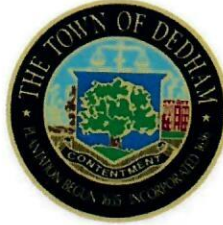


ZONING BOARD MEMBERS

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2016 MAY 28 AM 11:58
SUSAN WEBSTER
ADMINISTRATIVE ASSISTANT
swebster@dedham-ma.gov

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



APPLICANT: Shultz's Guest House
PROJECT ADDRESS: 7 Burgess Lane, Dedham, MA
CASE # VAR-04-16-2082
PROPERTY OWNER/ADDRESS: River Bend, 200 Lake Street, Sherborn, MA 01770
MAP/LOT AND ZONING DISTRICT: 30/1B, Single Residence A

DATE OF APPLICATION: May 2, 2016
MEMBERS PRESENT AND VOTING: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.

PETITION: To be allowed a Special Permit to operate a 501(c)3 rescue/adoption center for dogs under a charitable organization known as Shultz's Guest House

SECTION OF ZONING BYLAW: *Town of Dedham Zoning Bylaw Principal Use, Table 1E, Commercial Uses, 13. Kennel*

REPRESENTATIVE: James Halpin, 7 Burgess Lane, Dedham, MA

DATE FILED WITH TOWN CLERK: **MAY 26, 2016**

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, May 18, 2016, 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, E. Patrick Maguire, 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). 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/Zoning Department.

At 7:07 p.m., the Chairman called for the hearing on the petition of Shultz's Guest House, 7 Burgess Lane, Dedham, MA to be allowed such special permits as required for renewal to operate a 501(c)3 rescue/adoption center for dogs under a charitable organization known as Shultz's Guest House. Renewal is required every three years per the Town of Dedham Zoning Bylaw. *Town of Dedham Zoning Bylaw Principal Use, Table 1E, Commercial Uses, 13. Kennel*

The Applicant was represented by James Halpin, owner of Shultz's Guest House. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The subject property is shown on Dedham Assessors' Map 30, Lot 1B, and contains approximately 30.72 acres of land. According to the Dedham Zoning Map, the subject property is located in the Single Residence A (SRA) Zoning District. The subject property is currently vacant land other than a horse barn that has been converted into the kennel.

Mr. Halpin explained that the shelter rescues dogs that would otherwise be euthanized in other shelters. These dogs are put up for adoption, although some remain in the shelter for life due to age or infirmities. He has approval from the Commonwealth of Massachusetts to run a kennel. It has been in existence for three (3) years, and has many volunteers including school-aged children. No one appeared in opposition to the requested special permits or waivers, and the Zoning Board of Appeals had no questions.

Upon motion being duly made by J. Gregory Jacobsen and seconded by Scott M. Steeves, the ZBA voted unanimously (5-0) to grant and approve such special permits as required for operation of a 501(c)3 rescue/adoption center for dogs under a charitable organization known as Shultz's Guest House. In granting said special permit, the ZBA finds that the adverse effects of Applicant's proposal will not outweigh its beneficial impacts on the Town and neighborhood.

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.

Dated: May 18, 2016

James F. McGrail
James F. McGrail, Esq.

J. Gregory Jacobsen
J. Gregory Jacobsen

Scott M. Steeves
Scott M. Steeves

E. Patrick Maguire
E. Patrick Maguire, LEED AP

Jason L. Mammone
Jason L. Mammone, P.E.

Attest, by the Administrative Assistant:

Susan N. Webster
Susan N. Webster

**Copies of this decision are filed in the Dedham Town Clerk's office.
Materials Submitted:**

- ZBA application
- Petition statement
- Letter of authorization from Jim Halpin, property owner
- GIS map of River Bend parcels
- GIS map of kennel location on parcel 30-1B
- Photographs of kennel