

**TOWN OF DEDHAM**  
**COMMONWEALTH OF MASSACHUSETTS**

James F. McGrail, Chairman  
J. Gregory Jacobsen, Vice Chairman  
Scott M. Steeves  
E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®  
Jason L. Mammone, P.E.

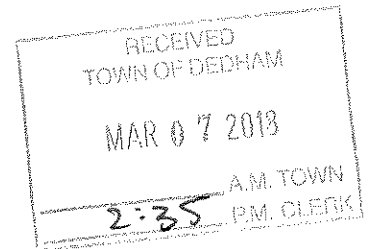


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Dedham, MA 02026-4458  
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Associate Members  
Jessica L. Porter  
Jared F. Nokes, J.D.

Susan Webster  
Administrative Assistant  
[swebster@dedham-ma.gov](mailto:swebster@dedham-ma.gov)

**ZONING BOARD OF APPEALS**  
**DECISION**



**Applicant:** Philip and Wendy Bryan  
**Property Address:** 19 Cranberry Lane, Dedham, MA  
**Property Owner:** Philip and Wendy Bryant  
**Property Owner Address:** 19 Cranberry Lane, Dedham, MA  
**Applicant Representative:** Philip and Wendy Bryan

**Legal Notice:** To be allowed a left side yard setback of 4.5 feet instead of the required 10 feet, and a rear yard setback of 10.5 feet instead of the required 20 feet to construct a new room and a two-car garage after demolition of an existing game room.

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

**Zoning District, Map and Lot:** Single Residence B, Map 189, Lot 88  
**Date of Application:** January 23, 2018  
**Date of Public Hearing:** February 21, 2018  
**Date of Decision:** February 21, 2018  
**Vote:** 5-0, unanimous approval  
**Voting Members:** James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®, Jared F. Nokes, J.D.

**Date Filed with Town Clerk:** March 7, 2018

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, February 21, 2018, in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were Members of the ZBA, Chairman James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, and E. Patrick Maguire, MLA, RLA, CLARB, LEED

AP®. In the absence of Member Jason L. Mammone, P.E., the Chairman appointed Associate Member Jared F. Nokes, J.D., to sit in his place.

The hearings were duly advertised for two consecutive weeks in the *Dedham Times* in accordance with the requirements of MGL Chapter 40A, Section 11 and the Town of Dedham Zoning Bylaw. Notices of the hearing were sent to abutters within 300 feet of the property in question on. Notification of the hearing was sent to the neighboring towns, 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 Dedham Planning Department.

At 7:15 p.m., the Chairman called for the hearing on Philip and Wendy Bryan, 19 Cranberry Lane, Dedham, MA. The Applicants seek to be allowed a left side yard setback of 4.5 feet instead of the required 10 feet, and a rear yard setback of 10.5 feet instead of the required 20 feet to construct a new room and a two-car garage after demolition of an existing game room. *Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements*

The Applicant had submitted an Application for a Special Permit/variance on January 23, 2018. This included:

- Zoning Board of Appeals application
- Renderings and elevations of proposed additions
- Certified Plot Plan prepared by VTP Associates, Inc., 132 Adams Street, 2<sup>nd</sup> Floor, Suite 3, Newton, MA 02458
- Signatures in support of petition:

|                |                   |
|----------------|-------------------|
| Anthony Rella  | 18 Cranberry Lane |
| James Goodrich | 26 Cranberry Lane |
| Matt Patterson | 10 Cranberry Lane |
| Ben Hall       | 33 Cranberry Lane |
| Mary Daniels   | 10 Quarry Road    |
| Mary Stack     | 28 Indian Path    |

The Applicant represented himself. 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 19 Cranberry Lane, Dedham, MA, and is shown on Dedham Assessors' Map 189, Lot 88. The certified plot plan indicates that the Subject Property contains 12,599 square feet of land and 125.84 feet of frontage on Cranberry

Lane and 80.74 feet of frontage on Quarry Road. 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 1963.

Mr. Bryan explained that there is an existing den, and they wish to remove this and construct a two-car garage. The garage will be 4.5 feet from the existing property line. There is an existing one-car garage in back, and this is 4.5 feet from the property line. The garages will be connected with a driveway. The two-car garage will have a master bedroom above, bringing the dwelling from a three bedroom, one-and-a-half bath to a four bedroom, two-and-a-half bath. As noted previously, he submitted a list of signatures in support of his petition.

No one in the audience spoke in favor or against the petition.

Upon duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted unanimously (5-0) to grant and approve a variance for a left side yard setback of 4.5 feet instead of the required 10 feet and a rear yard setback of 10.5 feet instead of the required 20 feet to construct a new room and a two-car garage after demolition of an existing game room. The vote to approve was unanimous at 5-0.

In granting said special permit, the ZBA finds that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood. Furthermore, the ZBA 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. In granting said variances, the ZBA finds that the Applicant has satisfied the requirements 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 financial 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.

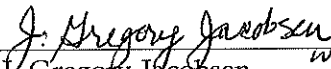
The Applicant is advised that, in accordance with MGL Chapter 40A, Section 11, no variance shall take effect until a copy of this decision bearing the certification of the Dedham Town

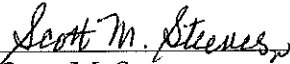
Clerk that twenty days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed and that no special permit shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty days have elapsed after the decision 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.

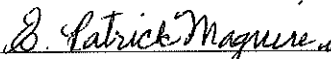
Date: February 21, 2018

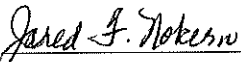
Attest by the Zoning Board of Appeals:

  
James F. McGrail, Esq.

  
J. Gregory Jacobsen

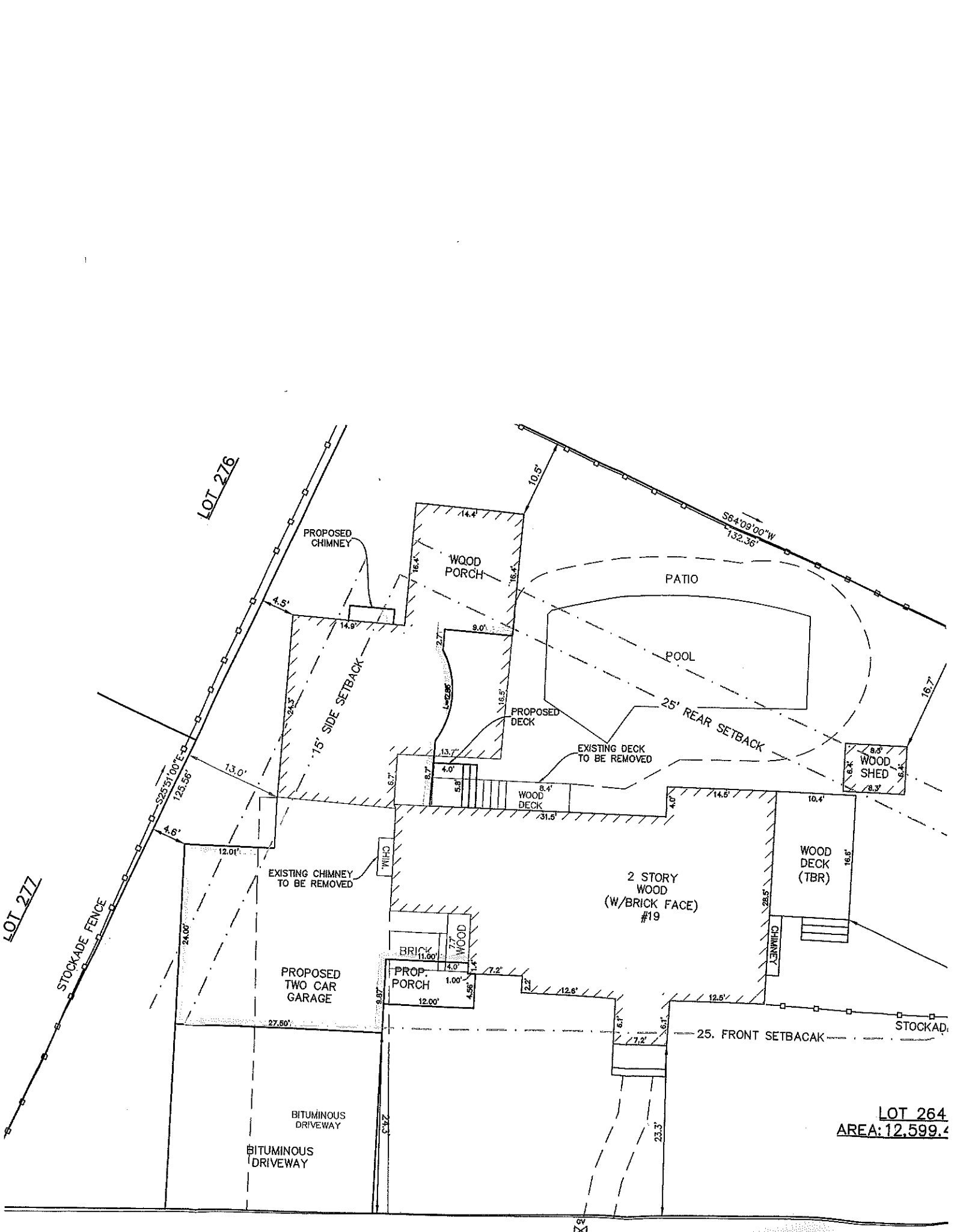
  
Scott M. Steeves

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

  
Jared F. Nokes, J.D.

Attest by the Administrative Assistant:

  
Susan N. Webster



LOT 264  
AREA: 12,599.4