

TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

Members

James F. McGrail, Esq., Chair
J. Gregory Jacobsen, Vice Chair
Scott M. Steeves
Jason L. Mammone, P.E.
Sara Rosenthal, AIA, LEED AP BD+C



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

Jennifer Doherty
Administrative Assistant
jdoherty@dedham-ma.gov

Associate Members

George Panagopoulos
Andrew Pepoli

DECISION

Applicant/Owner
Property Address
Zoning District
Map and Lot

Matthew Thompson
26 Woodlawn Street, Dedham, MA
General Residence
7/122

Legal Notice

The Applicant seeks a special permit to construct a 12' x 28' second-story dormer within the existing building footprint; dwelling is pre-existing nonconforming with regard to the right-side yard setback (6 ft. provided, 10 ft. required). The property is located at 26 Woodlawn Street, Dedham, MA, Map 7 Lot 122, and is in a General Residence zoning district.

Section of Zoning Bylaw

Town of Dedham Zoning Bylaw Sections 3.3, 4.1-Table 2, 9.2 and 9.3.

Date of Public Hearings

August 14, 2019 and August 15, 2019

Vote

Unanimous approval

Voting Members

James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Andrew Pepoli

Date Filed With Town Clerk

August 26, 2019

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts, held a public hearing on August 14, 2019 at 7:00 p.m. in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, Chairman James F. McGrail,

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Esq., J. Gregory Jacobsen, Scott M. Steeves, and Andrew Pepoli. The hearing of the ZBA was duly advertised in accordance with the requirements of MGL Chapter 40A, Section 11. Due to lack of a quorum, the public hearing was continued to August 15, 2019 at 7:30 p.m. at the Town Hall Office Building, 26 Bryant Street, Dedham, MA.

At 7:40 p.m. on August 15, 2019, the Chairman called for the hearing on the application of Matthew Thompson, 26 Woodlawn Street, Dedham, MA, requesting a Special Permit to construct a 12' x 28' second-story dormer within the existing building footprint; dwelling is pre-existing nonconforming with regard to the right side-yard setback (6 ft. provided, but 10 ft. required). The proposed project is located in Zoning District General Residence (GR), Map 7, Lot 122. *Town of Dedham Zoning Bylaw Sections 3.3, 4.1, Table 2, 9.2, and 9.3.*

The Applicant, Matthew Thompson, represented himself. Mr. Thompson was joined by his contractor Lester Wait. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The subject property is known and numbered as 26 Woodlawn Street, Dedham, MA, and is shown on Dedham Assessors Map 7, Lot 122. The certified plot plan indicates that the subject Property contains 4,500 square feet of land, and has approximately 50 feet of frontage on Taylor Avenue. According to the Dedham Zoning map, the property is located in the General Residence Zoning District. Currently, the property is occupied by a single-family dwelling. According to records maintained by the Dedham Board of Assessors, the building was constructed in circa 1950.

Mr. Thompson explained he had owned 26 Woodlawn Street for approximately one month. It was his understanding the single-family dwelling had been vacant for twenty-two years. He further explained he is seeking to completely renovate the dwelling. The existing dwelling has been inhabited by wildlife and is not suitable for habitation. The second-floor bedrooms have inadequate head height similar to many original cape-style dwellings. As such, the proposed 12' x 28' second story dormer requires Board approval as the dwelling is pre-existing nonconforming due to the right yard setback of 6 ft.

The Chairman recognized the Applicant has submitted a petition signed by nine (9) neighbors in support of the petition. No one in the audience spoke in favor or in opposition to the petition. The Board had no other questions.

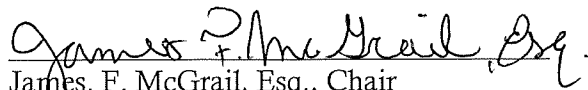
On a motion duly made and seconded, the Zoning Board of Appeals unanimously voted to approve a Special Permit to construct a 12' x 28' second-story dormer within the existing building footprint.

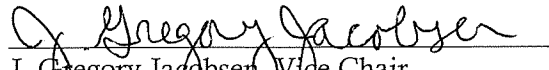
In granting said Special Permit, the Zoning Board of Appeals finds that the proposed modification will not be substantially more detrimental to the neighborhood. Furthermore, the ZBA finds that, after consideration of the criteria in Section 9.3.2 of the Dedham Zoning Bylaw, the adverse effects of the Applicant's proposal will not outweigh its beneficial impacts on the Town and the neighborhood.

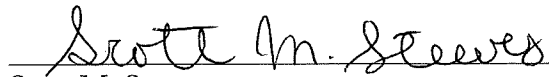
The Applicant is advised that no Special Permit shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty (20) days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that an appeal has been filed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

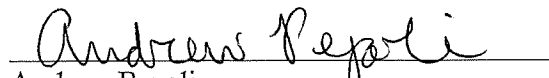
Date: August 26, 2019

Attest by the Zoning Board of Appeals:


James F. McGrail, Esq., Chair

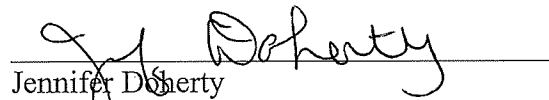

J. Gregory Jacobsen, Vice Chair


Scott M. Steeves


Andrew Pepoli

Date: August 26, 2019

Attest by the Administrative Assistant:


Jennifer Doherty