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J. Gregory Jacobsen, Vice Chairman  
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E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®  
Jason L. Mammone, P.E.

Jessica L. Porter, Associate Member  
Jared F. Nokes, J.D., Associate Member



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**TOWN OF DEDHAM  
ZONING BOARD OF APPEALS  
DECISION**



**APPLICANT:** Mollie Blundell Moran and Charles Edward King (as authorized by Donald Korb as representative for the estate of Charles Korb in executed P & S)

**PROJECT ADDRESS:** 25 Boathouse Lane, Dedham, MA

**CASE #** VAR-03-15-1949

**PROPERTY OWNER/ADDRESS:** Mollie Blundell Moran, 64 Dwight Street, Dedham, MA

**MAP/LOT AND ZONING DISTRICT:** 74/32, Single Residence B

**DATE OF APPLICATION:** March 2, 2015

**MEMBERS PRESENT AND VOTING:** James F. McGrail, Esq., J. Gregory Jacobsen, E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®, Jason L. Mammone, P.E., Jared F. Nokes, J.D.

**PETITION:** To be allowed an extension of a Special Permit to construct a single family dwelling on a previously developed lot, of which approximately 80% is in the Flood Plain Overlay District.

**SECTION OF ZONING BYLAW:** *Town of Dedham Zoning Bylaw Section 8.1.5 Flood Plain Overlay District, Procedures, Section 9.2, Board of Appeal, and Section 9.3 Special Permits*

**REPRESENTATIVE:** Mollie Blundell Moran, AIA, 64 Dwight Street, Dedham, MA

**DATE FILED WITH TOWN CLERK:** **JULY 6, 2017**

The Zoning Board of Appeals (“ZBA”) of the Town of Dedham, Massachusetts held a public hearing on Wednesday, June 21, 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, E. Patrick Maguire, MLA, RLA, CLARB, LEED AP,® and Jason L. Mammone, P.E. In

the absence of Member Scott M. Steeves, Mr. McGrail appointed Associate Member Jared F. Nokes, J.D., to sit in his stead.

The hearings were duly advertised for this meeting of the ZBA in accordance with the requirements of MGL Chapter 40A, Section 11 and the Town of Dedham Zoning Bylaw. 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 petition of Mollie Blundell Moran and Charles Edward King, 64 Dwight Street, Dedham, MA, to be allowed an extension of a Special Permit granted by the Zoning Board of Appeals on June 18, 2015, to construct a single family dwelling on a previously developed lot, of which approximately 80% is in the Flood Plain Overlay District.. The property is located at 25 Boathouse Lane, Dedham, MA, and is in the Single Residence B zoning district. *Town of Dedham Zoning Bylaw Section 8.1.5 Flood Plain Overlay District, Procedures, Section 9.2, Board of Appeal, and Section 9.3 Special Permits*

Ms. Moran represented herself at this hearing. She had submitted an Application for Extension of a Special Permit on May 22, 2017. This included:

- Zoning Board of Appeals application for extension
- Petition statement prepared by Mollie Blundell Moran
- Copy of Zoning Board of Appeals decision filed with the Town Clerk on June 18, 2015

The minutes from the hearing are the primary source of evidence and are incorporated herein by reference. At the hearing, the Applicant was afforded an opportunity to make a full presentation.

The Subject Property, shown on Dedham Assessors' Map 74, Lot 32, contains approximately 16,110 square feet of land and has approximately 175 feet of frontage on Boathouse Lane. The Subject Property is currently occupied by a boathouse with a floor area of approximately 336 square feet. According to the records maintained by the Dedham Board of Assessors, the boathouse was constructed in 1940 and is assessed as a single family dwelling. The boathouse is in a state of disrepair. The Subject Property is located in the Single Residence B (SRB) Zoning District and is in the Flood Plain Overlay District (FPOD).

Ms. Moran is seeking an extension of a previously approved application for a Special Permit to construct a single family dwelling in the Flood Plain Overlay District. There was no one in the audience in favor or in opposition to the request. Mr. Jacobsen moved to approve an extension of a Special Permit, which was approved on June 18, 2015, to construct a single family dwelling on a previously developed lot, of which approximately 80% is in the Flood Plain Overlay District. No one spoke either for or against the proposal. Mr. Maguire seconded the motion. The vote was unanimous at 5-0.

On a motion made by J. Gregory Jacobsen and seconded by E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®, the Zoning Board of Appeals voted unanimously, 5-0, to approve a Special Permit for an extension of a previously approved application for a Special Permit to construct a single family dwelling in the Flood Plain Overlay District.

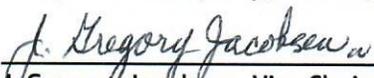
In granting of extension of said special permit, the ZBA finds that the Applicant has satisfied the conditions of Section 8.1.5 of the Dedham Zoning By-Law, which states that “any work within the Flood Plain Overlay District shall require a Special Permit issued by the Board of Appeals.” In addition, the ZBA finds that, after consideration of the criteria in Section 9.3.2, 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 is advised that, in accordance with MGL Chapter 40A, Section 11, 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: June 21, 2017

Attest by the Zoning Board of Appeals:

  
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James F. McGrail, Esq., Chairman

  
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J. Gregory Jacobsen, Vice Chairman

E. Patrick Maguire

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

Jason L. Mammone

Jason L. Mammone, P.E.

Jared F. Nokes

Jared F. Nokes, J.D.

Attest by the Administrative Assistant:

Susan N. Webster

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