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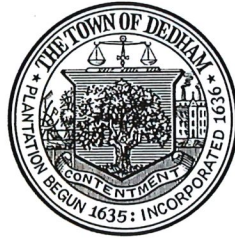
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Members

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

Associate Members

George Panagopoulos
Andrew Pepoli



TOWN OF DEDHAM
CLERKS OFFICE

Dedham Town Hall

26 Bryant Street
Dedham, MA 02026-4458
Phone 781-751-9240

Planning Director
Jeremy Rosenberger

Administrative Assistant
Jennifer Doherty

ZONING BOARD OF APPEALS

DECISION

Applicant/Property Owner: Keith Mahony
Project Address: 142 Curve Street, Dedham, MA
Legal Notice: Variance for an 8 ft. side yard setback instead of the required 15 ft., and a 14 ft. 7 in. front setback instead of the required 25 ft. to construct a 2nd story addition with a two-car garage underneath. *Dedham Zoning Bylaws Section 3.3, 4.1, 9.2, 9.3, Table 1 and Table 2.*

Section of Zoning Bylaw: *Dedham Zoning Bylaws Section 3.3, 4.1, 9.2, 9.3, Table 1 and Table 2.*
Zoning District, Map & Lot: Single Residence B (SRB), Map/Lot 97-43
Date of Public Hearing: October 16, 2019
Date of Decision: October 16, 2019
Vote: 5-0
Voting Members: James F. McGrail, Esq., Gregory Jacobsen, Scott Steeves, Jason Mammone, P.E. and Sara Rosenthal, AIA, LEED AP
Date Filed with Town Clerk: October 23, 2019

The Zoning Board of Appeals (ZBA) of the Town of Dedham held a public hearing on Wednesday, October 16, 2019 at Dedham Town Hall, 26 Bryant Street, Dedham, MA. Present were members, Chairman James F. McGrail, Esq., Gregory Jacobsen, Scott Steeves, Jason Mammone, P.E., and Sara Rosenthal, AIA, LEED AP. The hearing was duly advertised and notified pursuant to the requirements of MGL Chap. 40A Sec. 11 and the Town of Zoning Bylaw. Copies of all plans referred to in the decision and the detailed record of the Zoning Board of Appeals proceedings are filed in the Dedham Planning and Zoning Department. The minutes of the hearing are the primary source of evidence and are incorporated herein by reference.

On September 24, 2019 the Applicants submitted an application which included:

1. Zoning Board of Appeals Application
2. Plot plan entitled "Plot Plan for 142 Curve Street in Dedham, MA", dated August 6, 2019 and

prepared by C&G Survey Company of Scituate, MA.

3. Floor plans and elevations entitled "Proposed second story addition, 142 Curve Street, Dedham, MA", Drawing No.'s A1.1, A2.1, A3.1, A4.1 and A5.1, dated July 26, 2019 and prepared by Eli Semaan of Roslindale, MA.

The subject property is known and numbered as 142 Curve Street, Dedham, Massachusetts, and is shown on Dedham Assessors Map 78, Lot 6. The certified plot plan shows that the Subject Property contains 10,134 +/- sq. ft. of land. The Dedham Zoning Map indicates that the Subject Property is located in a Single Residence B (SRB) Zoning District. The premises are currently occupied by a single-family dwelling.

On October 16, 2019, the Chairman called for the hearing on the appeal of Keith Mahoney of 142 Curve Street, Dedham. Mr. Mahoney stated he is seeking zoning relief to provide more living space for his family. The proposal would mostly be within the existing footprint, expect for a slightly expanded footprint to the rear. The side yard setbacks would not change. Furthermore, Mr. Mahoney discussed the project satisfies the requirements and criteria for the issuance of the requested zoning relief.

The Chairman asked if there were any questions from the audience regarding the Applicant's proposal. There were none. The Chairman then asked if the Board had any questions for the Applicant regarding the proposal. There were none. The Applicant presented the Board with a petition of support from nine (9) abutters/neighbors.

Upon motion being duly made and seconded, the ZBA voted unanimously (5-0) to grant the requested variance. In granting said variance, the ZBA finds that the Applicant has satisfied the requirements of Section 10 of Chapter 40A of the General Laws of Massachusetts, to wit: a literal enforcement of the Dedham Zoning By-Law requirements would cause a substantial hardship to Applicant, and that the relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Dedham Zoning By-Law.

The Applicant is advised that, in accordance with MGL Chapter 40A, Section 11, no variance and/or 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 and that no variance and/or 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

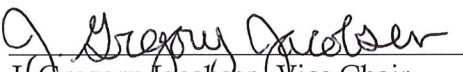
been filed with the Dedham Town Clerk and no appeal has been filed or that an appeal has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County.

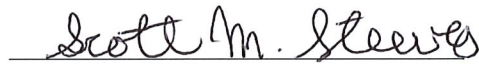
Appeals of this decision, if any, shall be made pursuant to Section 17 of the Chapter 40A of the General Laws of the Commonwealth of Massachusetts and shall be filed within twenty (20) days after the date of filing this decision with the Town Clerk.

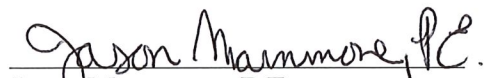
Date: October 23, 2019


Attest by the Zoning Board of Appeals:


James F. McGrail, Esq., Chairman

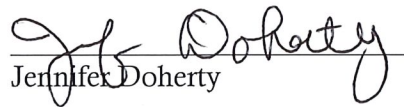

J. Gregory Jacobsen, Vice Chair


Scott M. Steeves


Jason Mammone, P.E.


Sara Rosenthal, AIA, LEED AP

Attest by the Administrative Assistant:


Jennifer Doherty