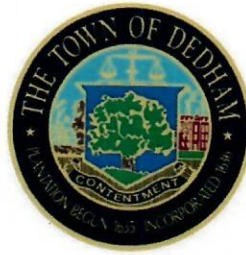


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TOWN OF DEDHAM
ZONING BOARD OF APPEALS
DECISION

Applicant: **Tabitha Bolden and Jonathan Karnes**
Property Address: **9 Faith Hill, Dedham, MA**
Property Owner: Tabitha Bolden and Jonathan Karnes
Property Owner Address: 9 Faith Hill, Dedham, MA
Applicant Representative:

- Tabitha Bolden and Jonathan Karnes, owners
- James Devine, contractor, McKinnon Associates, 278 Washington Street, Weymouth, MA 02188

Legal Notice: The Applicants seek to be allowed a front yard setback of 7 feet, 8 inches instead of the required 25 feet to construct an addition to the single family dwelling.
Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements

Section of Zoning Bylaw: *Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements*

Zoning District, Map and Lot: Single Residence B, Map 81, Lot 33
Date of Application: April 18, 2017
Date of Public Hearing: May 17, 2017
Date of Decision: May 17, 2017
Vote: 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: **JUNE 9, 2017**

The Zoning Board of Appeals (“ZBA”) of the Town of Dedham, Massachusetts, held public hearings on Wednesday, May 17, 2017, in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, James F. McGrail, Esq., Chairman, J. Gregory Jacobsen, Vice Chairman, Scott M. Steeves, E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®, and Jason L. Mammone, P.E. The hearings were duly advertised for this meeting of the ZBA in accordance with

the requirements of MGL Chapter 40A, Section 11. Legal ads were placed for two consecutive weeks in *The Dedham Times*. In addition, abutters within 300 feet of the property in question received notification of the hearings, and notification regarding each hearing was sent to the neighboring towns (Boston, Needham, Canton, and Westwood).

At 7:00 p.m., the Chairman called for the hearing on the appeal of Tabitha Bolden and Jonathan Karnes, 9 Faith Hill, Dedham, MA, to be allowed variances as required for a front yard setback of 7 feet, 8 inches instead of the required 25 feet to construct an addition to the single family dwelling. *Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements*

The Applicants represented themselves, and were accompanied by their contractor, James Devine of McKinnon Associates, 278 Washington Street, Weymouth, MA 02188. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference. The minutes from the hearing are the primary source of evidence and is incorporated herein by reference. At the hearing, the Applicants were afforded an opportunity to make a full presentation.

The Applicants had submitted an application for such Special Permits and/or variances

1. Zoning Board of Appeals application
2. Site plan of property prepared by Neponset Valley Survey Assoc., Inc., 95 White Street, Quincy, MA 02169

The subject property is known and numbered as 9 Faith Hill, Dedham, MA, and is shown on Dedham Assessors' Map 81 Lot 33. The certified plot plan indicates that the Subject Property contains 14,608 square feet of land and has 120 feet of frontage on Faith Hill. According to the 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 dwelling was constructed in 1870.

The Applicants are seeking a front yard setback of 7 feet, 8 inches instead of the required 25 feet to construct an addition to their single family dwelling. The addition will be going straight down and will be the same width as the house. Ms. Bolden's father will be moving into the addition. There will be no kitchen, so it will not be an in-law apartment. Mr. Devine, their contractor, said they are not increasing the bedroom size, but they are removing one bedroom. There will be a bathroom off the hallway. There will be a wet bar in the family room area.

Mr. Mammone said the application states 7 feet, 8 inches, but the plan says 7.8 feet, which is in tenths. In actuality, 0.8 is 9.6 inches. He asked if this made a difference in the calculations for the addition. Mr. McGrail said the Board would work off the application, which is 7.8 inches. That allows the Board to give them the relief requested. No one spoke in favor of or in opposition to the petition.

On a motion made by E. Patrick Maguire, MLA, RLA, CLARB, LEED AP® and seconded by J. Gregory Jacobsen, the Zoning Board of Appeals voted unanimously to allow a front yard setback of 7 feet, 8 inches instead of the required 25 feet to construct an addition to the single family dwelling.

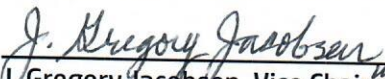
The Board was of the opinion that the Applicant meets the requirements of MGL Chapter 40A, Section 10, specifically that the Applicant would incur a hardship if the variance was not granted. There is no detriment to the public good or derogation in the intent of purpose of the bylaw. In granting of said variance, the ZBA finds that, after consideration of the criteria Dedham Zoning By-Law, the adverse effects of the Applicant's proposal will not outweigh its beneficial impacts on the Town and neighborhood and will not be substantially more detrimental to the neighborhood.

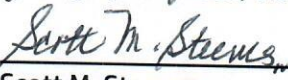
The Applicant was advised that, in accordance with MGL Chapter 40A, Section 11, no variance shall take effect until the Town Clerk certifies a copy of the decision stating that 20 days have elapsed since the decision was filed with that office, and that no appeal has been filed within such time. The decision must then be recorded in the Norfolk Registry of Deeds, or the land Registration Office of Norfolk County.

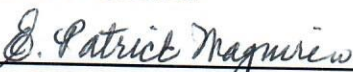
Dated: May 17, 2017

Attest, by the Zoning Board of Appeals:


James F. McGrail, Esq., Chairman


J. Gregory Jacobsen, Vice Chairman


Scott M. Steeves


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



Jason L. Mammone, P.E.

Attest, by the Administrative Assistant:



Susan N. Webster