

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.



RECEIVED
TOWN OF DEDHAM

JAN 06 2015

A.M. TOWN
P.M. CLERK

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

ADMINISTRATIVE ASSISTANT
SUSAN WEBSTER
swebster@dedham-ma.gov

TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

DECISION

2015 JAN - 6 PM 2: 19

APPLICANT: Loretta DeBlasio
PROJECT ADDRESS: 390 Highland Street, Dedham, MA
CASE # VAR-10-14-1894
PROPERTY OWNER/ADDRESS: DeBlasio Realty Trust, Loretta R. DeBlasio, Trustee,
390 Highland Street, Dedham, MA
MAP/LOT AND ZONING DISTRICT: 135/47, Single Residence B
DATE OF APPLICATION: October 9, 2014
MEMBERS PRESENT AND VOTING: James F. McGrail, Esq., J. Gregory Jacobsen, Scott
M. Steeves, E. Patrick Maguire, LEED AP, Jessica L.
Porter
PETITION: To be allowed an extension of a previously
approved variance for a front yard setback of 13
feet instead of the required 25 feet to construct an
8' x 6' mudroom at the front of her house.
SECTION OF ZONING BYLAW: *Section 4.1, Table of Dimensional Requirements*
DATE FILED WITH TOWN CLERK: January 6, 2015

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts, held public hearings on Wednesday, December 3, 2014, 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, and E. Patrick Maguire, LEED AP. In the absence of Member Jason L. Mammone, P.E., the Chair appointed Associate Member Jessica L. Porter 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. 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. 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 subject property is known and numbered as 390 Highland Avenue, Dedham, MA, and is shown on Dedham Assessors' Map 135, Lot 47. The certified plot plan indicates that the Subject Property contains 7,100 square feet of land and has 127.7 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the Single Residence B zoning district. Currently, the property is occupied by single family dwelling. According to the records maintained by the Dedham Board of Assessors, the dwelling was constructed in 1969.

Ms. DeBlasio is requesting a six-month extension of a previously approved variance on December 3, 2013, for a front yard setback of 13 feet instead of the required 25 feet to construct an 8' x 6' mudroom at the front of her house. She has had difficulty finding an available contractor to perform the construction, but expects to begin work soon.

On a motion made by J. Gregory Jacobsen and seconded by Scott M. Steeves, the Zoning Board of Appeals voted unanimously (5-0) to grant a six-month extension of a previously approved variance on December 3, 2013, for a front yard setback of 13 feet instead of the required 25 feet to construct an 8' x 6' mudroom at the front of her house.

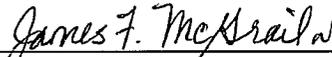
The Board was of the opinion that the Applicant meets the requirements of MGL Chapter 40A, Section 10, specifically that the Applicant would incur a hardship if the extension was not granted. There is no detriment to the public good or derogation in the intent of purpose of the bylaw. In granting of 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.

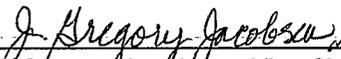
The Applicant is advised that, in accordance with MGL Chapter 40A, Section 11, a copy of this decision bearing the certification of the Dedham Town Clerk that twenty (20) days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County. Applicant is further advised that no

waivers/variances will be issued by the Building Department until evidence is presented that this decision has been recorded in the Norfolk County Registry of Deeds. The Applicant should furnish the Zoning Board of Appeals with a receipt from the Registry of Deeds indicating that the decision has been filed.

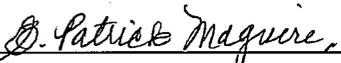
Dated: December 3, 2014

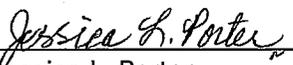
Attest, by the Zoning Board of Appeals:


James F. McGrail, Esq., Chairman


J. Gregory Jacobsen, Vice Chairman


Scott M. Steeves


E. Patrick Maguire, LEED AP


Jessica L. Porter

Attest, by the Administrative Assistant:


Susan N. Webster

Copies of this decision are filed in the Dedham Town Clerk's office. 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.

Materials Submitted:

- ZBA Application
- Letter from Ms. DeBlasio requesting an extension