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## ZONING BOARD OF APPEALS

### RULES AND REGULATIONS FOR APPLICATIONS AND HEARINGS

#### APPLICATIONS

Applications for hearings are available from the Dedham Building Department. Completed applications must be filed in duplicate with the Town Clerk, who shall affix a date stamp thereon.

When preparing an application, the applicant shall state thereon all sections of the Zoning by-Law which apply to the relief requested. The burden of correctly noting all applicable sections of the By-Law shall be upon the applicant. The zoning Board of Appeals cannot give relief, under law, for requests that are not argued or proposed. The applications should also indicate whether or not the parcel is a non-conforming use, the parcel was subject to a prior hearing before the Zoning Board of Appeals, and the zoning district within which the parcel is located.

The Clerk of the Zoning Board of Appeals will review all applications for completeness. Any application that is not complete or does not conform to these rules shall be returned and corrected or completed before filing with the Dedham Town Clerk.

In the event said application is filed with the Dedham Town Clerk and is not complete or correct, such application will be held in abeyance by the Zoning Board of Appeals until reviewed by the Zoning Board of Appeals Clerk. In this case, a new application will be prepared and if complete, will be time stamped by the Town Clerk

The Zoning Board of Appeals will advertise in a local newspaper with general circulation throughout the Town, at the applicant's expense, for two weekly insertions of the Notice of Hearing, wherein a copy shall be forwarded to the applicant and each abutting owner of record within a 300-ft radius of the parcel in issue, in accordance with the requirements of M.G.L.Chapter 40A, Section 11.

Upon submission of the application, the applicant shall pay the filing fee in effect, payable to the Town of Dedham. This fee shall be non-refundable unless the Zoning Board of Appeals votes to permit a withdrawal of the application, prior to the hearing being advertised. The applicant shall also pay a filing fee at the Norfolk County Registry of Deeds or Land Court, as required by law, when the Zoning Board of Appeals decision is filed.

The applicant, if filing for a dimensional variance, shall submit six (6) copies of a plot plan, drawn to scale, (not less than 40' = 1", and on 8.5" X 11" paper minimum) noting thereon any and all structures, square footage of coverage, lot size, front, rear and side dimensions and setbacks, easements, height, means of access, number and location of parking spaces and plans (specifications) for work being proposed. If new construction, a drawing of the building or dwelling would be helpful.

For commercial applications for business uses in appropriate zoning districts, the applicant is required to file site plans, traffic studies, if appropriate, parking lot layout, architect's drawings, legal memoranda supporting the application, and any other pertinent information to support the application. These documents should be submitted in at least ten copies to permit dissemination to other Town of Dedham Boards and Committees for their review as required by the Zoning By-Law.

### **HEARINGS**

Hearings are conducted at the Dedham Town Hall, usually on a Monday evening. All hearings are conducted in accordance with the Open Meeting Law, and are informal. The Chairman of the Zoning Board of Appeals conducts the hearing, and attendees are allowed to speak. The Chairman has the authority to control the debate in the interest of time and repetition. All those with an interest in the outcome are allowed to comment on the proposal. All evidence presented at the hearing is recorded and becomes part of the decision of the Zoning Board of Appeals.

All applicants are expected to be familiar with the section(s) of the Zoning By-Law that affect their case. Applicants are expected to be present at the hearing and to prepare their case in an organized and coherent manner. Visual aids and expert opinions are recommended for complex cases.

Employment of an attorney or agent is recommended for complex cases, but is not required. Anyone who has problems with the English language may want to authorize someone to speak for them, in order to prevent confusion.

Any person who intends to speak shall, prior to making any statement, fully disclose his/her interest, if any, in the application. All speakers will be asked to state their name and address for the record. All questions to an applicant will be asked through the Chairman.

All preparations for hearings are coordinated by the Administrative Assistant of the Zoning Board of Appeals, with assistance, as required, from the Clerk and Chairman. The current Administrative Assistant is Susan Webster, and she may be reached at the Planning Board Office @ (781) 751-9240

### **MISCELLANEOUS**

All applications for boundary changes that must be recorded in the Registry of Deeds require a plan prepared by a Registered Professional Engineer or a Registered Land Surveyor.

These Rules and Regulations cancel any prior Rules and Regulations, and become effective January 1, 1995. Copies of these rules will be provided with the application in the Dedham Building Department.

Copies of the Dedham Zoning By-Laws may be purchased at the Building Department.

Adopted March 13, 1995