Lot 24. The certified plot plan indicates that the Subject Property contains 11,251 sq. ft. of land. According to the Town of Dedham Zoning Map, the Subject Property is located in a General Residence Zoning District. Currently, the property is improved by a single family dwelling with a detached once car garage. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1920.

At the initial public hearing on Wednesday, July 17, 2019, the Applicant Amy K. Loder was present, in addition to Michael Gallery. Mr. Gallery explained they are seeking to extend out their second floor, but they would not be changing the existing footprint at all. They had sprung a leak, needed to perform repairs and were looking to increase the size of the bathroom in the process. The existing single family dwelling is located 14.9 ft. from the front yard setback whereas 20 ft. is required. Therefore, a Special Permit to intensify the pre-existing nonconforming front yard setback is necessary. Lastly, Ms. Loder highlighted they have submitted a petition of support listing ten

No one appeared in support or opposition to the requested relief. The Applicant also provided a support petition containing ten signatures.

Upon motion being duly made and seconded, the ZBA voted unanimously (5-0) to grant the requested Special Permit to construct a 13'3" x 26'5" second-story dormer within the existing building footprint; dwelling is pre-existing nonconforming with regard to the front yard setback (14.9 ft. provided, 20 ft. required). In granting said special permit, the Zoning Board of Appeals finds that, after consideration of the criteria in Section 9.3.2 of the Dedham Zoning By-Law, the adverse effects of Applicant's proposal will not outweigh its beneficial impacts on the Town and neighborhood.

The Applicant is advised that, in accordance with MGL 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 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 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.

Date: July 25, 2019

Attest by the Zoning Board of Appeals:

James F. McGrail Esq.
James F. McGrail, Esq., Chair

J. Gregory Jacobsen
J. Gregory Jacobsen, Vice Chair

Scott M. Steeves
Scott M. Steeves

George Panagopoulos
George Panagopoulos

Andrew Pepoli
Andrew Pepoli

Attest by the Administrative Assistant:

Jennifer Doherty
Jennifer Doherty