

**TOWN OF DEDHAM**  
**ZONING BOARD OF APPEALS**  
**26 BRYANT STREET, DEDHAM, MASSACHUSETTS 02026**



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**STAFF**

SUSAN WEBSTER, ADMINISTRATIVE ASSISTANT

PHONE 781-751-9242 • FAX 781-751-9225 • [swebster@dedham-ma.gov](mailto:swebster@dedham-ma.gov)

**DECISION**

<b>Applicant:</b>	Schultz's Guest House
<b>Project Address:</b>	7 Burgess Lane
<b>Property Owner:</b>	River Bend, Inc.
<b>Case #:</b>	VAR-05-12-1525
<b>Map/Lot:</b>	30/1B
<b>Zoning District:</b>	Single Residence A
<b>Date of Application:</b>	May 14, 2012
<b>Date of Hearing:</b>	June 13, 2012
<b>Members Present and Voting:</b>	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.
<b>Applicant Representative:</b>	Jim Halpin, property owner
<b>Petition:</b>	Special Permit to operate at 501(c)(3) rescue center for dogs under a charitable organization known as Shultz's Guest House
<b>Section of Zoning By-Law:</b>	<i>Town of Dedham Zoning By-Law Principal Use Table 1E. Commercial Uses, 13. Kennel</i>
<b>Materials Submitted:</b>	<ul style="list-style-type: none"><li>• ZBA application</li><li>• Petition statement</li><li>• Letter of authorization from Jim Halpin, property owner</li><li>• GIS map of River Bend parcels</li><li>• GIS map of kennel location on parcel 30-1B</li><li>• Photographs of kennel</li></ul>
<b>Date of Filing with Town Clerk:</b>	June 26, 2012

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held a public hearing on Wednesday, June 13, 2012, at 7:00 p.m. in the Town Office Building, 26 Bryant Street, Dedham, MA. Present at the hearings were members of the ZBA, James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E.

Patrick Maguire and Jason L. Mammone, P.E. The hearings and meetings of the ZBA were duly advertised in accordance with the requirements of MGL Chapter 40A, Section 11.

At 7:03 p.m. on Wednesday, June 13, 2012, the Chairman called for the hearing on the request of Schultz's Guest House, 7 Burgess Lane, Dedham, MA to be granted a Special Permit to operate at 501(c)(3) rescue center for dogs under a charitable organization known as Shultz's Guest House. *Town of Dedham Zoning By-Law Principal Use Table 1E. Commercial Uses, 13. Kennel*

The one-and-one quarter page minutes from the hearing are incorporated herein by reference.

The Applicant was represented by property owner Jim Halpin. 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. The shelter limits the number of dogs to ten (10). It has been in existence for three (3) years, but he was unaware of the necessity of a Special Permit to operate. The shelter has many volunteers including school-aged children.

Upon motion duly made by E. Patrick Maguire, LEED AP and seconded by Scott M. Steeves, the ZBA voted unanimously to grant the requested special permit. In granting said special permit, the ZBA, based upon the testimony before the ZBA and after consideration of the various factors set forth in the Dedham Zoning By-Law, finds that the proposal satisfies the criteria and standards for a special permit in Chapter 40A, Section 9, to wit: that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or neighborhood.

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/variance 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: June 26, 2012

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James F. McGrail, Esq.

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J. Gregory Jacobsen

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Scott M. Steeves

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E. Patrick Maguire, LEED AP

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Jason L. Mammone, P.E.