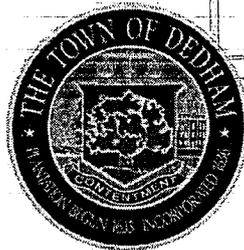


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TOWN OF DEDHAM

JAN 06 2015

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ADMINISTRATIVE ASSISTANT
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TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

DECISION

2015 JAN - 6 PM 2:19

APPLICANT:	Perry Donahue
PROJECT ADDRESS:	68 Massachusetts Avenue, Dedham, MA
CASE #	VAR-10-14-1901
PROPERTY OWNER/ADDRESS:	Jodi L. Donahue et al and Perry Donahue TE, 68 Massachusetts Avenue, Dedham, MA
MAP/LOT AND ZONING DISTRICT:	24/242
DATE OF APPLICATION:	October 22, 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 a side yard setback of 3.5 feet instead of the required ten feet to construct two dormers on the back of his house.
SECTION OF ZONING BYLAW:	Section 4.1 Table of Dimensional Requirements
REPRESENTATIVE:	Perry Donahue
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 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 68 Massachusetts Avenue, Dedham, MA, and is shown on Dedham Assessors' Map 24, Lot 242. The certified plot plan indicates that the Subject Property contains approximately 4,675 square feet of land and has approximately 55 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 single family dwelling. According to the records maintained by the Dedham Board of Assessors, the dwelling was built in 1925.

Mr. McGrail explained that this proposal was previously approved on September 19, 2005, but the owner at the time never went forward with the work. This is the same proposal as that, and is pretty straightforward. The reason for adding the two dormers is because his family is growing and room is needed.

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 side yard setback of 3.5 feet instead of the required ten feet to construct two dormers on the back of his house.

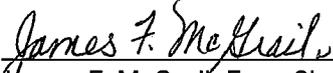
The Board was of the opinion that the Applicant meets the requirements of MGL Chapter 40A, Section 10, specifically that the Applicant would incur a hardship if the variance was not granted. There is no detriment to the public good or derogation in the intent of purpose of the bylaw. In granting of said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

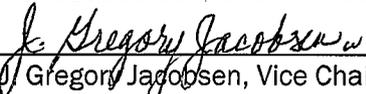
The Applicant is advised that, in accordance with MGL Chapter 40A, Section 11, a copy of this decision bearing the certification of the Dedham Town Clerk that twenty (20) days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that has been filed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

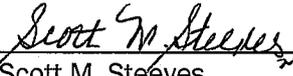
Deeds or the Land Registration Office of Norfolk County. Applicant is further advised that no waivers/variances will be issued by the Building Department until evidence is presented that this decision has been recorded in the Norfolk County Registry of Deeds. The Applicant should furnish the Zoning Board of Appeals with a receipt from the Registry of Deeds indicating that the decision has been filed.

Dated: December 3, 2014

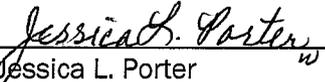
Attest, by the Zoning Board of Appeals:


James F. McGrail, Esq., Chairman


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
- Certified Plot Plan prepared by Michael P. Antonino, RLS, 31 Ledgebrook Avenue, Stoughton, MA