

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



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DECISION

Applicant: Yukio Oishi
Project Address: 28 Fairfield Street
Property Owner: Yukio Oishi
Case #: VAR-05-12-1528
Map/Lot: 24/147
Zoning District: General Residence

Date of Application: May 16, 2012
Date of Hearing: June 13, 2012
Members Present and Voting: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.

Applicant Representative: Yukio Oishi
Petition: To be allowed such Special Permits and/or variances as may be required for the constitution of an addition to a single family home with a side yard setback of five (5) feet instead of the required ten (10) feet, and for a front yard setback of 19.3 feet instead of the required 20 feet.

Section of Zoning By-Law: *Town of Dedham Zoning By-Law Section 4.1, Table of Dimensional Requirements and Section 3.3.5, Nonconforming Single and Two-Family Residential Structures*

Materials Submitted:

- ZBA application
- Certified plot plan prepared by Michael P. Antonino, Registered Land Surveyor, 31 Ledgebrook Avenue, Stoughton, MA 02072

Date of Filing with Town Clerk: 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, 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 7:15 p.m. on Wednesday, June 13, 2012, the Chairman called for the hearing on the request of Yukio Oishi to be allowed such Special Permits and/or variances as may be required for the constitution of an addition to a single family home with a side yard setback of five (5) feet instead of the required ten (10) feet, and for a front yard setback of 19.3 feet instead of the required 20 feet. *Town of Dedham Zoning By-Law Section 4.1, Table of Dimensional Requirements and Section 3.3.5, Nonconforming Single and Two-Family Residential Structures*

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

The Applicant represented himself at this hearing. The Subject Property is known and numbered as 28 Fairfield Street, and is shown on Dedham Assessors' Map 24, Lot 147. The certified plot plan indicates that the Subject Property contains approximately 4,500 square feet of land and has approximately 19.3 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the General Residence Zoning District. Currently, the Subject Property is occupied by a single family dwelling. According to the records maintained by the Dedham Board of Assessors, the dwelling was constructed in 1955.

Mr. Oishi stated that his family includes three children, but there is only one bathroom in the house, which causes a lot of traffic in the morning. He proposes putting a dormer on the second floor of his house to add an extra bathroom. The dormer will also protect the porch during the winter. The footprint of the house will remain the same.

No one appeared before the Board to either oppose or support this application.

Upon motion duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted unanimously to grant such Special Permits and/or variances as may be required for the constitution of an addition to 28 Fairfield Street with a side yard setback of five (5) feet instead of the required ten (10) feet, and for a front yard setback of 19.3 feet instead of the required 20 feet. 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

James F. McGrail, Esq.

J. Gregory Jacobsen

Scott M. Steeves

E. Patrick Maguire, LEED AP

Jason L. Mammone, P.E.