

ZONING BOARD MEMBERS

JAMES F. McGRAIL, CHAIRMAN  
J. GREGORY JACOBSEN, VICE CHAIRMAN  
SCOTT M. STEEVES  
E. PATRICK MAGUIRE, LEED AP  
JASON L. MAMMONE, P.E.

ASSOCIATE MEMBERS

JESSICA L. PORTER  
JARED F. NOKES, J.D.



DEDHAM TOWN HALL  
26 BRYANT STREET  
DEDHAM, MA 02026-4458  
PHONE 781-751-9242  
FAX 781-751-9225

ADMINISTRATIVE ASSISTANT  
SUSAN WEBSTER  
[swebster@dedham-ma.gov](mailto:swebster@dedham-ma.gov)

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



**Applicant and Owner:** Jeffrey Gadomski  
**Property Address:** 44 Valley Road, Dedham, MA  
**Case #:** VAR-04-16-2090  
**Map/Lot, Zoning District:** 14/43, General Residence  
**Application Date:** April 22, 2016  
**Present and Voting:** James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.  
**Legal Notice:** To be allowed a front yard setback of 14 feet instead of the required 20 feet to construct a portico for protection against the weather. *Town of Dedham Zoning Bylaw Section 4.1, Table 2, Table of Dimensional Requirements*  
**Section of Zoning Bylaw:** *Town of Dedham Zoning Bylaw Section 4.1, Table 2, Table of Dimensional Requirements*  
**Date filed with Town Clerk:** May 27, 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, James F. McGrail, Esq., Chairman, J. Gregory Jacobsen, Vice Chairman, 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).

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 44 Valley Road, Dedham, MA, and is shown on Dedham Assessors' Map 14, Lot 43. The certified plot plan indicates that the Subject Property contains 6,400 square feet of land and has 80 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the General Residence 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 1938.

Mr. Gadomski would like to add a covered portico to his front entrance to protect against the weather and to keep the area safe in icy conditions. He plans to support it with posts in the ground to make it structurally sound. The existing portico is aluminum. He presented a petition signed by abutters who are in favor of his request. No one spoke in favor or against the petition.

On a motion made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the Zoning Board of Appeals voted unanimously (5-0) to allow a front yard setback of 14 feet instead of the required 20 feet to construct a portico for protection against the weather.

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 18, 2016

Attest, by the Zoning Board of Appeals:

James F. McGrail  
James F. McGrail, Esq., Chairman

J. Gregory Jacobsen  
J. Gregory Jacobsen, Vice Chairman

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

**Materials Submitted:**

- Zoning Board of Appeals application
- Certified plot plan prepared by Continental Land Survey, LLC, 105 Beaver Street, Franklin, MA
- Photographs of existing conditions
- Renderings of proposed changes