

**ZONING BOARD MEMBERS**

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**SCOTT M. STEEVES**  
**E. PATRICK MAGUIRE, LEED AP**  
**JASON L. MAMMONE, P.E.**

**ASSOCIATE MEMBERS**

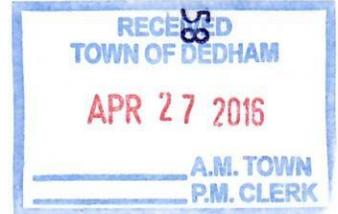
**JESSICA L. PORTER**  
**JARED F. NOKES, J.D.**



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



|                                     |  |
|-------------------------------------|--|
| <b>APPLICANT:</b>                   | <b>William Farrell</b>   |
| <b>PROJECT ADDRESS:</b>             | <b>91 Chute Road, Dedham, MA</b>   |
| <b>CASE #</b>                       | <b>VAR-03-16-2080</b>  |
| <b>PROPERTY OWNER/ADDRESS:</b>      | William Farrell, 91 Chute Road, Dedham, MA   |
| <b>MAP/LOT AND ZONING DISTRICT:</b> | 134/28, Single Residence B   |
| <b>DATE OF APPLICATION:</b>         | March 31, 2016   |
| <b>MEMBERS PRESENT AND VOTING:</b>  | J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E., Jessica L. Porter  |
| <b>PETITION:</b>                    | To be allowed a Special Permit to have a temporary mobile home on his property for approximately 18 months due to a fire in his home that has rendered it uninhabitable. |
| <b>SECTION OF ZONING BYLAW:</b>     | <i>Town of Dedham Zoning Bylaw Section 3.2.1</i>   |
| <b>REPRESENTATIVE:</b>              | Patricia Flagg, Emergency Temporary Housing, 129 Ferry Street, South Grafton, MA 01560   |
| <b>DATE FILED WITH TOWN CLERK:</b>  | <b>April 27, 2016</b>  |

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, April 20, 2016, in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, and Jason L. Mammone, P.E. Chairman James F. McGrail, Esq., was unable to be present for the meeting due to a conflict, so Vice Chairman J. Gregory Jacobsen assumed the chair. He appointed Associate Member Jessica L. Porter to sit in Mr. McGrail's 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, 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: 24 p.m., the Chairman called for the hearing on the petition of William Farrell, 91 Chute Road, Dedham, MA, to be allowed a special permit as required for a temporary mobile home on his property for approximately 18 months due to a fire in his home that has rendered it uninhabitable (*Town of Dedham Zoning By-Law Section 3.2.1*). The Applicant was represented by Patricia Flagg, Emergency Temporary Housing, 129 Ferry Street, South Grafton, MA. 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 91 Chute Road, Dedham, MA, and is shown on Dedham Assessors' Map 134, Lot 28. The certified plot plan indicates that the Subject Property contains 21,516 square feet of land and has 65.35 feet of frontage on Chute Road and a total of 112.5 feet of frontage on Pacella Drive. 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 1961.

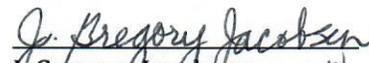
On March 29, 2016, the Applicant's home sustained a 2-alarm fire that rendered the dwelling uninhabitable. He would like to have a temporary mobile home on his property while the dwelling undergoes repair for a period of approximately 18 months. This mobile home will be supplied by Emergency Temporary Housing, 129 Ferry Street, South Grafton, MA. It will be located on the right side of the property to facilitate hook-ups of electricity and access to the driveway. The property will have construction equipment and vehicles on the left side of the property.

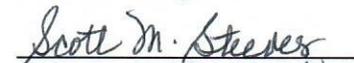
No one appeared in opposition to the requested special permit. Mr. Maguire suggested that the Board should grant an 18-month Special Permit, but if work were to take longer, the Applicant would need to return to the Board for an extension of the Special Permit.

Upon motion being duly made by Scott M. Steeves and seconded by Jessica L. Porter, the ZBA voted unanimously (5-0) to grant and approve such special permit as required for a temporary mobile home on property located at 91 Chute Road, Dedham, MA, while the dwelling undergoes repair for a period of approximately 18 months. If the mobile home is needed longer than that period, the Applicant will return to the Board for extension of his Special Permit. 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.

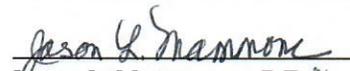
Applicant is advised that, in accordance with MGL Chapter 40A, Section 11, no special permit shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has 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.

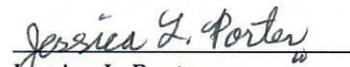
Dated: April 20, 2016

  
J. Gregory Jacobsen

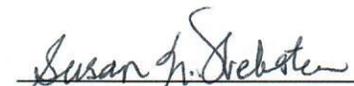
  
Scott M. Steeves

  
E. Patrick Maguire, LEED AP

  
Jason L. Mammone, P.E.

  
Jessica L. Porter

Attest, by the Administrative Assistant:

  
Susan N. Webster

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

- ZBA application
- Town of Dedham GIS view of property